Office for Democratic Institutions and Human Rights

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Overview by the ODIHR Director

ODIHR Director Janez Lenarčič at the opening plenary session of the Human Dimension Implementation Meeting, Warsaw, 28 September. (OSCE/Piotr Markowski)

I am pleased to present ODIHR's Annual Report for the year 2009. As the OSCE agenda was dominated by efforts, within the "Corfu process", to restore confidence among participating States and move forward the dialogue on wider European security, ODIHR continued to work with governments and civil society across the region to assist with the implementation of commitments in the field of human rights, democracy and the rule of law.

As the principal institution dealing with the "human dimension" of the OSCE, ODIHR was active in monitoring compliance by participating States with the commitments they have made and in providing support in closing implementation gaps.

While monitoring activities, for example with regard to elections and hate crimes, covered the entire OSCE region, the Office focused its assistance projects particularly on participating States that expressed a genuine will to undertake reforms and make use of ODIHR's expertise.

During 2009, ODIHR observed or assessed 16 **elections**. These included the European Parliament elections, which presented a unique challenge in terms of developing a format allowing for the meaningful assessment of a major electoral event that, in effect, consisted of 27 separate, simultaneous national-level elections.

Altogether, ODIHR deployed some 2,300 observers from 52 participating States. The Office also further broadened the geographic scope of its observation activities, with a number of missions to countries whose elections were assessed for the first time, such as Germany, Greece, Norway and Portugal. At the request of the OSCE Permanent Council, ODIHR also sent an expert team to assess the presidential election in Afghanistan and develop recommendations to improve future electoral processes.

As in previous years, ODIHR conducted its election observation activities in close partnership with the OSCE Parliamentary Assembly and other parliamentary partners.

ODIHR's **democratization** work was recalibrated in 2009 to maximize synergies with the Office's election-related activities. This meant that key aspects of ODIHR's democratization programmes — rule of law, population registration, legislative reviews, political party development, women's participation — have been tied in more closely with follow-up to the Office's election observation missions.

The past year also saw the finalization of the first phase of a major project aimed at strengthening the capacity of national jurisdictions in the Western Balkans to adjudicate war crimes trials. Following a study on the needs of national judicial systems, completed in 2009,

ODIHR Director Janez Lenarčič observes the Bulgarian parliamentary elections in a polling station in Dupnica, 5 July. (OSCE/Jens Eschenbaecher)

ODIHR, the International Criminal Tribunal for the former Yugoslavia and other project partners will now focus on transferring knowledge and expertise from the Tribunal to national jurisdictions.

ODIHR experts completed extensive monitoring of trials held following the March 2008 post-election violence in Armenia. The report emanating from this exercise is expected to serve as a basis for further work with the authorities on addressing shortcomings in Armenia's justice system.

In the field of **human rights**, ODIHR provided assistance on a wide range of issues, ranging from support for human rights defenders to helping national authorities enhance their capacities to identify and assist victims of trafficking in human beings.

Following a tasking by the OSCE Ministerial Council, ODIHR in 2009 published a major compilation of good practices in human rights education. The compendium, developed with the United Nations and the Council of Europe, contains 101 exemplary practices from over 30 participating States that can serve as models in countries wishing to step up human rights education.

With regard to **tolerance and non-discrimination**, ODIHR's annual hate crimes report again documented numerous instances of hate-related violence, including murders. The report also stressed that the full extent of hate crimes remains obscured by a lack of reliable data. Increasing the availability and quality of information on hate crimes, therefore, has again been one of ODIHR's priorities in 2009. Other priorities have included activities aimed at addressing limitations to freedom of religion or belief and challenging biases and prejudices through education. Throughout the year, ODIHR worked closely with the three personal representatives of the OSCE Chairperson-in-Office on promoting tolerance.

Responding to an increase in violence against **Roma and Sinti**, ODIHR's Contact Point for Roma and Sinti Issues stepped up its monitoring activities and provided advice to national authorities, as stipulated by the OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE region. In 2009, the Contact Point conducted a field visit to Hungary and published a report on a similar visit to Italy that took place the year before. As tasked by the OSCE Ministerial Council, ODIHR also increased its efforts to promote early education for Roma and Sinti as a means to break the cycle of social exclusion and discrimination these communities face in many OSCE participating States.

The 2009 **Human Dimension Implementation Meeting** (HDIM), the OSCE's annual human rights and democracy gathering, organized by ODIHR, again attracted about 1,000 participants from across the OSCE region. The wide participation in the HDIM — Europe's largest human rights conference — proved that the meeting continues to be an important forum for states and civil society to review the implementation of human dimension commitments.

In conclusion, I believe the continuously increasing demand for ODIHR's expertise and assistance throughout the year demonstrates that the Office is on the right track. Participating States from across all parts of the OSCE region were engaged with our experts in finding solutions to challenges, both old and new, in the human dimension. It is this spirit of trust and co-operation that is at the heart of the OSCE's comprehensive security concept and a precondition for the success of our work.

ODIHR is grateful to participating States for their support and co-operation during 2009 and is looking forward to working closely with governments and civil society in the OSCE region to address the challenges lying ahead.

Ambassador Janez Lenarčič
Director, OSCE Office for Democratic Institutions and Human Rights (ODIHR)

Elections

Ubayd Baqoyev, Chairman of the Bukhara precinct election committee, carrying a mobile ballot box during the 27 December parliamentary elections in Uzbekistan. (OSCE/Alex Yurin)

As a fundamental building block of democratic institutions, elections are a primary focus for ODIHR. The Office is explicitly mandated to assist the OSCE's 56 participating States in conducting democratic elections in line with their OSCE commitments, most of which are contained in the 1990 OSCE Copenhagen Document. This is achieved mainly through the observation or assessment of elections across the OSCE region but also, crucially, through targeted technical-assistance projects and important follow-up work with individual states to promote the implementation of recommendations contained in reports by ODIHR observation mission.

In addition, ODIHR is active in other areas related to elections, carrying out reviews of electoral legislation, publishing guidelines and handbooks on a variety of election-related issues, and providing training for election observers.

A comprehensive methodology comprising a long-term approach lies at the core of the ODIHR's election work, based on the fact that an in-depth assessment of an election process must examine not only election day but also the circumstances that exist in a state before and after the vote. This thorough approach means that crucial elements of the election process, such as the legal framework, the work of the election administration, the conduct of the election campaign, access for contestants to the media and the adjudication of election-related complaints, are systematically scrutinized. ODIHR's election observation activities cover an extensive geographical area, and the Office has made efforts to follow electoral developments in a broader range

A polling station during Albania's parliamentary elections, Elbasan, 28 June. (OSCE/Roberto Berna)

of OSCE participating States. It has focused on specialized issues in election processes through assessment missions, which have joined observation missions as essential elements in ODIHR's methodological toolkit.

One of the key challenges in ODIHR's work remains the implementation of recommendations, especially in countries where electoral processes are not yet in line with OSCE commitments. As a result, ODIHR has redoubled its follow-up efforts by prioritizing Office-wide activities in this area, and especially through strengthened co-ordination with ODIHR's democratization work.

Main Issues

Democratic Standards

The 1990 Copenhagen commitments remain the principal benchmark for ODIHR's evaluation of election processes. While recognizing democratic development as a process, ODIHR continues to observe a dissonance between legal and administrative frameworks in a number of OSCE participating States and the application of these provisions in practice. Since legal norms should not be mere formalities, ODIHR also looks at the actual implementation of election-related laws. The Office continues to note and report upon significant shortcomings in a number of OSCE participating States, including: limitations of fundamental rights and freedoms; undue restrictions placed upon candidates and campaigns; issues of structural bias in the media; faulty voter-registration systems producing anomalies that skew actual voting patterns; limitations placed upon election observers (both domestic and international); improper use of state resources to the advantage of certain contestants; the lack of separation between states and political parties; intimidation and pressuring of voters; lack of effective legal redress; and, often, direct fraud during the voting, counting and tabulation of votes.

Implementing Recommendations

As a natural continuation of its election observation work and to ensure a constructive approach in pursuing its mandate, a key focus of ODIHR's work is assisting participating States in the implementation of recommendations to improve election processes. Such recommendations are made at the conclusion of an election process, as part of a comprehensive final report that is shared with all participating States and made public. These reports are also provided in the local language, in order to reach out to domestic election stakeholders. These recommendations point to crucial problems during a particular election and suggest measures that may be taken to bring the election process into closer conformity with OSCE commitments. Post-election dialogue with participating States is a continuing necessity for this mechanism of evaluation and improvement.

ODIHR Director Janez Lenarčič (right) at a polling station in Comrat, in the autonomous region of Gagauzia, during the 5 April parliamentary elections in Moldova. (OSCE/Jens Eschenbaecher)

New Voting Technologies

Many OSCE participating States continue to explore the possibilities that new technological advancements offer in terms of democratic participation and more efficient administration of elections. At the same time, other states have realized the limitations and the risks associated with the use or overly rapid introduction of electronic voting. Strong arguments have been raised in favour of these technologies, based on their efficiency, the cost savings they offer and the ways in which they can encourage voter turnout. Counterarguments point to the indispensability of safeguards to ensure adequate transparency and accountability in the use of such voting systems. Electronic voting must carry the same guarantees of reliability, transparency and secrecy as traditional means of voting. This remains crucial to retaining citizens' trust and confidence in the electoral process and the results of that process. Key challenges in this area include measures to ensure the secrecy of the vote and to eliminate the possibility of tracing individual ballots to identify them with particular voters. Electronic-voting experts have increasingly become part of missions to elections in which electronic voting takes place. Furthermore, ODIHR has participated in international forums on this topic to broaden its knowledge and expertise. The lessons learned are then channelled into updating ODIHR's methodology to keep it current with these technological advances.

Activities

ODIHR observes and assesses elections as a key element of its mandate and as a foundation for other types of activity and assistance. The findings from ODIHR election reports also serve as a basis for work to assist democratic development by ODIHR, OSCE field operations, other OSCE institutions and other organizations with their own mandates in this field. In 2009, ODIHR's activities in the field of elections focused on:

- Election observation;
- Follow-up to observation missions;
- Reform of electoral legislation;
- Further development of election observation methodology;
- Observer training; and
- Support for OSCE Partners for Co-operation.

Election Observation

In 2009, ODIHR deployed missions to 16 elections, including an Expert Group Assessment (EGA) of elections to the European Parliament, which covered 15 participating States. In accordance with its standard methodology, prior to the holding of an election, ODIHR deploys a Needs Assessment Mission (NAM) to assess the pre-election environment and preparations underway and to recommend the type and scope of mission required. Elements taken into consideration in deciding what mission format to deploy include

ODIHR Election Activities, 2009

	Country	Election	Date	Mission
1	Former Yugoslav Republic of Macedonia	Presidential & Municipal	22 March & 5 April	EOM
2	Montenegro	Early parliamentary	29 March	EOM
3	Moldova	Parliamentary	5 April	EOM
4	Iceland	General	25 April	EAM
5	European Union (covering 15 participating States)	Parliamentary	4-7 June	EGA
6	Albania	Parliamentary	28 June	EOM
7	Bulgaria	Parliamentary	5 July	LEOM
8	Kyrgyzstan	Presidential	23 July	EOM
9	Moldova	Early parliamentary	29 July	EOM
10	Norway	Parliamentary	14 September	EAM
11	Germany	Parliamentary	27 September	EAM
12	Portugal	Parliamentary	27 September	EAM
13	Greece	Parliamentary	4 October	EAM
14	Romania	Presidential	22 November & 6 December	LEOM
15	Croatia	Presidential	27 December	LEOM
16	Uzbekistan	Parliamentary	27 December	EAM

levels of public confidence in the conduct of elections, the existence of well-tested election practices, a legal framework that is in line with OSCE commitments, respect for fundamental rights and freedoms, proven checks and balances (including an independent judiciary), an open civil society, a pluralistic media sector and the potential usefulness of an ODIHR presence. Unfortunately, although ODIHR would like to deploy a NAM to each participating State holding an election, existing constraints make this impossible.

In six of the 16 elections mentioned above, ODIHR sent full-format election observation missions (EOMs), which include the deployment of core teams of experts, as well as long and short-term observers seconded by OSCE participating States. Three limited election observation missions (LEOMs) were deployed to countries where the presence of long-term observers was deemed to be useful but where election-day issues were either not expected to be problematic or where systemic shortcomings were so significant as to render election-day observation procedures largely meaningless. There were six cases in which election assessment missions (EAMs) were deployed to elections for which the involvement of long and short-term observers was deemed unnecessary, either due to the existence of effective checks and balances and the high level of confidence in the election process or, conversely, due to a lack of sufficient guarantees to warrant such a high number of observers.

Ten OSCE participating States were visited for the first time in an election context, thus widening the scope of observation activities and ensuring a higher level of scrutiny across the region. This trend will continue in the future. Over the course of 2009, ODIHR published 67 election-related reports (needs assessment mission reports, interim reports, preliminary statements, final reports and various legal reviews) and some 35 press releases.

These efforts were undertaken with a view to assisting a wide range of participating States in improving their electoral processes, in accordance with the requirements of the 1990 OSCE Copenhagen Document. These observation activities both evaluated the extent to which OSCE commitments and other international standards for democratic elections had been met and focused on measures that could be taken by participating States to improve future election processes.

A total of about 2,300 observers, from 52 participating States and three OSCE Partners for Co-operation, were deployed by ODIHR in 2009. In order to further promote the objective of diversification, as set out in Ministerial Council Decision No. 19/06, "Strengthening the Effectiveness of the OSCE", ODIHR also continues to make use of the "Fund for Diversification". This extra-budgetary programme allows ODIHR to more effectively draw observers from a variety of participating States, especially those that do not traditionally second observers. On this basis, ODIHR funded the

ODIHR observers cycling to a polling station in Bucharest during the Romanian presidential election, 22 November. (OSCE/Jens Eschenbaecher)

participation of 28 long-term observers and 61 short-term observers to 13 election missions over the course of 2009. The support from participating States for this programme is particularly appreciated, as it allows ODIHR to draw upon broader expertise.

Also in line with Ministerial Council Decision No. 19/06, ODIHR co-operates regularly and maintains strong partnerships with the OSCE Parliamentary Assembly (on the basis of a 1997 co-operation agreement), the Parliamentary Assembly of the Council of Europe, the European Parliament and the NATO Parliamentary Assembly. It also works actively with other international organizations. Most legal reviews are drafted jointly with the Council of Europe's Venice Commission.

In 2009, ODIHR also organized the fourth meeting on the implementation of the "Declaration of Principles on International Election Observation", which was developed under the auspices of the United Nations and adopted in 2005. This document has become a common reference point offering fundamental guiding principles for international election observation. It has been endorsed by numerous inter-governmental organizations and NGOs involved in election monitoring.

Key Findings

In 2009, a number of positive developments were noted in the context of election observation missions. Shortcomings, however, continue to persist in a number of participating States. Problems encountered include:

- **Limitations on candidacy:** International norms require that all citizens have equal rights to stand for office and to be elected, yet many states employ undue administrative measures that effectively bar individuals from standing. Others employ such measures to de-register candidates on spurious administrative grounds. Thus, the right to seek political or public office is limited.

- **Obstacles to free campaigning:** Parties and candidates cannot campaign openly and freely in some states. In some cases, certain candidates and parties face harassment, pressure, de-registration or other problems. In other cases, some candidates gain undue advantage through the abuse of official positions and state administrative resources. This leads to an uneven playing field. The responsibility to ensure equal protection for all parties and candidates lies squarely with state authorities.

- **Media access:** Electronic broadcast media are the main source of information in all OSCE states. It is generally recognized that state-funded and public electronic broadcast media have particular obligations and responsibilities during election periods vis-à-vis candidates and voters. These obligations derive from the fact that they use public commodities (i.e., frequencies) and that their funding comes from taxpayers. The outcome of an election is often influenced by the amount and quality of information that voters receive through the media. In many cases, however, certain parties or candidates are denied

A voter preparing to cast her ballot during the Romanian presidential election, Bucharest, 22 November. (OSCE/Goran Petrov)

Ballot papers for blind voters at a polling station during Albania's parliamentary elections, Elbasan, 28 June. (OSCE/Roberto Berna)

access to certain media sources or are granted access in a manner that is inequitable.

- **Administration of elections:** Parties and candidates in some cases lack confidence in the impartiality of election administration and are sometimes treated in a biased manner. Moreover, election commissions are not always truly independent or free from government influence. Transparency, impartiality, efficiency and accountability are key features that any election administration mechanism must meet to gain and retain confidence in the election process, among both voters and those contesting the vote.

- **Counting and tabulation procedures:** There are often insufficient safeguards in place for counting and tabulation to discount the possibility of electoral malfeasance. This leads to the observation of dubious or, at times, openly fraudulent behaviour during the counting of votes and the tabulation of results. For there to be proper confidence in an election, OSCE commitments require the honest counting of votes and public reporting of election results to ensure transparency and confidence.

- **Complaints and appeals systems:** Procedures and relevant bodies for the handling of election-related complaints are not always sufficiently developed to allow citizens adequate legal redress. A key element of the rule of law is that disputes can be channelled through appropriately designated and independent courts of law that can provide effective remedy. The timing of dispute adjudication is also crucial — decisions should be made quickly enough to have an impact on the election process. Such a right to redress should be available to citizens and to those standing for office, and at all stages of the process — from the moment of registration, through the course of the campaign, during the counting of votes and to the determination of election results.

Support for Field Operations

ODIHR will also continue to provide support, including through Election Expert Support Missions, to OSCE field operations (within their respective mandates), which follow electoral events (referenda, local elections and by-elections) and report on such events through their standard channels when full-scale EOMs are not deployed.

ODIHR recognizes that OSCE field operations can have a longer-term role to play in the area of election-related technical assistance. Targeted technical assistance programmes delivered by OSCE field missions, if designed to effectively address previous ODIHR recommendations, can offer an important complement to ODIHR's efforts.

Follow-up to Observation Missions

ODIHR stands ready to assist participating States in implementing the recommendations made in its

The head of the OSCE/ODIHR long-term observation mission, Peter Eicher (centre), before a post-election press conference in Skopje, 23 March. (OSCE/Drew Hyslop)

election reports, with the aim of furthering implementation of OSCE commitments. In 2009, ODIHR undertook a number of follow-up activities. These included reviews of electoral legislation and participation in meetings, roundtables and working groups in a variety of participating States. Among other initiatives, follow-up activities were conducted in Belarus, Georgia, the former Yugoslav Republic of Macedonia, Kazakhstan, Montenegro and Moldova. Some of these activities were initiated through a visit by the ODIHR Director shortly after the publication of an election observation mission report.

Political will is often a key precondition to effective follow-up of ODIHR recommendations. Where there is sufficient political will, the period after an election offers excellent opportunities for participating States to benefit from recommendations made by ODIHR election observation missions through an active follow-up process. ODIHR encourages such timely efforts.

Reform of Electoral Legislation

Holding elections that are in line with OSCE commitments requires an adequate legal framework to ensure that crucial rights and standards are adhered to in a structured manner. As a result, the review of electoral legislation and legal frameworks is a key component of ODIHR's follow-up efforts.

Over the course of 2009, ODIHR published five joint legal reviews with the Venice Commission on draft or final amendments to election laws in Albania, the former Yugoslav Republic of Macedonia, Serbia and Ukraine (two separate reviews). These reviews all provided recommendations on how to bring legislation into line with OSCE commitments.

Further Development of Election Observation Methodology

ODIHR's comprehensive methodology for election observation is set out in the *Election Observation Handbook*. This methodology covers the various facets of an election process, from review of the legal framework to assessment of the performance of election-administration bodies. It examines the conduct of an election campaign, whether there is equitable access to the media and the media environment, and the procedures in place for adjudicating election-related complaints and appeals. Election-day elements, such as voting, counting and tabulation, as well as the announcement of election results, are also crucial elements addressed by this methodology.

ODIHR continues to identify new areas of development and concern, and areas where its observation methodology could be improved. Among other things, it continues to look at challenges to the observation of new voter technologies, specific elements of voter registration and issues related to the financing of election campaigns. ODIHR continues to publish guidelines and handbooks on a variety of election-related subjects to provide additional guidance to election observers. At

Artis Pabriks, former Foreign Minister of Latvia and head of the OSCE/ODIHR Election Observation Mission to Montenegro (centre), speaks to journalists at a post-election press conference with colleagues from parliamentary delegations, 30 March. (OSCE/Drew Hyslop)

the end of 2009, the Office was in the process of updating or developing publications on a wide variety of issues, including the participation of national minorities in electoral processes, legal frameworks for elections, new voting technologies, voter registration, campaign finance and guidelines on media monitoring.

Observer Training

Although OSCE participating States often take the leading role in the training of their seconded observers, ODIHR has contributed to these efforts on a number of different fronts.

Under its training programme for election observers, ODIHR, together with the Belarusian authorities, organized a three-day training event in Minsk for short-term observers in December 2009. The aim of the training was to broaden the pool of observers from participating States eligible under the diversification fund: Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Croatia, Georgia, Kazakhstan, Kyrgyz Republic, the former Yugoslav Republic of Macedonia, Moldova, Montenegro, Serbia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan. Twenty-seven individuals participated; 15 of these were representatives of their respective governments, while 12 came from the NGO sector. The participants comprised 15 men and 12 women.

Issues dealt with during the course of the training included an introduction to ODIHR's election observation methodology, international standards for election observation, the daily life of an observer, and election-day procedures and reporting mechanisms. Trainees also practiced their new observation skills in a mock polling station and in various interactive scenarios.

ODIHR also continued to co-operate with a number of long-standing partners in the area of observer training, including the German Centre for International Peace Operations, the Norwegian Centre for Human Rights, the Diplomatic Academy of the Russian Ministry of Foreign Affairs, the Austrian Study Center for Peace and Conflict Resolution, the United Kingdom's Electoral Reform International Services and the European Commission's Network of Europeans for Electoral and Democracy Support. In 2009, ODIHR extended its co-operation to Denmark and Hungary, participating for the first time in regional training events for election observers organized by these countries.

Support for OSCE Partners for Co-operation

Following an invitation from Afghanistan's Foreign Minister, ODIHR was tasked by the OSCE Permanent Council to support the conduct of the 20 August presidential and provincial council elections there. To implement this mandate, and following two exploratory visits made with representatives from the European Union, ODIHR deployed an Election Support Team (EST), composed of 20 experts to assist election stakeholders in their ongoing efforts to organize the elections. The ODIHR EST followed all areas of the electoral process, with a particular focus on domestic observation, capacity building

Representatives of the presidential candidates observe the Independent Election Commission's audit of results, Kabul, 8 October. (OSCE/Drew Hyslop)

Legal reviews 2009

COUNTRY	TITLE OF DOCUMENT	DATE OF ISSUE
ALBANIA	Joint Opinion on the Electoral Code of the Republic of Albania	13 March 2009
UKRAINE	Joint Opinion on Draft Law No. 3366 about Elections to the Parliament of Ukraine	15 June 2009
FORMER YUGOSLAV REPUBLIC OF MACEDONIA	Draft Joint Opinion on the Electoral Code of the Former Yugoslav Republic of Macedonia	11 June 2009
SERBIA	Joint Opinion on Draft Laws on Electoral Legislation of Serbia	12 October 2009
UKRAINE	Joint Opinion on the Law on Amending Some Legislative Acts on the Election of the President of Ukraine	12 October 2009

and sustainability, voter registration and the legal framework for elections.

The ODIHR EST co-ordinated its efforts closely with the UN missions in Afghanistan and the EU Election Observation Mission. Despite a challenging security environment, the ODIHR EST also held regular meetings with election-administration authorities, candidates, political parties, domestic observers, civil society organizations, security agencies, ministry officials, the media and other international agencies supporting the elections.

ODIHR issued a comprehensive report, including recommendations on improving future electoral processes.

The experts represented 11 different OSCE participating States and were deployed for a period of 15 weeks. Team members were based in Kabul but visited other parts of Afghanistan in the course of their work.

Democratization

Democracy is a cornerstone of the OSCE's human dimension. Regardless of how much democratic experience a country has, all OSCE participating States are equal in their commitment to democratic ideals. ODIHR's democratization work is aimed at helping participating States in their efforts to uphold this most fundamental of commitments.

With this in mind, ODIHR focuses on long-term assistance programmes aimed at the policy level rather than short-term projects. ODIHR provides technical assistance to participating States upon request, where possible with and through the OSCE's unique network of field operations. Before responding to requests for assistance, ODIHR conducts a needs assessment in order to ensure that the OSCE's human, financial and time resources are used effectively and that ODIHR's engagement brings genuine added value.

While ODIHR's democratization work is multifaceted, it is, in essence, about ensuring that the knowledge and expertise available for democratic reform get to where they are most needed. Over recent years, ODIHR has developed targeted areas of expertise at the heart of its institution-building mandate and has published guidelines for participating States dealing with particular areas of democratic development. These serve as a platform for the delivery of ODIHR assistance. The main priority for 2009 was the consolidation of democratization expertise to support integrated ODIHR follow-up to the final reports of election observation missions. The current areas of expertise for such follow-up engagement are:

* Population- and voter-registration issues;
* Freedom of assembly, specifically legislative reviews;

Members of the ODIHR Core Group of Experts for drafting the Guidelines on Legislation Pertaining to Political Parties meeting in London on April 9. (OSCE/Marta Achler)

- Legislation on political parties (ODIHR guidelines on legislation pertaining to political parties were drafted in 2009 and will be finalized in 2010);
- Election complaints and appeals (work began in late 2009 on developing rule of law programmes to support the resolution of election disputes — these programmes will be rolled out in 2010); and
- Women's representation (a revamped programme, which builds on ODIHR's experience in Central Asia and the South Caucasus, has been developed and implementation is underway).

Within the wider OSCE framework, ODIHR acts as a repository of information, including good practices and lessons learned, in a variety of subject areas and facilitates the exchange of information and expertise across the OSCE. ODIHR is committed to working closely with OSCE field operations, either in the joint implementation of activities or by providing guidance and access to expertise. ODIHR also serves as an inter-mission forum for communication on methodological issues and specific issues, such as voter/civil registration, local democracy and the rule of law. Beyond the organizational framework, ODIHR also partners with national institutions and individual experts to ensure that OSCE participating States in need of assistance have access to the best minds and materials available.

Main Issues

Rule of Law and the Administration of Justice

This broad area covers a number of issues. For example, individuals who deal with the justice system often face situations in which their human rights — their right to a fair trial, in particular — are ignored. Moreover, there are cases where people have no access to effective legal remedies when their rights are breached. To ensure that legislation works in practice and that the rights of all individuals are respected, public authorities must be held to greater account.

Legal Reform

OSCE participating States may undertake legal reform for any number of reasons, including in an effort to ensure that their legislation is in line with OSCE commitments and other international human rights standards or in response to domestic or international challenges. With respect to the OSCE's human dimension, this could include legislation aimed at facilitating labour migration or preventing trafficking in human beings. Whatever the subject matter, lawmakers need access to international experience, including legal opinions and commentaries on the degree to which draft legislation complies with OSCE commitments and other international standards.

Former Austrian Foreign Minister Ursula Plassnik, a member of the Advisory Panel of the Regional Women's Lobby (RWL) for Peace, Security and Justice in Southeast Europe, speaks at an RWL meeting, Zagreb, Croatia, 1 September. (OSCE/Linda Öhman)

Weak or Underdeveloped Democratic Institutions

For states to be truly democratic they must have strong democratic institutions and a strong democratic culture. There is a clear link between well-run elections and respect for the rule of law, on one hand, and democratic outcomes, on the other. In many parts of the OSCE region, institutions such as parliaments, which are crucial for strengthening democratic governance, need continued support.

Gender Equality and Women's Participation in Democratic Processes

In many OSCE states women are significantly underrepresented in the political domain or face structural or societal barriers that impede their full participation in political life. Traditional patriarchal attitudes and behaviour may serve as a primary barrier to the promotion of gender equality, with the general public often not even considering such practices discriminatory. This ultimately limits women's participation in and contribution to democratic processes.

Reforming Population-Registration Systems

In some participating States, remnants of the Soviet population-registration system known as the *propiska* still remain, creating a number of legal and administrative barriers that hinder freedom of movement and free choice of place of residence. Because an individual's registered place of residence is linked to the provision of state services, internal migrants often face difficulties in exercising their right to vote and accessing health care, education and even the labour market. Although population-registration reforms have been introduced throughout the region, remaining barriers to freedom of movement still need to be addressed.

Activities

ODIHR's democratization activities can be divided into three basic areas:

- Rule of law and legal reform;
- Democratic governance and participation in public affairs; and
- Migration and freedom of movement.

Participants attending the fourth annual ODIHR Expert Forum on Criminal Justice for Central Asia at Issyk-Kul, Kyrgyzstan, on 15 October. (OSCE/Aziz Nurbekov)

Rule of Law and Legal Reform

Democracy and the rule of law go hand in hand. For democratic institutions and procedures, and elections in particular, to function properly, the rule of law must be respected. At the same time, the rule of law is strengthened by truly democratic conditions, whereby citizens see laws as just and legitimate and not as instruments of control or oppression.

This mutually reinforcing relationship works to the benefit of everyone in society if certain conditions exist, where: laws are respected and apply to everyone equally; institutions exist that ensure that laws are made in a democratic fashion by taking into account a variety of views, including those of ordinary citizens; human rights are respected; and justice is administered in an impartial manner.

ODIHR conducts a number of programmes aimed at making such conditions a reality. These can be grouped into two broad categories. The first focuses specifically on justice administration and, by extension, the set of institutions and rights that are essential to upholding the rule of law. The second focuses on legal reform as a vehicle for developing laws, regulations and practices that comply with the obligations of participating States under international law.

Criminal Justice Support

Further reform is needed in many participating States in order to fully meet OSCE commitments and other international standards in the area of criminal justice.

In supporting the reform efforts of participating States, ODIHR prioritizes the development of specific instruments aimed at gathering best practices from across the OSCE region and lessons learned from the OSCE's work in the justice sector. The consolidation of such information ensures that ODIHR can work with the OSCE's network of field operations in providing targeted assistance and relevant expertise to those countries requesting support.

Supporting the Adjudication of War Crimes

A good example of how the above-mentioned provision of assistance works in practice can be seen in a project that ODIHR launched in view of the scaling-down of the International Criminal Tribunal for the former Yugoslavia (ICTY), prior to its eventual closure. OSCE trial-monitoring operations in South-Eastern Europe showed that national judicial systems were experiencing certain problems in their handling of war crimes cases. For example, ICTY jurisprudence was not being effectively utilized in local proceedings, and there were difficulties in prosecuting and convicting high-level offenders.

Accordingly, ODIHR and its partners launched a project in 2008 to assess the capacity-building needs of national judicial systems with respect to adjudicating war crimes cases sent back from the ICTY. Following up on this research in 2009, ODIHR and its partners identified and shared with local jurisdictions a number of best practices, including the employment of practical exercises, such as moot courts, and organizing peer-to-peer training for judges. The final report of project was launched in The Hague in September 2009.

ODIHR has received funding from the European Commission for a project to help the national legal systems in countries of the region responsible for dealing with war crimes cases develop the skills they need to deal with them in an effective manner, particularly with respect to cases being transferred back to the region from the ICTY. The project, based on recommendations from the above-mentioned research, will be led by ODIHR and carried out jointly with the ICTY, the United Nations Interregional Crime and Justice Research Institute and OSCE field operations in the region.

Trial Monitoring

Trial monitoring is another important activity in which ODIHR uses its position to facilitate the sharing of information among OSCE field operations. The Office also carries out trial monitoring operations both in its own right and jointly with field operations.

ODIHR continues to organize annual inter-mission information exchanges on trial monitoring, with the fourth such meeting held in 2009. One result of this meeting was the re-affirmation of ODIHR's role as the repository of the OSCE's collective knowledge in this field. ODIHR is now working to establish an information and knowledge-management system, which will include an online discussion forum and can be applied throughout the OSCE region in trial-monitoring operations..

In addition, ODIHR launched a trial-monitoring project in Armenia following post-election violence in March 2008. The final report on this project will be published in 2010. It includes a list of recommendations to the Armenian authorities for reforms to address shortcomings identified, including the need for better protection against arbitrary detentions and further measures to improve the professionalism of judges. ODIHR stands ready to assist in the implementation of these recommendations.

Prevention of Torture

The year 2009 saw the completion of an important cycle of work on the prevention of torture, resulting in an online publication called *The Fight against Torture: The OSCE Experience*. It contains an overview of the activities currently being implemented by field operations and proposes strategies to enable OSCE field operations and other organizations working on torture prevention to take a more systematic approach to the issue. In addition, the publication provides an overview of the latest developments with regard to the implementation in the OSCE region of the Optional Protocol to the United Nations Convention against Torture.

Criminal Justice Reform in Central Asia

ODIHR has been assisting the states of Central Asia with reforms of their criminal legislation since the late 1990s, resulting in the gradual introduction of judicial authorization of arrest in criminal procedure codes, notably in Kazakhstan, Kyrgyzstan and Uzbekistan; a wide-ranging consultative process before introducing jury trials in Kazakhstan; and legislative changes with respect to the right of the defendant to request a jury trial in Kazakhstan.

Instrumental in all of ODIHR's criminal justice activities in the region is the annual Expert Forum on Criminal Justice for Central Asia, the fourth of which was held in 2009. This is the only forum that brings together key actors from across the region specifically to discuss criminal justice reform through an exchange of opinions with policymakers, authoritative experts and academics. In addition to providing a unique platform for expert dialogue, the forum also helps ODIHR ensure that its rule of law priorities for the region correspond to real needs and address emerging issues.

At the 2009 forum, held in Kyrgyzstan, nearly 60 participants from the region gathered to discuss a range of issues, including new developments in the reform of criminal procedure in Tajikistan and Turkmenistan, judicial authorization of pre-trial detention in Uzbekistan and Kyrgyzstan and jury trials in Kazakhstan. ODIHR developed several follow-up projects to monitor and assess how some of these reforms were being implemented in the region and to develop recommendations for improvements. Results from these projects will be presented at the 2010 forum.

Other Priorities

Independence of the Judiciary

Genuine judicial independence, a requirement of equality before the law, is one of the hallmarks of a democratic society. It is the fundamental element

Judge Patrick Robinson, President of the International Criminal Tribunal for the former Yugoslavia, gives the keynote speech at the Human Dimension Seminar on Strengthening the Rule of Law, Warsaw, 12 May. (OSCE/Piotr Markowski)

in guaranteeing the right to a fair trial, an issue that received a great deal of attention in the early 1990s in the wake of the transition of many countries to democratic systems. In the intervening years, reforms were undertaken across the OSCE region. ODIHR, in co-operation with the Heidelberg-based Max Planck Institute, has been studying these reforms in order to develop an analysis of needs as the basis for a new generation of ODIHR programmes addressing this issue.

Effective Administration of Justice and Legal Remedies

In 2009, ODIHR began developing its capacity to provide assistance to participating States with respect to the judicial resolution of election-related disputes. A review of the ODIHR manual *Resolving Election Disputes in the OSCE Area* (2000) is under way and will lead to the design of a rule of law programme to support judiciaries in resolving electoral disputes.

Also, the 2009 Human Dimension Seminar, which was dedicated to strengthening the rule of law in the OSCE area, with a special focus on the effective administration of justice, stressed that governments should concentrate on the core function of administrative justice — the protection of individuals against potential abuses by administrations through the provision of effective remedies.

Legislative Support

ODIHR's comprehensive approach to legislative reform has four main aspects.

The first involves the review of individual pieces of draft legislation, usually during the course of political dialogue with the authorities of the relevant participating State. Whether performed by ODIHR's in-house staff or by domestic or international experts, the purpose of these reviews is to provide prompt advice while legislation is being drafted, in order to strengthen local capacity for reform. This often involves the sharing of experiences and practices from other OSCE states that have dealt with similar issues.

The second aspect is a direct result of ODIHR's years of experience with legislative reviews. In looking closely at individual laws, it became clear that many legislative shortcomings had common underlying causes. To address these shortcomings in a systematic manner — ODIHR offers recommendations on how to improve the law-making system to make it more efficient and more transparent.

The third aspect of ODIHR's legislative support is employed less frequently but is no less important. When it becomes clear that legislators from a number of OSCE states need guidance on a particular issue, ODIHR develops and publishes guidelines in order to offer assistance to a wider audience. Taking into account best practices from across the OSCE region, these documents provide parameters for making laws that comply with OSCE commitments and other relevant international standards.

Legislationline.org provides direct access to international norms and standards relating to specific human dimension issues, as well as to domestic legislation and other documents of relevance to these issues. (OSCE/Piotr Markowski)

The final aspect of ODIHR's work in this field is its role as a clearing house for legal information. This is accomplished mainly through the Office's online legislative database (www.legislationline.org).

Strengthening Capacity for Legislative Reform

When states deal with a legislative issue for the first time, they sometimes lack the relevant expertise to produce effective legislation. ODIHR can provide the necessary expertise to bridge this gap by assessing compliance with relevant standards, making recommendations to improve draft legislation, and sharing good practices to help lawmakers explore other options. This process is often followed by roundtable consultations with legislators and civil society on draft laws.

A good example of this from 2009 is ODIHR's work on Kazakhstan's draft legislation on domestic violence, which constituted part of a package of laws. Following a request from Kazakhstan's Interior Ministry, ODIHR reviewed the draft law, as well as other legislation dealing with the issue, including the Criminal Code, the Criminal Procedure Code, the Civil Code and the Administrative Code. ODIHR then presented an opinion that included a number of recommendations for improvements that were discussed first with lawmakers and then during a roundtable with lawmakers and civil society in Astana in mid-2009.

Kazakhstan's parliament later asked ODIHR to prepare a new opinion on a revised version of the draft law on countering domestic violence, as well as on the draft law on crime prevention. Both drafts were then discussed during a workshop in Astana in October, where ODIHR, along with domestic and international experts, presented good practices in the area of crime prevention and combating domestic violence. Both laws have now been passed and, as in all cases, ODIHR will follow up on its recommendations by assessing the extent to which they are reflected in the adopted legislation.

In the second half of 2009, Ukraine's Ministry of Family, Youth and Sports requested that ODIHR review the draft law on combating trafficking in human beings. The resulting opinion is one of a number issued by ODIHR in this field over recent years in order to assist national authorities in bringing their codes and laws into line with international standards in this field.

Towards the end of 2009, upon a request from the Armenian Justice Ministry, ODIHR prepared an opinion on the draft law on public organizations. The opinion recommended further consultations with domestic NGOs on the draft law and the enhancement of efforts to harmonize its provisions with international standards.

ODIHR's work in the area of legislative reform sometimes follows up on the Office's election monitoring activities. For example, ODIHR election observation missions often identify shortcomings, such as restrictions on freedom of assembly or association, limitations on the rights of political parties, or deficiencies in terms of gender equality. Such cases highlight areas where ODIHR's legislative-review work can have an impact.

The opinions issued in 2009 are presented in the following chart:

Participating State	Legislation
Armenia	• Opinion on the Draft Law Amending the Section on Pre-trial Proceedings in Criminal Cases of the Criminal Procedure Code • Opinion on the Introduction of Changes and Amendments to the Judicial Code • Opinion on Draft Amendments to the Law on Public Organizations
Azerbaijan	• Opinion on the Draft Law on Domestic Violence
Bosnia and Herzegovina	• Gap Analysis of Legislation Pertaining to Trafficking in Human Beings • Opinion on Draft Amendments to the Criminal Code
Former Yugoslav Republic of Macedonia	• Comments on Provisions Relating to Hate Crimes in the Draft Criminal Code • Comments on the Draft Law on Prevention and Protection against Discrimination (prepared jointly with the OSCE Spillover Monitor Mission to Skopje)
Kazakhstan	• Comments on the Law on Amendments and Additions to Some Legislative Acts of the Republic of Kazakhstan on Issues of Religious Freedom and Religious Organizations • Preliminary Opinion on the Package of Laws and Draft Laws Related to Domestic Violence • Opinion on the Draft Law on Population Migration • Opinion on the Draft Law on Crime Prevention • Opinion on the Draft Law on Domestic Violence
Kyrgyzstan	• Opinion on the Draft Law on Assemblies • Opinion on the Draft Law on Amendments and Additions to Some Legal Acts of the Kyrgyz Republic Pertaining to Non-commercial Organizations • Opinion on the Draft Law on Political Parties • Opinion on the Draft Law on Religious Education and Religious Educational Institutions
Montenegro	• Opinion on Article 443 of the Criminal Code • Comments on the Draft Anti-discrimination Law
Serbia	• Opinion on the Draft Law on Prohibition of Discrimination • Opinion on the Draft Law on Secrecy of Information
Ukraine	• Opinion on the Draft Law on Combating Trafficking in Human Beings of the Republic of Ukraine

Improving Legislative Efficiency and Transparency

Effective and efficient laws are the result of a structured legislative process that includes a number of key stages: policy analysis, regulatory-impact assessments, an evaluation of draft legislation and, when appropriate, public consultations. While reviewing individual laws, ODIHR has found that some or all of these stages are often missing or not properly regulated. This results in inefficient legislative processes that lack transparency. The same weaknesses tend to repeat themselves, suggesting a need to address underlying causes.

Before offering technical assistance aimed at improving lawmaking, ODIHR conducts an assessment of the legislative process in order to gain a detailed understanding of the specifics of the legislative system, including the structure of and interaction between the institutions involved. This allows ODIHR to identify areas in which improvements are needed and to make recommendations on how such improvements can be made.

In 2009, ODIHR brought to a close the second phase of this process in the former Yugoslav Republic of Macedonia. Over the year, four roundtables were organized by the national board for the reform of the legislative process to develop recommendations for the cabinet of ministers. ODIHR's role was to support the establishment and functioning of the national board, comprising government representatives and parliamentary stakeholders in the legislative process. ODIHR also supported the board's work on the recommendations by providing international expertise on various issues connected with making the legislative process more efficient and transparent, such as the inclusion of civil society in lawmaking, the use of expertise, law-drafting skills and efficient approximation of national legislation with EU law.

Also in 2009, preliminary trips were undertaken to Kazakhstan, Armenia, Serbia and Albania to discuss assessments of the lawmaking systems with the relevant stakeholders.

Guidelines for Legislators

As mentioned above, ODIHR sometimes develops guidelines on specific legislative issues when lawmakers from a number of OSCE states find themselves dealing with the same problems. These guidelines draw heavily

Denis Petit, Deputy Head of ODIHR's Democratization Department (right), addresses a Regional Roundtable on Freedom of Association in Central Asia, Bishkek, 21 October. (OSCE/Malik Alymkuloff)

on existing practices from across the OSCE region, but they do not establish any sort of normative framework.

In 2009, ODIHR and the Venice Commission began work on a revised edition of their *Guidelines on Freedom of Peaceful Assembly*, in order to take into account new developments, in particular, recent case law of the European Court of Human Rights. This is a reflection of the fact that legislative guidelines are evolving documents that can be revised and updated to take into account the most recent experiences of participating States.

In addition, ODIHR began work on a new set of guidelines for legislation pertaining to political parties (see "Democratic governance and participation in public affairs" below). Once completed, these guidelines will be useful for legislators engaged in framing new legislation or amending existing laws, as well as for those overseeing the implementation of such legislation.

In preparing these guidelines, ODIHR is taking the same broad and participatory approach that was used for the development of its guidelines on freedom of assembly. As such, consultations are being held with an array of stakeholders in order to take into account a range of perspectives that is as diverse as possible.

The guidelines will be prepared in co-ordination with the Venice Commission, which has provided advice on issues related to legislation pertaining to political parties.

The guidelines will also build on ODIHR's experience in the area of democratic governance, particularly its activities supporting political pluralism and increased women's participation in public affairs.

Access to law

ODIHR's legislative database, www.legislationline.org, provides online access to a thematically structured compilation of international standards related to the OSCE's human dimension, as well as to selected pieces of relevant domestic legislation in both English and Russian.

In 2009, the database was expanded to include a section on lawmaking and a blog on legislation related to political parties. This blog provides a platform by which experts and others interested in legislation pertaining to political parties in OSCE participating States can exchange information. Users can upload relevant information, news and documents, and also stay informed about progress on the guidelines.

Democratic Governance and Participation in Public Affairs

This area of ODIHR's work is mainly concerned with two issues: the development of strong democratic institutions and gender equality, especially regarding women's participation in democratic processes.

As mentioned above, strong democratic institutions and a strong democratic culture are prerequisites for true democracy. Where these are lacking, the momentum for further democratization is lost, and participating

Participants in an OSCE roundtable meeting on freedom of association in Central Asia, Bishkek, 21 October. (OSCE/Malik Alymkuloff)

States will find it difficult, if not impossible, to fulfil their OSCE commitments. Thus, ODIHR provides support to participating States to help them foster and sustain democratic institutions, such as political parties and parliaments.

Part of this democratic culture is concerned with how societies treat women. In many OSCE participating States, women face a variety of barriers that hinder their full participation in public life. ODIHR's work is aimed at fostering a culture of respect for equal rights and opportunities for women and men to participate in political and public life.

Pluralist Democracy: Political Parties

Pluralist democracies require stable political parties to function properly. Nonetheless, surveys show that trust in political parties is low among the general public across the OSCE region. In the past, ODIHR worked directly with political parties to promote inter-party dialogue and self-assessment. While this approach proved valuable in specific circumstances, it was not without its limitations. Thus, ODIHR changed course in 2009, launching a new programme that concentrates on the legislative and regulatory frameworks for political parties and which will use as its focus the above-mentioned guidelines on legislation pertaining to political parties. As part of this approach, ODIHR commissioned country reports analysing the legislative frameworks for political parties in a sample of OSCE participating States. These studies will be used as a basis for activities in 2010.

Strengthening Parliaments

Parliaments in the OSCE region that are new or inexperienced often need assistance to cement their role as a check on the executive branch. While the precise weaknesses exhibited differ on a case-by-case basis, practice has shown that parliamentarians may lack the skills needed to effectively draft or review laws or revise budgets. At the same time, parliamentary secretariats sometimes lack the capacity to provide policy analysis or research to support parliamentary committees. There may also be other issues, such as outdated rules of procedure or a lack of contacts with other parliaments that would aid networking or policy-related dialogue.

The OSCE has accumulated considerable experience in delivering parliamentary assistance through its field operations in South-Eastern Europe. In the past, ODIHR's role in this area was limited to facilitating meetings of the officers responsible for programmes to strengthen parliaments. In 2009, however, ODIHR began preparations aimed at consolidating its role as a repository of information, lessons learned and best practices in implementing parliamentary-support programmes and projects undertaken by OSCE field operations.

As a first step, ODIHR began collecting information on existing and past programmes implemented by OSCE field operations in order to produce an initial mapping of activities. Based on this information, in late

An NGO representative from Northern Ireland at the "1325: Women Negotiating Peace" international conference in Reykjavik, Iceland, 19 June. (OSCE/Linda Öhman)

2009, ODIHR began consultations with field operations and other key stakeholders on the design and construction of a future online repository.

During 2009, ODIHR also played a more active role in reaching out to other international organizations working on strengthening parliaments in order to raise awareness of the OSCE's unique contributions and key strengths in this field.

Increasing Women's Political Participation

While significant advances have been made in advancing women's political participation in recent decades, women are still under-represented in governance structures across the OSCE region. The OSCE-wide average of women's representation in legislatures is currently at 21.5 per cent. On a case-by-case basis, however, the figure ranges from as low as 6 per cent to as high as 47 per cent.

In any given participating State, women's political participation usually depends both on broad social, economic and cultural factors, and on the electoral and political systems, particularly the rules governing political parties. As such, all of the following factors may have an influence on women's political participation: rules on party membership and decision-making; the degree of decentralization of decision-making powers related to the nomination of candidates; rules on candidate registration and campaign financing; compulsory or voluntary quotas governing the nomination process; the design of electoral systems; ticket-balancing strategies; and other legal, administrative and policy measures for the promotion of gender balance in governance bodies and in the decision-making process. In view of this, one of ODIHR's main priorities in this area in 2009 was the identification of the most pertinent issues and practices, in relation to political parties, that inhibit women's participation, so that these can be effectively addressed by ODIHR through its provision of expertise and the development of guidelines on legislation pertaining to political parties.

In June, ODIHR hosted a roundtable discussion in Warsaw on trends and challenges for women's political participation in the OSCE region. The roundtable gathered experts from across the OSCE region, including members of parliament and local self-government councils, and representatives from the NGO sector, state institutions for promoting gender equality and international organizations. Discussions highlighted the variety of measures and practices adopted by participating States and political parties for promoting women's political participation. Key recommendations concerned, for example, the need for political parties to undertake measures such as regular gender-equality assessments of party memberships and party procedures, as well as to collect data and use them proactively to strengthen equality provisions within party rules and procedures.

Where gender-based quotas are used, participants underscored the importance of matching legislative quotas with effective enforcement mechanisms, adding that quotas should be used with time limits. This is particularly the case when they are set at lower levels, as

they should serve to lead the transformation to higher-level representation and not perpetuate low levels of representation. In addition, the need for transparency and gender-balanced nomination boards for candidate selection was noted as one of the critical aspects in rendering the political sphere more open to women.

Combating Violence against Women

Violence against women, which can take the form of physical, sexual or psychological abuse, remains widespread and constitutes a major impediment to achieving gender equality. This abuse deprives women of their right to security and dignity and infringes on their enjoyment of other basic rights in the political, social and economic fields. Several participating States in the OSCE region have taken an important step by adopting comprehensive legal instruments for combating various forms of violence against women and are successfully implementing other approaches to prevent violence and protect victims. Many other participating States are contemplating possible legal and policy reforms to address existing gaps in law and policies.

The Supplementary Human Dimension Meeting (SHDM) on Gender Equality, which was held in November and focused on combating violence against women, served to take stock of the progress and remaining challenges in promoting gender equality and the implementation of relevant measures to prevent and combat violence against women. The meeting highlighted approaches and measures that have proven most successful with regard to three priority areas: prevention, protection and prosecution. Most significantly, the meeting underscored the immediate obligation of all participating States to take necessary legal and policy steps to provide both immediate and long-term protection to women who have been victims of this violence and to combat the culture of impunity for perpetrators by strengthening law enforcement authorities' capacity to intervene and put an end to all forms of violence against women.

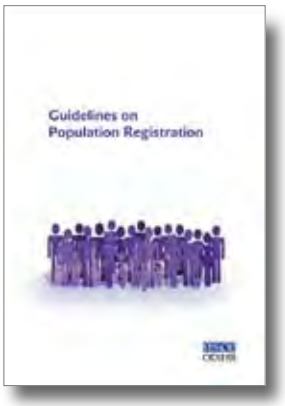
Migration and Freedom of Movement

With improvements in transportation and communications technologies, modern populations are now more mobile than at any previous point in history. This fact poses a number of challenges, but it can also bring benefits. First, the increased flow of migrants requires increased vigilance on the part of law enforcement authorities regarding cross-border crime, including trafficking and terrorism. Second, national authorities need data on the actual number of people crossing their borders in order to provide necessary services, such as education and health care, and for the provision of necessary documents. Handled properly, these challenges can be met, and increased migrant flows can bring benefits both to countries of origin and destination. In cases where there is a shortage of domestic labour, for example, the workers needed to keep an economy growing can be found abroad. And in cases where people move abroad for work, remittances are often an important source of income for their families and the wider community, and even a significant factor in the national economy.

Numerous OSCE commitments call on the participating States to facilitate the movement of people and to protect the human rights of all migrants. In some cases, restrictions on freedom of movement result from a lack of awareness of the good practices that have been developed through the experience of other participating States. Thus, ODIHR's role is to gather and share the knowledge needed to ensure that migrants' rights are protected.

Population Registration

Most, but not all, OSCE participating States keep a register of the place of residence and vital life events of the people residing on their territory. Where such a system is part of the administrative tradition and when it functions properly, it can facilitate freedom of movement and free choice of place of residence, and can also be used as a source of data for the compilation of voter lists.



In some participating States, however, remnants of pre-transition systems of population registration and other technical defects pose obstacles to freedom of movement and free choice of place of residence, as well as limiting the right to vote.

Guidelines on Population Registration

In recent years, ODIHR has been called upon by participating States to provide much-needed assistance in reforming population-registration systems to ensure that they respect freedom of movement and comply with international human rights standards. In light of this, ODIHR began work in 2008 on compiling the publication *Guidelines on Population Registration*, which was

launched at the 2009 Human Dimension Implementation Meeting (HDIM). The guidelines provide a sound basis for ODIHR and OSCE field operations to assist practitioners, relevant authorities and political decision makers in assessing the efficiency of their national population-registration systems and, when necessary, reforming them.

As a first step in the implementation of the guidelines, a regional seminar was held in Almaty in December on reforms to population-registration systems. The seminar focused on the types of reforms necessary for population-registration systems to meet OSCE commitments, especially those on freedom of movement. It also discussed ways in which population registers can be used to compile accurate voter lists. The seminar highlighted interest in the exchange of practices between participating States on experiences of population-registration reform.

Using Population Registers to Create Accurate Voter Lists

As mentioned above, maintaining up-to-date population registers can be an effective way to create accurate voter lists. In addition, population registers make it possible to cross-check information in order to limit the possibility of multiple entries in voter lists.

ODIHR provided assistance to the OSCE Project Co-ordinator in Ukraine as part of a long-term programme aimed at establishing a central voter register on the basis of the information contained in the existing population-registration system. ODIHR conducted an assessment and produced a report indicating the steps to be taken in order to further increase the accuracy of voter lists in Ukraine, highlighting the need for further modernization of the population-registration system. Building on the recommendations in the report, ODIHR and the Project Co-ordinator in Ukraine will offer the authorities assistance in developing policies for reforms of segments of population registration, such as registration of place of residence, given that this is the main source of data for the state register of voters.

Participation of Migrants in Public Affairs

Recent increases in migration flows are leading to significant changes in demographics. If migrant groups do not integrate into their host societies, it is likely that they will become isolated, possibly resulting in social tension and even conflict. One of the keys to the integration of migrants is to provide opportunities for them to play a larger role in public life. The OSCE has long recognized this. In fact, OSCE commitments call on participating States to create the conditions necessary for migrants to integrate into their host societies.

In an attempt to raise awareness of the long-term risks of non-integration, ODIHR began work in 2009 on a new programme to identify good practices and match them to identified needs.

ODIHR has developed its expertise in this sector, and has compiled an extensive overview of international recommendations, commitments and policies with respect to the civic participation of migrants, as well as a list of indicators that can be used to measure civic participation.

Labour Migration

Gender-Sensitive Migration Policies

Among labour migrants, women make up a large portion of those in unskilled or undeclared work. The introduction of efficient, gender-sensitive labour policies can help ensure that the rights of women migrants are protected.

In 2009, ODIHR and the Office of the Co-ordinator of OSCE Economic and Environmental Activities developed a training manual on gender and labour migration. Aimed primarily at government officials, and employers and workers associations, the manual provides much-needed information on practical steps that can be taken to make gender issues an important part of existing migration policies.

Labour Migration in Kazakhstan

Since labour migration to Kazakhstan is a relatively recent phenomenon, accurate data are limited. Last year, ODIHR and UNESCO published a report on a research project begun in 2006 at the request of the Kazakh authorities. The report makes a number of practical recommendations aimed at improving Kazakhstan's migration policy from the point of view of both maximizing the economic benefits that can be gained from migrant labour and protecting the rights of migrant workers who come to Kazakhstan.

Human Rights

The 2009 Human Dimension Implementation Meeting took place at the Sofitel Hotel, Warsaw, 28 September – 9 October. (OSCE/Piotr Markowski)

Monitoring and assessing the compliance of participating States with their commitments in the area of human rights and assisting them with the implementation of these commitments are core activities for ODIHR. Implementation remains a challenge in many areas and, in co-operation with numerous partners, including governments, civil society and international organizations, the Office continues to address key issues in this area. In so doing, ODIHR combines a thematic focus with a comprehensive approach to monitoring, reporting on and enhancing the implementation of human rights commitments.

Main Issues

Support for Human Rights Defenders and National Human Rights Institutions

Human rights defenders and national human rights institutions (NHRIs) play a crucial role in promoting and protecting human rights. ODIHR seeks to advance the implementation of participating States' commitments in support of the work of individuals, civil society and NHRIs working to defend these rights. The Office monitors the situation of human rights defenders throughout the OSCE region and develops programmatic activities, focusing on freedom of assembly and association,

Participants at a training session on human rights education and civic participation for Belarusian civil society representatives, Lviv, Ukraine, 9 July. (OSCE/Pavel Chacuk)

which are the areas in which these individuals and groups face the gravest challenges.

Human Rights Training and Education

ODIHR continues to work to promote human rights education and training through support for the formal and informal education efforts of both state and civil society institutions. This addresses the need to increase the level of human rights awareness among NGOs, teachers, students and relevant government organizations, as well as to develop values and behaviour that help uphold and defend human rights.

Protecting Human Rights in the Fight against Terrorism

Participating States have committed themselves to maintaining full respect for human rights, fundamental freedoms and the rule of law in activities to counter terrorism. However, the need to counter terrorism is sometimes used as a justification by authorities to exercise power without proper checks and balances, resulting in violations of human rights and fundamental freedoms. As participating States develop further initiatives to prevent terrorism, efforts to address the impact of different counter-terrorism approaches on their human rights commitments are particularly timely.

Human Rights and the Armed Forces

Although the nature of military life and service implies certain limitations to rights and freedoms guaranteed in the commitments made by OSCE participating States, it is important to ensure that these limitations exist only where absolutely necessary is important. This area is particularly important for ODIHR given the broad divergence across the OSCE region in the degree to which the human rights and fundamental freedoms of service personnel are protected. Problems in this area are often the result of legislative and regulatory shortcomings or the absence of proper control mechanisms for the protection and enforcement of these rights.

Trafficking in Human Beings

Trafficking of human beings is a global problem that affects all states in the OSCE region, whether as countries of origin, transit or destination. Whereas participating States at one time focused almost exclusively on this form of exploitation in the area of trafficked persons in the sex industry, this focus has now broadened to include the growing problem of trafficking for labour exploitation. The need to battle trafficking and to ensure trafficked persons' rights to justice and protection has become more acute, particularly in the context of the global economic crisis.

Assia Ivantcheva (right), Acting Head of ODIHR's Human Rights Department, talks to an official at the Azeri detention centre where bloggers Emin Abdullayev and Adnan Hajizade were being held, Baku, 25 November. (OSCE/Jens Eschenbaecher)

Human Rights, Women and Security

Men and women have both the right and the responsibility to contribute to maintaining security and stability in their communities. This can also be ensured through equal participation. Furthermore, all security programmes and policies must take into account the different needs and vulnerabilities of men and women. United Nations Security Council Resolution 1325 on Women, Peace and Security (UNSCR 1325) was the first resolution to take such matters into account. The participating States have built on the Resolution with the OSCE Action Plan for the Promotion of Gender Equality and OSCE Ministerial Council Decision No. 14/05, "Women in Conflict Prevention, Crisis Management, and Post-Conflict Rehabilitation". ODIHR works to demonstrate the impact of gender mainstreaming in security policy and programmes and helps to ensure that the day-to-day decision-making process benefits men and women equally.

Activities

ODIHR's main human rights activities in 2009 fell within the following areas:

- Support for human rights defenders and national human rights institutions;
- Human rights training and education;
- Human rights and anti-terrorism;
- Human rights and the armed forces;
- Anti-trafficking;
- Human rights, women and security; and
- Enhancing ODIHR's field monitoring capacity

Support for Human Rights Defenders and National Human Rights Institutions

ODIHR's Focal Point on Human Rights Defenders and NHRIs continues to provide training on monitoring freedom of assembly on the basis of the *Guidelines on Freedom of Peaceful Assembly*, published jointly with the Venice Commission. In 2009, ODIHR helped human rights defenders monitor the protection of this freedom in Armenia and Kazakhstan by training local monitors to observe assemblies, judicial proceedings and legislative developments. Final reports on both projects will be published in the course of 2010.

In an effort to foster dialogue and co-operation between human rights defenders and government authorities on freedom of association, ODIHR, together with the Ombudsman of the Kyrgyz Republic and the International Centre for Not-for-Profit Law, organized a roundtable to discuss ways to enhance freedom of association in Central Asia. The roundtable, held in October, brought together government officials, parliamentarians and civil society representatives from Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan. The meeting, based on peer review and dialogue, looked

Liane Adler, ODIHR Human Rights Adviser (left), with Ksenia Zurakovskaya, Adviser to the Justice Chancellor of Estonia, at a conference on the prevention of torture, Baku, 25 November. (OSCE/Rashad Huseynov)

at how this commitment is reflected in national laws and practices, and recommended measures designed to ensure its fulfilment both regionally and in individual countries. The roundtable helped establish relationships and build trust between civil society and government authorities across the region through the exchange of experience and practices.

In 2009, ODIHR expanded its efforts to support the capacity of NHRIs to monitor, report on and advocate the upholding and protecting of human rights standards in participating States. A study visit was organized for the newly appointed Tajik Ombudsman to the office of the Polish Commissioner for the Protection of Civil Rights. In recognition of an increasing tendency in the OSCE region to choose NHRIs as the bodies that monitor the implementation of the Optional Protocol under the UN Convention against Torture (OP-CAT), ODIHR is increasingly supporting NHRIs in establishing National Preventive Mechanisms (NPMs) in co-operation with civil society and other international organizations. A workshop on the establishment of an NPM was organized in November in Azerbaijan, in co-operation with the OSCE Office in Baku. ODIHR provided experts on NPMs for similar events in Kyrgyzstan and Kazakhstan.

The Office also supported human rights defenders through capacity building, raising awareness of specific cases with governments, and providing assistance to networks in the OSCE region, including in the Caucasus, Central Asia and Belarus. Such networks have proven to be successful safeguards for personal security and platforms to enhance the capacity of individuals to effectively defend human rights.

Human Rights Training and Education

OSCE Ministerial Council Decision No. 11/05, "Promotion of Human Rights Education and Training in the OSCE Area", called for further enhancement of the role of the OSCE, tasking ODIHR with the development of a compendium of good practices in human rights education. The resulting publication, *Human Rights Education in the School Systems of Europe, Central Asia and North America: A Compendium of Good Practice*, is the product of close collaboration with UNESCO, the High Commissioner for Human Rights (OHCHR) and the Council of Europe as partner institutions. The Compendium compiles 101 exemplary practices drawn from more than 30 OSCE participating States. These practices represent educational approaches that deal with numerous human rights issues that contemporary societies face today, including human rights violations, post-conflict tensions, conflict resolution and intolerance. The publication was presented at key regional human rights education events in Europe, including the Council of Europe's Human Rights Education Forum for young people in Budapest, in October, and the Human Rights Forum in Lisbon, in November. The annex to the Compendium in English will be published in 2010, as will Russian- and French-language editions of the complete Compendium.

Human Rights and Anti-Terrorism

The OSCE's comprehensive concept of security is especially relevant when it comes to counter-terrorism. Without respect for human rights, measures taken to combat and prevent terrorism will not be successful. Strategies that do not respect human rights violate participating States' international commitments and can be counter-productive, fuelling terrorist recruitment, feeding cycles of grievances and rupturing relations between the state and communities. In order to achieve long-term security and to effectively combat terrorism, participating States must take a comprehensive approach that reflects the value and necessity of protecting human rights.

ODIHR continues to offer OSCE-wide and national-level projects to assist participating States in understanding the impact of their approaches and to build capacity through the delivery of technical assistance. In 2009, ODIHR participated in five UN Office on Drugs and Crime workshops on international legal co-operation in combating terrorism, and developed, organized and implemented events in Tajikistan and Kyrgyzstan.

Activities aimed at understanding the impact of different counter-terrorism approaches and addressing a gap in understanding the factors involved in radicalization leading to terrorism continued throughout the year. The Roundtable on Understanding Violent Extremism and Radicalization Leading to Terrorism organized by ODIHR and the OSCE Office in Tajikistan for law enforcement and security officers provided a forum for an exchange of experiences between Tajik officers and international bodies, including representatives of the OHCHR and the OSCE's Action against Terrorism Unit. Building on this platform, ODIHR and the OSCE Office in Tajikistan organized an intensive training session for instructors for law enforcement and security officers on countering terrorism while protecting human rights. The training constituted the first step in working towards integrating a similar course into the regular curriculum of the Academy of the Interior Ministry.

ODIHR also continued its work with civil society on the prevention of terrorism. ODIHR and the OSCE Centre in Bishkek co-organized a workshop aimed at developing civil society and NGO approaches to counter-terrorism and violent extremism in Kyrgyzstan. Representatives of the regional office of the OHCHR and the OSCE's Action against Terrorism Unit were also in attendance. The aim of the event, held on 7 and 8 December, was to enable attendees to develop their capacity to engage as partners with the authorities on counter-terrorism approaches and issues.

Finally, the ODIHR practitioner's manual, *Countering Terrorism, Protecting Human Rights*, published in Russian in 2009, was a key resource for all relevant ODIHR events.

Human Rights and the Armed Forces

Following the launch, in 2008, of the *Handbook on Human Rights and Fundamental Freedoms of Armed Forces Personnel*, published jointly with the Geneva Centre for the Democratic Control of Armed Forces (DCAF), ODIHR and DCAF continued to organize events to publicize and discuss the Handbook and its recommendations.

In April, a discussion was organized by ODIHR and the OSCE Office in Yerevan with senior representatives of the Armenian Ministry of Defence and the parliament, the ombudsman and civil society. Among its other pledges, the Government agreed to revitalize NGO oversight over the security sector and to set up a training programme on human rights for Armenian armed forces personnel.

In Bosnia and Herzegovina, an open and wide-ranging discussion was organized by ODIHR, DCAF, the OSCE Mission to Bosnia and Herzegovina and the OSCE Parliamentary Assembly's Defence and Security Committee. Participants agreed to increase efforts to ensure gender equality in the armed forces and on the need to look again at existing legislation on freedom of association, which is currently restricted for armed forces personnel. With support from the OSCE Mission to Bosnia and Herzegovina, local-language versions of the Handbook were produced for this event. Similar events are to be held in other participating States in 2010.

In July, ODIHR helped the Georgian chairmanship of the Forum for Security Co-operation organize the presentation "Women and the Armed Forces: Recruitment, Retention and Promotion". Speakers from the Swedish armed forces and the Spanish Ministry of Defence highlighted the utility of opening up all positions in the armed forces to women and actively promoting their participation.

Anti-Trafficking

ODIHR continued to focus on improving the identification of and assistance to victims of trafficking in human beings, with special attention being paid to victims of labour exploitation. In particular, the Office's activities were designed to support trafficked persons in accessing justice and their rights, including the right to compensation. In 2009, ODIHR worked to raise awareness of the need for human rights safeguards in the return of trafficking victims to countries of origin, an issue of growing concern in the OSCE region.

As a follow-up to research it conducted on National Referral Mechanisms in Turkey and the United Kingdom, ODIHR organized national workshops for government and civil society representatives in London, in January, and in Ankara, in May, to present the findings of its assessments and discuss the continuing challenges in supporting rights-based approaches to trafficking and assisting victims of trafficking.

Astrid Ganterer, ODIHR Adviser on Anti-Trafficking Issues, moderates a side event entitled "Compensation of trafficked persons: Law and practice in the OSCE region", Human Dimension Implementation Meeting, 1 October. (OSCE/Piotr Markowski)

ODIHR supported a number of activities to raise awareness of the rights of and provide legal assistance to exploited and vulnerable migrant workers in Kazakhstan, Azerbaijan, Georgia, Serbia, and Bosnia and Herzegovina. It also implemented projects through partners in Moldova, Poland and Azerbaijan to provide social and legal assistance to trafficked and exploited persons, including support for claims for compensation and unpaid wages. In Albania and Uzbekistan, the Office organized training seminars for professionals within the criminal justice system, including lawyers, law enforcement officials, prosecutors and judges, to raise awareness of the rights of victims of trafficking, including the right to compensation. In 2009, ODIHR also published a Russian-language edition of its study on *Compensation for Trafficked and Exploited Persons in the OSCE Region*.

ODIHR continued its efforts to assist Roma and Sinti communities as a group that is particularly vulnerable to trafficking. In Albania, through its implementing partner, a local NGO, peer educators from Roma and Sinti communities were trained to become social workers and address the needs of street children and their families. In Italy, ODIHR conducted research to analyze factors influencing the social inclusion of Roma and Sinti, with the aim of improving their social inclusion and reducing their vulnerability to exploitation in the future.

Following research in a number of OSCE participating States on the return of trafficking victims to their countries of origin, ODIHR organized an expert seminar in Warsaw in June to identify practices and gaps in human rights protection in the return of trafficked persons and to recommend ways forward.

ODIHR continued to raise awareness amongst participating States of progress and challenges in anti-trafficking work within the OSCE region through side events organized during the HDIM on the return of trafficking victims to their countries of origin, on compensation to victims of trafficking and on the protection of migrants' rights. The side events attracted over 100 government and civil society representatives from throughout the OSCE region and were helpful in developing recommendations for further action.

ODIHR also continued to build partnerships with a wide variety of stakeholders involved in anti-trafficking activities, including organizations and state actors specializing in migration, labour rights, victim support, asylum and refugee issues, and criminal justice. Moreover, throughout the year, ODIHR facilitated the sharing of regional expertise and encouraged cross-border co-operation amongst civil society organizations in Central Asia and the Balkans.

ODIHR worked with OSCE field missions and the OSCE Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings to ensure that the human dimension is adequately reflected in OSCE events, activities and policy documents concerned with human trafficking. To share expertise with and build the capacity of the OSCE anti-trafficking focal points, ODIHR organized a seminar for focal points in Warsaw, in September, on outreach work, the rights of migrants, compensation of trafficking vic-

ODIHR Director Janez Lenarčič listens to Cheryl A. Thomas, Women's Programme Director of Advocates for Human Rights, USA delivering the keynote address at a meeting on combating violence against women, Vienna, 5 November. (OSCE/ Sarah Crozier)

tims and human rights issues in the return of trafficking victims to countries of origin.

Human Rights, Women and Security

The different ways in which men and women perceive threats to their security become particularly relevant within the context of conflict, whether in the initial stages or during reconstruction efforts. In order to respond to these different needs, it is important that policies, programmes and action plans be gender-mainstreamed. Furthermore, men and women must participate in balanced numbers in order for them to be able to contribute equally to maintaining security.

On the international level, such standards have been confirmed through a number of United Nations Security Council Resolutions and OSCE commitments. By adopting OSCE Ministerial Council Decision No. 14/05, "Women in Conflict Prevention, Crisis Management and Post-Conflict Rehabilitation", the OSCE underscored UNSCR 1325, and made concrete recommendations to participating States to help with its implementation. Furthermore, the OSCE Action Plan for the Promotion of Gender Equality reiterates the participating States' commitments vis-à-vis UNSCR 1325.

ODIHR continued to support the national-level implementation of UNSCR 1325. In 2009, it undertook initiatives to support women police officers and to integrate a gender perspective into the armed forces and national security policy. These efforts build on the recommendations made in the Gender and Security Sector Reform Toolkit – a joint initiative of ODIHR, DCAF and the United Nations International Research and Training Institute for the Advancement of Women (UN-INSTRAW). To support the integration of a gender perspective into conflict prevention, ODIHR also published a policy brief on gender and conflict early warning systems. The text presents an overview of how mainstreaming gender in early warning systems can make them more rights-based and equitable and, potentially, improve their efficiency.

Enhancing ODIHR's Field-Monitoring Capacity

ODIHR developed a training programme to reinforce its capacity to conduct human rights monitoring and reporting in the field. The programme includes training for ODIHR staff on interviewing techniques and the monitoring of assemblies.

Tolerance and Non-discrimination

A participant at the Human Dimension Implementation Meeting, Warsaw, 28 September - 9 October. (OSCE/Piotr Markowski)

OSCE participating States have undertaken numerous commitments to combat racism, xenophobia, anti-Semitism and other forms of intolerance, including against Muslims, Christians and followers of other religions. Despite this, violations of human rights and fundamental freedoms continue to threaten stability and security throughout the OSCE region. Accordingly, ODIHR works with participating States and a broad network of non-governmental bodies to defend freedom of thought, conscience, religion and belief and to eliminate manifestations of intolerance in order to build cohesive communities in which diversity and pluralism are seen as assets to democratic and pluralistic societies.

Main Issues

Hate-Motivated Crimes and Violent Manifestations of Intolerance

According to ODIHR's annual report on hate crime, there were numerous instances of hate-related intimidation, threats, vandalism, assault, arson and murder throughout the OSCE region in 2008. The report also stresses that the full extent of hate crimes remains obscured by a lack of reliable data.

Daniela Petkovic, Assistant Head of the Police Academy in Zagreb, delivering one of the units during the training of law enforcement trainers, supported by ODIHR, in Sarajevo, Bosnia and Herzegovina, 24 March. (OSCE/Daniel Milo)

Limitations on Freedom of Religion or Belief

Throughout the OSCE region, individuals, religious communities and participating States face a range of issues related to freedom of religion or belief. Problems include infringements of the right to change, adopt or renounce a religion or belief, as well as limitations on the right to manifest one's religion or belief. Limitations to manifestations of religion or belief include the disruption or prohibition of worship, even in private homes, as well as attacks or restrictions on places of worship. Another barrier is the requirement in some participating States that the practice of a religion or a belief be registered, which can be coupled with unnecessarily burdensome procedures that are often abused. Censorship of religious literature and bans on the teaching of a religion or a belief are also being reported.

Challenging Biases and Prejudices through Education

Since negative stereotypes, often passed on from generation to generation, are frequently the cause of hate-motivated crime, educational efforts to promote mutual respect and understanding, to foster an appreciation of cultural, religious and ethnic diversity, and to reinforce remembrance of the Holocaust can help eliminate such attitudes. While a number of participating States have undertaken such efforts, longer-term and more coherent approaches are needed if there is to be a real impact.

Activities

ODIHR supports OSCE participating States and civil society in their efforts to effectively respond to hate-motivated crimes, to promote freedom of religion, and to facilitate mutual respect and understanding. In this regard, ODIHR's work is focused on addressing specific forms of intolerance through multi-faceted programmes that address education, law enforcement, legislation, civil-society capacity-building, and monitoring, collecting and disseminating information.

In 2009, activities were conducted in the following six fields:

- Collecting and disseminating information about hate crime;
- Supporting civil society;
- Reviewing legislation;
- Combating racism, xenophobia and discrimination;
- Responding to anti-Semitism; and
- Promoting freedom of religion or belief.

Collecting and Disseminating Information about Hate Crime

Despite increased efforts in recent years to stamp out hate crime, there remains a dearth of reliable

Matilde Fruncillo (left), ODIHR Adviser on Civil Society Relations, leading a workshop on "Training for Civil Society on Preventing and Responding to Hate Crimes", Kyiv, 2 December. (OSCE/Aleksey Muzalev)

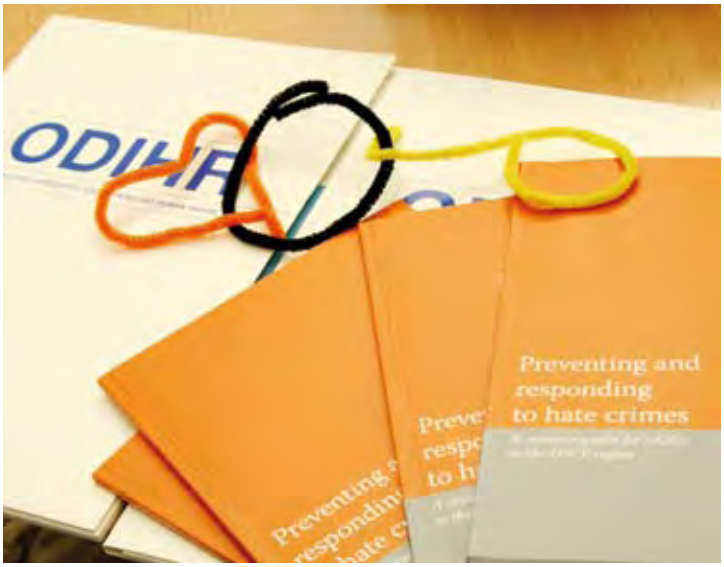
information on the nature and extent of hate crimes within individual states and across the OSCE region. This presents governments and law enforcement agencies with a tremendous obstacle. Without knowledge of perpetrators and victims or of the extent and type of crimes being committed it is impossible to know what sort of response is needed, what strategies might be successful, and where resources should be targeted.

To help fill this information gap, ODIHR has been acting as a collection point on hate crime data for the past three years. Its main activity in this area is the publication of an annual report on hate crime. As in previous years, the report published in 2009 shows that not enough is being done to collect and disseminate information on this issue. It points out that there are significant gaps in the collection of data in most participating States. Some do not collect any statistics on hate crimes at all, while others do not make these data public. In any event, only 18 participating States submitted data for publication. The report also emphasizes the need to record, investigate and prosecute hate crimes and to strengthen the involvement of civil society in such activities in order to complement government efforts.

In addition to its annual report, ODIHR has set up an OSCE network of national contact points on combating hate crime. Made up of individuals or organizations in 53 of the 56 participating States, the contact points are responsible for providing ODIHR with information on hate crimes, such as the number of these crimes reported, relevant legislation and projects designed to combat and prevent such crimes. At the second annual meeting of the national contact points, held in Vienna on 28 and 29 October, participants stressed that one way to ensure that more reliable information is collected and disseminated would be by training government officials on how to collect statistics on hate crimes. They also highlighted the need to develop and adopt principles to be used in recording and collecting data on hate crimes.

Given that lack of information remains a significant barrier to making any inroads in efforts to combat hate crime, ODIHR continues to explore other ways to help collect the information that participating States need. In March, for example, ODIHR organized training on the concept of hate crime and methods of reporting on these crimes for the staff of OSCE field presences, the International Organization for Migration and the Office of the United Nations High Commissioner for Refugees. As a result, staff members of all three organizations were able to provide ODIHR with information about hate-related incidents, which was then published in ODIHR's annual report on the issue.

In addition, ODIHR organized two government workshops on hate crime in Hungary and in the former Yugoslav Republic of Macedonia, respectively. The aim of the workshops was to raise awareness of the complex nature of hate crime and to encourage a variety of approaches to addressing the problem. Participants were also encouraged to identify ways in which the various tools that ODIHR has established to combat hate crime could be used to support states' ongoing efforts. For example, the majority of participants stressed the



Drawing inspiration from the resource guide "Preventing and responding to hate crimes", participants in an ODIHR training seminar practised useful techniques for conducting workshops on combating hate crimes, Warsaw, September. (OSCE/Agnieszka Rembowska)

Participants in an ODIHR-organized training seminar on hate crimes, Warsaw, 5 September. (OSCE/Ksenia Egorova)

need to further train police on how to recognize and investigate hate crimes.

Supporting Civil Society

ODIHR works with civil society organizations throughout the OSCE region to help them gain the skills needed to prevent and respond to hate crimes. ODIHR's support can take a variety of forms, such as the provision of training, the organization of workshops, and the publication of handbooks and other resources.

In addition, ODIHR also ensures the presence of civil society groups at OSCE meetings, where they have a chance to take part in discussions with the governments of participating States and to network with organizations from other parts of the region. In 2009, two of the three ODIHR-organized Supplementary Human Dimension Meetings (SHDMs) were dedicated to subjects related to the Office's work on tolerance and non-discrimination: hate crime (at the SHDM held in May) and freedom of religion or belief (at the July SHDM see "Promoting freedom of religion or belief" below). A number of civil society organizations attended these meetings and used the opportunity to make recommendations to participating States.

In addition, representatives of civil society organizations met during the HDIM with the OSCE Chairperson-in-Office's three personal representatives to promote tolerance and combat racism, xenophobia and discrimination.[1] This provided them with an opportunity to clarify issues related to the representatives' mandates that will be helpful when co-operating in future projects related to discrimination.

In 2009, ODIHR published English- and Russian-language editions of *Preventing and Responding to Hate Crimes*, a resource guide for NGOs. ODIHR used this handbook as the basis for a training seminar on preventing and responding to hate crimes that it organized for 25 staff of civil society organizations from Russian-speaking countries. Held in Warsaw in September, this training seminar was aimed at preparing individuals to conduct their own training courses on hate crime in their home countries. ODIHR held a subsequent follow-up training workshop in Kyiv, in December, in co-operation with one of the NGOs represented at the original seminar. The follow-up event was attended by 21 civil society representatives from various regions of Ukraine.

Reviewing Legislation

Upon the request of participating States, ODIHR provides reviews of anti-discrimination and hate crime legislation, as well as of laws related to freedom of religion or belief. The purpose of these reviews is to help

1 The Personal Representative on Combating anti-Semitism, the Personal Representative on Combating Intolerance and Discrimination against Muslims, and the Personal Representative on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions.

Participants in the Law Enforcement Officer Programme on combating hate crime, Legionowo police training centre, Poland, 2 November. (OSCE/Daniel Milo)

lawmakers ensure that legislation is in line with OSCE commitments and other international standards and to provide constructive comments where there are potential problems.

In 2009, ODIHR reviewed draft anti-discrimination legislation in Montenegro, Serbia and the former Yugoslav Republic of Macedonia, as well as draft hate crime legislation in Bosnia and Herzegovina.

In the case of legislation related to freedom of religion or belief, reviews are conducted by ODIHR's Advisory Panel on Freedom of Religion or Belief. In 2009, the Panel responded to requests from four participating States: Albania, Armenia, Kazakhstan and Kyrgyzstan. In addition to providing written comments on legislation, Panel members also held meetings with public officials and civil society representatives to discuss draft legislation and its potential impact.

ODIHR also began revising its *Guidelines for Review of Legislation Pertaining to Religion or Belief*, with a view to publishing a second edition in 2011. These guidelines, originally published in 2004, provide the basis for all of ODIHR's legislative reviews related to freedom of religion or belief.

In order to support participating States in their efforts to understand the phenomenon of hate crime and to give them tools with which to draft adapted legislation, ODIHR published a resource guide on hate crime laws in 2009. It is available in Bosnian, English, French, German, Romanian and Russian.

Combating Racism, Xenophobia and Discrimination

In its efforts to combat racism, xenophobia and discrimination, ODIHR undertakes to understand as much as possible about these issues through studies, analysis and dialogue with interested stakeholders. In addition, ODIHR has developed a training programme for law enforcement officers aimed specifically at combating hate-related crime.

Analysing Current Trends Related to Racism and Xenophobia

ODIHR organized a roundtable discussion in March entitled "Racism in the OSCE region: Old Issues, New Challenges". The meeting had two main purposes: to analyse recent manifestations of racism and xenophobia, as well as to discuss the effects of the global economic crisis on vulnerable groups; and to draft recommendations for ODIHR, the OSCE as a whole and for participating States. One of the main conclusions was that further attention should be paid to the issue of violent manifestations of extremism and, especially, to the analysis of state responses to this phenomenon.

Training for Law Enforcement Agencies in Their Efforts to Tackle Hate Crimes

In March, a group of 22 police officers from all regions of Bosnia and Herzegovina participated in ODIHR's

Training for Croatian teachers on using ODIHR's Teaching Materials to Combat anti-Semitism, Split, Croatia, 2 September. (Croatian Education and Teacher Training Agency)

pioneering "Law Enforcement Officer Programme on Combating Hate Crime", a comprehensive training initiative covering various aspects of hate crimes and police responses to them. The training programme was also conducted in Legionowo, Poland, in November, where 19 police officers from eight of the country's regions took part. The main focus of the training was to provide the participants with theoretical knowledge and practical skills so that they can pass the information down to front-line police officers in various follow-up training courses that are expected to be held at the regional level.

Responding to Anti-Semitism

ODIHR works with individual governments, as well as intergovernmental organizations and NGOs, in fighting anti-Semitism in the OSCE region. One element of ODIHR's approach is to combat anti-Semitism through educational initiatives, such as the country-specific teaching materials that ODIHR has helped develop on historical and contemporary anti-Semitism, including the history of the persecution of Jews in Europe.

As of May 2009, ten countries had produced country-specific versions of these materials, and 48 training sessions for teachers had been conducted on how best to use them in the classroom. Two countries — Lithuania and Poland — officially launched their own country versions in 2009, while two more countries — Austria and Sweden — began co-operation with ODIHR on the development of similar materials.

ODIHR undertook a number of activities related to this project throughout 2009. For example a three-day meeting was held in Berlin, in May, for the respective national experts who developed the teaching materials in all 12 countries taking part in the project. Participants used the opportunity to exchange experiences, share good practices, and plan strategies for the implementation of the materials. They also outlined future possibilities for co-operation between ODIHR and the project partners.

In the last four months of 2009, ODIHR also organized a further 14 training seminars for teachers in Croatia, Lithuania and Ukraine. ODIHR co-operated with Poland in organizing a seminar in March for professional teacher trainers from 16 of the country's regions. In addition, ODIHR provided financial support for the printing of materials in Croatia, Lithuania and Slovakia.

A second aspect of ODIHR's approach to combating anti-Semitism is to engage in dialogue through international conferences or smaller workshops. In 2009, ODIHR participated in seven conferences and meetings on anti-Semitism issues, including the London conference staged by the Inter-parliamentary Coalition for Combating Antisemitism, a workshop organized by UNESCO, and the twice-yearly meetings of the Task Force for International Cooperation on Holocaust Education, Remembrance and Research.

In March, ODIHR and the Personal Representative of the OSCE Chairperson-in-Office on Combating Anti-Semitism, Rabbi Andrew Baker, organized a roundtable meeting for civil society representatives to give them an opportunity to report on the situation regarding anti-

Children take part in training in Osijek for Croatian teachers on ODIHR teaching tools for combatting anti-Semitism, 14 November. (OSCE/Norbert Hinterleitner)

Semitism in their own countries and to elaborate on the initiatives that are being undertaken to counter it. Recommendations formulated at this meeting included calls for states to increase their efforts to collect data on anti-Semitic hate crimes and incidents, to provide better training for police and governmental officials on how to respond to hate crimes, and to intensify educational approaches to addressing intolerance.

ODIHR staff also accompanied Rabbi Baker on eight country visits — to Bosnia and Herzegovina, Canada, Hungary, Latvia, Romania, Slovakia, Spain and the United States. These included two visits Rabbi Baker undertook together with Ambassador Adil Akhmetov, the Personal Representative on Combating Intolerance and Discrimination against Muslims, and Mario Mauro, the Personal Representative on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions. The visits, to Canada and the United States, provided ODIHR with an opportunity to present its work directly to participating States and to discuss possibilities for co-operation with governments and civil society in these countries.

Promoting Freedom of Religion or Belief

In the OSCE area, freedom of religion or belief encompasses a complex spectrum of issues, such as the status of religious or belief communities, the relationship between religious or belief communities and states, the autonomy of religious or belief communities, and the transposition of international norms and standards into domestic legal and administrative frameworks. It also includes other related questions, such as religious education, the right to express and disseminate religious beliefs, the relationship between freedom of expression and freedom of religion or belief, and the issue of religious symbols.

One of the main ways in which ODIHR promotes freedom of religion or belief is by facilitating dialogue between OSCE bodies, participating States and religious groups. With this in mind, ODIHR hosted a number of meetings and discussions on related issues in 2009. For example, the annual meeting of the Advisory Council (the steering committee of ODIHR's 62-member Advisory Panel of Experts on Freedom of Religion or Belief) was held in Vienna, in February, in order to discuss specific issues and future work in this field. It was agreed that a second edition of *Guidelines for Review of Legislation Pertaining to Religion of Belief* was needed in order to update developments in international standards related to religion or belief, as well as to refine and clarify certain sections of the first edition.

In addition to the Advisory Council meeting, the topic of freedom of religion or belief was the subject of one of the SHDMs last year. The meeting in Vienna, in July, provided a forum for nearly 300 participants, including representatives of 100 civil society organizations, and provided an opportunity to take stock of the status of freedom of religion or belief in the OSCE region since the last SHDM on the subject, which was held in 2003. In addition to discussing a number

ODIHR Director Janez Lenarčič and Archpriest Vsevolod Chaplin of the Moscow Patriarchate, member of the OSCE/ODIHR Advisory Council on Freedom of Religion or Belief, at a meeting on intolerance and discrimination against Christians. Vienna, 4 March. (OSCE/Susanna Lööf)

of issues, participants also made recommendations aimed at protecting freedom of religion or belief. They stressed, for example, that there should not be any obstacles that prevent religious or belief communities from enjoying their right to places of worship.

The Human Dimension Implementation Meeting (HDIM) is another important forum for the discussion of religious freedom issues. In addition to the official session on this issue, the Advisory Council held a side event at the 2009 HDIM that included an informal and open discussion of many of the main issues related to freedom of religion or belief in the OSCE area. Participants benefited from the Advisory Council's expertise, while members of the Advisory Council gained a deeper understanding of the themes and issues discussed by the main actors in the field.

Intolerance against Christians

In March, ODIHR held the first-ever OSCE roundtable on intolerance and discrimination against Christians. The event provided a forum for discussion of the nature and scope of manifestations of intolerance against Christians in the OSCE area. Participants, including experts and researchers, representatives of civil society, religious communities and representatives of international organizations, also identified initiatives and tools that could be developed in the fight against this phenomenon, including improving the collection of data on the desecration of Christian cemeteries and places of worship.

Intolerance against Muslims

In April, ODIHR published a reference guide on Muslims in Spain, which was developed in partnership with Casa Árabe, a consortium created with funding from Spain's Foreign Ministry, the Spanish Agency for International Co-operation, the Autonomous Communities of Madrid and Andalucia, and the city councils of Madrid and Cordoba. The guide aims to raise awareness about anti-Muslim prejudice and stereotypes.

ODIHR also began work on guidelines for educators on how to address intolerance and discrimination against Muslims. The purpose of this project is to assist educators in identifying stereotypes and prejudices against Muslims and to provide guidance on how to confront them in schools. It will be possible to customize the guidelines to meet the needs of each participating State.

Throughout the year, ODIHR collected information on educational practices and initiatives dealing with intolerance and discrimination against Muslims. The information, which was submitted by NGOs, educational institutions, international organizations, individual governments and OSCE field operations, was published on ODIHR's TANDIS website (http://tandis.odihr.pl).

Contact Point for Roma and Sinti Issues

A police officer talks with representatives of the Roma community about their concerns, Skopje, 7 September. (OSCE/Eberhard Laue)

Ministerial Council Decision No. 8/09, "Enhancing OSCE Efforts to Ensure Roma and Sinti Sustainable Integration", adopted in Athens in December 2009, focuses on enhancing OSCE efforts to ensure integration of Roma and Sinti. The Ministerial Council has tasked ODIHR, in co-operation and co-ordination with the High Commissioner on National Minorities (HCNM), the OSCE Representative on Freedom of the Media and other relevant OSCE executive structures, to continue to assist participating States in combating acts of discrimination and violence against Roma and Sinti, and to counter negative stereotyping of Roma and Sinti in the media. Furthermore, it tasked ODIHR, in consultation with the participating States and in close co-operation with other relevant OSCE institutions, to develop and implement projects addressing the issue of early education for Roma and Sinti. Implementing the Ministerial Council Decision will be a priority for ODIHR in 2010.

ODIHR's work in this area is also based on the Action Plan on Improving the Situation of Roma and Sinti in the OSCE region, adopted in 2003, which addresses a wide range of problems and challenges, including intolerance, exclusion, discrimination and violence against Roma and Sinti. ODIHR's report on the implementation of the Action Plan, released in 2008, identified areas where there has been progress, but also areas where obstacles to the Plan's implementation remain. These obstacles — sometimes the result of a lack of political will on the part of the governments in question or of insufficient financial backing for their own policies or programmes to improve the situation of Roma and Sinti

An ODIHR delegation outside a destroyed Roma home in the village of Tatárszentgyörgy during a field-assessment visit to Hungary, 27 June. (OSCE/Andrzej Mirga)

— have perpetuated the inequality, social exclusion and, sometimes, hatred that these communities face.

ODIHR works to support participating States in their efforts to overcome the discrimination and the social exclusion that limit these communities access to rights and services, including food, water, a secure place of residence, education, health care and employment.

Activities

The Action Plan on Improving the Situation of Roma and Sinti in the OSCE Area provides most of the basis for ODIHR's activities in this field, which in 2009 concentrated on the following areas:

- Combating racism and discrimination;
- Roma and Sinti in crisis and post-crisis situations;
- Improving access to education;
- Enhancing participation in public and political life; and
- Policy development.

Combating Racism and Discrimination

In response to a series of violent attacks against Roma individuals, families and property in Hungary in 2008 and early 2009, including the murder of several people, ODIHR conducted a field assessment visit to the country from 25 June to 3 July. The visiting delegation also included representatives of the HCNM, the OSCE's Strategic Police Matters Unit and the Personal Representative on Combating Racism, Xenophobia and Discrimination. The field visit aimed at assessing the human rights situation of Roma by looking specifically at the underlying context and factors leading to the attacks, measures taken by the authorities to respond to and prevent further attacks and violence, the impact of state policies and programmes on the progress of Roma integration, and areas in which ODIHR could support the Hungarian Government's efforts.

During its visit, the delegation met with representatives of the relevant national and local state authorities, police, the Roma community and civil society. A report on the field assessment visit will be published in 2010.

ODIHR has paid close attention in recent years to the rise of extremist manifestations of racism, intolerance and hate-motivated violence against Roma in Europe. In order to raise awareness of these issues and to analyze the potential threat to social cohesion and security, ODIHR organized the conference on "Extremism and the Roma and Sinti in Europe: Challenges, Risks and Responses" in London, in September. The conference brought together academics to analyze a number of issues, including the form and extent of anti-Roma racism and violence in Europe and public anti-Roma rhetoric in periods of social hardship and economic recession. A selection of academic papers submitted for the event will form the basis of a book to be published in early 2010.

The serious human rights challenges faced by Roma when migrating or exercising their right to freedom of movement, together with attendant security

OSCE Senior Adviser on Roma and Sinti Issues Andrzej Mirga talks with residents of an informal Roma settlement during a field-assessment visit to Serbia in December. (OSCE/Mirjam Karoly)

implications, were the focus of an international conference in Vienna on 9 and 10 November 2009, co-organized by ODIHR, the European Union Agency for Fundamental Rights, the Council of Europe Commissioner for Human Rights, and the HCNM. The conference facilitated discussion of a wide range of concerns, including hate-motivated incidents against Roma, racist rhetoric, pervasive discrimination, and underlying factors and reasons for migration, with a view to identifying courses of action to address the situation of Roma in the context of their migration or ability to exercise their right to freedom of movement.

A side event focusing on extremism, racism and social exclusion was co-organized at the HDIM by ODIHR, Romani CRISS, a Bucharest-based NGO, and the European Roma Rights Centre, an international NGO also based in Budapest. Discussions focused on the rise of intolerance, violence and hate-motivated incidents against Roma throughout Europe.

Roma and Sinti in Crisis and Post-Crisis Situations

At the beginning of 2009, ODIHR provided financial support for the "International Roundtable on Roma, Ashkali and Egyptians of Kosovo: Challenges and Prospects of Sustainable Integration", held in Prishtina, to facilitate dialogue between representatives of these communities, the authorities and international stakeholders. Seventy participants discussed challenges and prospects for the sustainable integration of voluntary returnees and forcibly repatriated Kosovo Roma, Ashkali and Egyptians.

Participants stressed the need for greater efforts to promote the sustainable economic integration of returnees and the re-integration of repatriated persons. They underlined the fact that there are currently no facilities in place to adequately receive and integrate forcibly repatriated persons, as housing and employment remain major challenges, and called upon the international community to refrain from repatriating larger numbers of Roma, Ashkali and Egyptians to Kosovo. The report on the roundtable contains a set of conclusions and recommendations for the authorities and international stakeholders.

In early December, ODIHR's Senior Adviser on Roma and Sinti conducted a visit to Montenegro and Serbia to assess the situation and the needs of displaced Kosovo Roma, Ashkali and Egyptians. In Serbia, the Senior Adviser visited displaced Roma in collective centres and in informal settlements, focusing on the challenges faced by the residents with regard to their deplorable living conditions, obtaining personal documents and gaining access to rights and social services. In Montenegro, the Senior Adviser met with representatives of displaced Kosovo Egyptians in the Konik refugee camp, near Podgorica.

Improving Access to Education

One day of the HDIM was devoted to the topic of Roma and Sinti, particularly to access to early education for

Tamás Gyöngyösi, centre, receives a special scholarship to attend police college from the local police in Derecske, Hungary. (OSCE/Andrzej Mirga)

children. The day brought together representatives of participating States, intergovernmental and international organizations, and representatives of Roma civil society from various countries. ODIHR facilitated the participation of 15 Roma at the event. Discussions covered a wide range of issues, including the extent and nature of non-participation of Roma and Sinti children in early education, the main obstacles for their parents to enrol and support their children's participation in early education, measures taken by the responsible authorities to address these obstacles, and lessons learned and good practices developed to foster the enrolment and participation of Roma and Sinti children in early education.

As a follow-up to Ministerial Council Decision No. 6/08, ODIHR prepared and distributed a questionnaire focused on the enrolment and participation of Roma and Sinti children in early education among participating States and civil society organizations. The information collected allowed ODIHR to start preparing an overview of the situation in the OSCE area and to identify obstacles, main challenges and effective current initiatives. A consultation meeting was organized by ODIHR in March, bringing together education experts from various governments and civil society organizations to discuss opportunities for co-operation and ways to support the implementation of the Ministerial Council Decision. ODIHR also organized a workshop in December, focusing on the production of a brochure and video spot to raise awareness among Roma communities and the relevant authorities of the importance and benefits of early education.

ODIHR, together with the Council of Europe's Education Division, continued an educational initiative launched in 2008 to develop a website dedicated to the genocide of the Roma in World War II. The website is designed to provide schools, universities, civil society, relevant state authorities and the general public with easier access to information about the Roma and Sinti wartime experience. The website will be launched in 2010 and will be operated by ODIHR and the Council of Europe.

There is a limited amount of literature and teaching material on the experience of Roma under the regime of the Romanian dictator Ion Antonescu during World War II, including their deportation to what was then called Transnistria. In April 2009, in conjunction with the Elie Wiesel National Institute for the Study of the Holocaust in Romania and Romania's Ion Cioaba Foundation, ODIHR published a book combining the oral testimonies of 12 Roma survivors with a substantial collection and analysis of archival documents illustrating the systematic persecution of Roma under the Antonescu regime.

Enhancing Participation in Public and Political Life

Despite an increase in the participation of Roma and Sinti in public life in recent years, participation in elections, particularly among women and young people, remains disproportionately low. ODIHR continues to support efforts to encourage Roma and Sinti to take

Fatjon Bastriu, one of five peer educators trained with ODIHR funding and now working at the Centre for Street Children, Tirana, Albania, coaching the Centre's soccer team, which he set up to complement its educational programme, 15 December. (Centre for Street Children)

part in electoral processes and to make informed choices. ODIHR has supported NGOs in carrying out pre-election voter-education activities and "go out and vote" campaigns targeting Roma communities in Albania, the Czech Republic and Moldova. ODIHR also supported this activity by one NGO in Kosovo. The campaigns included the distribution of posters and flyers explaining voting procedures, organizing community meetings and roundtables, and producing videos to encourage Roma to vote.

Annexes

Programmes and Projects

Elections

Programmes	*Region/country*	*Included work on:*
Election Technical Assistance	OSCE Region	Expert reviews of electoral legislation (Albania, former Yugoslav Republic of Macedonia, Ukraine and Serbia)
Election Observation Development	OSCE Region	ODIHR Election Observation Handbooks on: • Observing Voter Registration; • Observing Electronic Voting; • Election Campaign Finance; and • Media Analysis Fund for Enhancing the Diversification of Election Observation Missions (EOMs) Enhancing Domestic Observers' Networking Opportunities
Election Observer Training	OSCE Region	Training of short-term election observers (STOs), which broadened the pool of trained observers from participating States eligible under the Diversification Fund Development of an e-learning module for STOs
Projects		
Election Support Team to Afghanistan	Afghanistan	Election Support Team (EST) to Afghanistan, which focused on four areas: • how to build sustainable structures and processes for the organization of elections; • how to improve the voter registration system; • how domestic observation can be further developed; and • how to strengthen the legal framework for elections

Rule of Law

Programmes	*Region/Country*	*Included work on:*
Rule of Law	OSCE Region	Trial monitoring (Armenia) Criminal justice reform in Central Asia, e.g., the Expert Forum on Criminal Justice Assessment of judicial independence in the OSCE area Research on and recommendations for knowledge transfer from the International Criminal Tribunal for the former Yugoslavia (ICTY) to national jurisdictions in South-Eastern Europe for handling of war crimes cases Prevention of torture, e.g., publication of *The Fight Against Torture: The OSCE Experience*

Democratic Governance and Civil Society

Programme	*Region/Country*	*Included work on:*
Democratic Governance	OSCE Region	*Guidelines on Legislation Pertaining to Political Parties* Developing an OSCE Parliamentary Strengthening Practice Repository

Gender Equality

Programmes	*Region/Country*	*Included work on:*
Increased Participation of Women in Democratic Processes	OSCE region	Expertise and assistance to promote gender equality in policy-making processes to locally elected representatives (Ukraine) Establishment of regional branches of the Association of Elected Women Councillors (Ukraine) Roundtables on women's participation in political parties (OSCE wide) and combating violence against women (OSCE wide) Legal advice on the draft law on combating domestic violence (Kazakhstan)
Human Rights, Women and Security	OSCE region	Cross-dimensional integration of women's rights and gender perspective in security-sector reform contributing to the national-level implementation of UNSCR 1325 *Gender and Security Sector Reform Toolkit* (Russian version) Establishment of Southeast Europe Women's Police Officer's Network Policy brief: "Gender and Early Warning Systems: An Introduction"

Migration/Freedom of Movement

Programmes	*Region/Country*	*Included work on:*
Migration and Freedom of Movement	OSCE region	*Guidelines on Population Registration* (English/Russian versions) Mapping obstacles to free choice of residence; exchange of experience in reforms to remove them (Central Asia) Promoting interstate co-operation on labour migration and integration of migrants into host societies Developing a trainer's manual on gender and labour migration Assisting participating States in forming policy for labour migration management (Russian Federation)

Legislation Support

Programme	*Region/Country*	*Included work on:*
Legislative Reform Assistance	OSCE region	Legal advice on compliance of domestic laws with OSCE commitments and other relevant standards (Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, former Yugoslav Republic of Macedonia, Kazakhstan, Kyrgyzstan, Montenegro, Serbia, Turkmenistan and Ukraine) Review of *ODIHR-Venice Commission Guidelines on Legislation Pertaining to the Freedom of Peaceful Assembly* and drafting Guidelines on Legislation Pertaining to Political Parties Legislative efficiency and transparency (Albania, former Yugoslav Republic of Macedonia, Serbia and Turkmenistan) Following legislative agendas and activities in the OSCE region; www.legislationline.org in English/Russian

Human Rights

Programmes	*Region/Country*	*Included work on:*
Human Rights and Anti-Terrorism	OSCE region	*Countering Terrorism, Protecting Human Rights* (Russian version) Research into "anti-radicalization" strategies Roundtable on understanding violent extremism and radicalization leading to terrorism (Tajikistan)
Human Rights Education and Training	OSCE region	*Human Rights Education in the School Systems of Europe, Central Asia and North America: A Compendium of Good Practice* and *Teaching Human Rights in School and Beyond* Regional events on freedom of association, freedom of peaceful assembly, human rights education and civic participation
Support to Human Rights Defenders and National Human Rights Institutions	OSCE region	Strengthening the capacity of human rights defenders and NHRIs to monitor specific human rights areas, identify areas of concern, offer remedial solutions and advocate effectively with governments Expertise on freedom of association and assembly to networks of human rights defenders and national human rights institutions across the OSCE
Human Rights and Armed Forces	Armenia, Bosnia and Herzegovina, Georgia	Assistance to participating States on implementing the practical recommendations of the Handbook on Human Rights and Fundamental Freedoms of Armed Forces Personnel (Russian/English versions) Briefing on gender and women in the armed forces

Human Rights (cont.)

Anti-Trafficking	OSCE region	Development of National Referral Mechanisms Strategies to identify, protect and assist trafficked persons: • assistance in legal and policy review; • assistance to particularly vulnerable and marginalized groups; • exchange of practices between countries; and • promoting migrants' rights Access to justice and remedies for trafficked persons: • human rights protection in the return of victims to countries of origin; • training on victims rights and compensation; and • capacity building for civil society

Tolerance and Non-discrimination

Programmes	*Region/Country*	*Included work on:*
Educational and Public-Awareness-Raising Activities to Promote Tolerance, Respect and Mutual Understanding and Remembrance of the Holocaust	OSCE region	Adaptation of teaching materials on anti-Semitism (Austria, Poland, Lithuania, Russian Federation and Sweden) Training educators on using the teaching materials (Croatia, Lithuania and Ukraine) Exchange of experience, sharing good practices, dissemination strategy *Reference Guide on Muslims in Spain*
Law Enforcement Officer Programme on Combating Hate Crime	OSCE region	Training on hate crime recognition, reporting, investigation for law enforcement officers (Bosnia and Herzegovina and Poland) Review/updating the law enforcement officer curriculum Enhancement of the hate symbols database
Building the Capacity of Civil Society to Combat Hate Crime and Violent Manifestations of Intolerance	OSCE region	Train-the-trainer programme for Russian-speaking civil society representatives Preventing and responding to intolerance and discrimination against Christians
Freedom of Religion or Belief	Armenia	Review of draft legislation
Hate Crime – Legislation and Implementation	OSCE region	*Hate Crime Laws: A Practical Guide* (English/Russian versions)

Roma and Sinti Issues		
Programme	***Region/Country***	***Included work on:***
Assistance to Improve the Situation of Roma and Sinti	OSCE region	Support in designing governmental programmes for Roma Dialogue and partnership between Roma and Sinti and local authorities Field assessment visit following the crisis situation in Hungary Awareness raising for Roma women to cast their vote independently Publication raising awareness of persecution of Roma during the Holocaust (Romania)

Legislative Reviews

Elections

In 2009, ODIHR issued five legislative reviews and opinions on election legislation, conducted jointly with the Council of Europe's Commission for Democracy through Law (Venice Commission):

COUNTRY	TITLE OF DOCUMENT
Albania	Joint Opinion on the Electoral Code of the Republic of Albania
Ukraine	Joint Opinion on the Draft law No. 3366 about Elections to the Parliament of Ukraine
Former Yugoslav Republic of Macedonia	Joint Opinion on the Electoral Code of the former Yugoslav Republic of Macedonia
Serbia	Joint Opinion on Draft Laws on Electoral Legislation of Serbia
Ukraine	Joint Opinion on the Law on Amending Some Legislative Acts on the Election of the President of Ukraine

Legislative Support

Participating State	Legislation
Armenia	• Opinion on the Draft Law Amending the Section on Pre-trial Proceedings in Criminal Cases of the Criminal Procedure Code • Opinion on Draft Amendments to the Law on Public Organizations • Opinion on the Introduction of Changes and Amendments to the Judicial Code
Azerbaijan	• Opinion on the Draft Law on Domestic Violence
Bosnia and Herzegovina	• Gap Analysis of Legislation Pertaining to Trafficking in Human Beings • Opinion on Draft Amendments to the Criminal Code
Former Yugoslav Republic of Macedonia	• Comments on Provisions Relating to Hate Crimes in the Draft Criminal Code • Comments on the Draft Law on Prevention and Protection against Discrimination (prepared jointly with the OSCE Spillover Monitor Mission to Skopje)
Kazakhstan	• Comments on the Law on Amendments and Additions to Some Legislative Acts of the Republic of Kazakhstan on Issues of Religious Freedom and Religious Organizations • Preliminary Opinion on the Package of Laws and Draft Laws Related to Domestic Violence • Opinion on the Draft Law on Population Migration • Opinion on the Draft Law on Crime Prevention • Opinion on the Daft Law on Domestic Violence
Kyrgyzstan	• Opinion on the Draft Law on Assemblies • Opinion on the Draft Law on Amendments and Additions to Some Legal Acts of the Kyrgyz Republic Pertaining to Non-commercial Organizations • Opinion on the Draft Law on Political Parties • Opinion on the Draft Law on Religious Education and Religious Educational Institutions
Montenegro	• Opinion on Article 443 of the Criminal Code • Comments on the Draft Anti-discrimination Law
Serbia	• Opinion on the Draft Law on Prohibition of Discrimination • Opinion on the Draft Law on Secrecy of Information
Ukraine	Opinion on the Draft Law on the Procedure for Organizing and Conducting Peaceful Events (joint opinion with the Venice Commission)

Conferences and Meetings

Name	Location	Date	Number of Participants
Human Dimension Events			
Supplementary Human Dimension Meeting on Hate Crimes – Effective Implementation of Legislation	Vienna	4-5 May	145
Human Dimension Seminar on Strengthening the Rule of Law	Warsaw	12-14 May	250
Supplementary Human Dimension Meeting on Freedom of Religion or Belief	Vienna	9-10 July	288
Human Dimension Implementation Meeting	Warsaw	28 September-9 October	1,200
Supplementary Human Dimension Meeting on Gender Equality	Vienna	5-6 November	200
Elections			
2004-2005 Afghanistan Election Support Teams review meeting	Warsaw	10-11 March	17
Second expert meeting on voter registration and election observation	Warsaw	12-13 March	15
OSCE Greek Chairmanship expert seminar on electoral-management bodies	Vienna	16-17 July	
Fourth implementation meeting on the Declaration of Principles for International Election Observation	Warsaw	10-11 September	40
Democratization			
Seminar on the Austrian experience abroad on the role of police in combating domestic violence. Meeting with the Police Academy experts on women in police service in Azerbaijan	Baku	12-13 February	38
Capacity-building workshop for women leaders from civil society organizations (members of the Kyrgyz regional network "Women Can Do It" and member NGOs from the "Women's Legal Initiative" joint alliance with MPs)	Bishkek	23-26 March	43
Roundtable on transparency and public participation in Law-making	Mavrovo	11-12 April	50
Meeting of experts for drafting the ODIHR Guidelines on Legislation Pertaining to Political Parties	London	21-22 April	11
Regional conference on the implementation of the OPCAT: Experiences from South-Eastern Europe	Podgorica	22-23 April	70
Regional workshop of the ODIHR/ICTY/UNICRI project "Supporting the Transition: Lessons Learned and Best Practices in Knowledge Transfer"	Sarajevo	13-15 May	60
Workshop on best practices in legislation for combating domestic violence; and meeting with representatives of the non-governmental sector working on women's issues and with victims of domestic violence	Astana	1-2 June	50
Roundtable on women's participation in political parties	Warsaw	23-24 June	70

Roundtable on lawmaking and EU approximation	Mavrovo	2-3 July	53
Roundtable on public funding and abuse of state resources (political parties)	Athens	16-19 September	60
Workshop on Interaction of Government and Parliament through Different Stages of the Legislative Process	Ashgabat	23-24 September	47
Second OSCE/ODIHR Expert Forum on Criminal Justice for Central Asia	Issyk-Kul	15-17 October	60
Workshop on best practices in legislation on migration	Astana	27-28 October	65
Conference on the draft Law of Azerbaijan on domestic violence	Baku	23-26 November	62
Human Rights			
Roundtable on the *ODIHR/DCAF Handbook on Human Rights and Fundamental Freedoms of Armed Forces Personnel*	Yerevan	9 April	40
Regional forum "Human Rights Education: Achievements, Lessons Learned and Perspectives"	Vilnius	27-29 April	60
Roundtable on the *ODIHR/DCAF Handbook on Human Rights and Fundamental Freedoms of Armed Forces Personnel*	Sarajevo	14-15 September	60
Training on International Human Rights Standards and Human Rights Advocacy for Belarusian Human Rights Defenders	Vilnius	26-28 September	20
Launch of the ODIHR/CoE/OHCHR/UNESCO educational tool *Human Rights Education in the School Systems of Europe, Central Asia and North America: A Compendium of Good Practice*	Warsaw	2 October	70
Regional roundtable on freedom of association in Central Asia	Bishkek	21-22 October	70
Seminar for parliamentarians and civil society representatives on "Integrating a Gender Perspective in National Security Policy"	Skopje	21-22 October	25
Roundtable on freedom of peaceful assembly	Yerevan	13 November	60
Seminar for parliamentarians and civil society representatives on Gender and security, UNSCR 1325, and society oversight of the security sector	Tbilisi	11-12 December	35
Tolerance and Non-Discrimination			
Workshop on hate crimes for government officials and civil society in the former Yugoslav Republic of Macedonia	Skopje	4-5 February	45
Expert meeting of the Advisory Council on Freedom of Religion or Belief	Vienna	4-6 February	15
Consultation meeting of the OSCE Chairman-in-Office with the Personal Representatives on tolerance issues	Warsaw	13 February	18
Roundtable meeting on intolerance and discrimination against Christians	Vienna	4 March	95
Launch event for the Polish teaching tools to combat anti-Semitism	Warsaw	5 March	110

Training for teacher trainers on teaching tools to combat anti-Semitism for Polish secondary schools	Poland	5-6 March	20
Hate crimes training for OSCE Field Mission Staff	Warsaw	9-11 March	18
Civil society roundtable on anti-Semitism in the OSCE region	Vienna	17 March	43
Expert workshop and launch event for *Hate Crime Laws – A Practical Guide*	Vienna	19 March	47
Expert roundtable on racism in the OSCE region	Vienna	20 March	52
Launch event for the *Reference Guide on Muslims in Spain*	Madrid	20 March	35
Law enforcement officer programme on combating hate crimes in Bosnia and Herzegovina	Sarajevo	23-27 March	37
Expert workshop with the Criminal Code Drafting Committee on hate crimes in the former Yugoslav Republic of Macedonia	Skopje	29-30 April	10
International expert meeting on the OSCE/ODIHR teaching tools to combat anti-Semitism	Berlin	18-20 May	18
Hate crimes workshop for government officials and civil society in Hungary	Budapest	9-10 June	45
Launch event for the Lithuanian teaching tools to combat anti-Semitism	Vilnius	2-3 July	50
Teacher training on the ODIHR teaching tools to combat anti-Semitism for Croatian teachers (four training seminars)	Croatia	2 September-14 November	50
Training of trainers for civil society on combating and preventing hate crimes	Warsaw	5-8 September	28
Expert meeting on the development of Guidelines for Educators on Intolerance against Muslims	Amsterdam	16-18 September	11
Teacher training on the ODIHR teaching tools to combat anti-Semitism for Lithuanian teachers (two training seminars)	Lithuania	24 September-17 November	25
Teacher training on the ODIHR teaching tools to combat anti-Semitism for Ukrainian teachers (eight training seminars)	Ukraine	1 October-16 December	25
Civil society roundtable meeting with the Personal Representatives of the OSCE Chairman-in-Office on tolerance issues	Warsaw	5 October	65
Second annual meeting of National Points of Contact on Combating Hate Crimes	Vienna	28-29 October	63
Law enforcement officer programme on combating hate crimes in Poland	Warsaw	2-6 November	27
Training for civil society on combating and preventing hate crimes	Kiev	1-4 December	25
Advisory Council drafting session on the second edition of the *Guidelines for Review of Legislation Pertaining to Freedom of Religion or Belief*	Milan	12-13 December	11

Assessment meeting with the Office of the Ombudsman of the Russian Federation on freedom of religion or belief	Moscow	17-18 December	6
Contact Point for Roma and Sinti Issues			
International Roundtable "Roma, Ashkali and Egyptians of Kosovo: Challenges and Prospects of Sustainable Integration"	Prishtina	9 February	70
Academic consultation meeting on recent developments and trends regarding Roma and Sinti in Europe	Warsaw	9 March	15
Consultation meetings on the implementation of the OSCE Ministerial Council Decision No. 6/08	Warsaw	20 March	23
Launch event of a book on the deportation of Romanian Roma to Transnistria during World War II	Bucharest	7 April	60
Regional Meeting of the OSCE field operation focal points on Roma	Skopje	28 April	9
Academic conference "Extremism and the Roma and Sinti in Europe: Challenges, Risks and Responses"	London	10-11 September	30
Expert review workshop on good practices in building trust and understanding between police and Roma	Vienna	28-29 October	35
Joint FRA – CoE – OSCE HNCM and ODIHR Conference on Roma migration and freedom of movement	Vienna	9-10 November	80
Meeting on Ministerial Council Decision No. 6/08, "Promoting Access of Roma and Sinti Children to early education"	Warsaw	15-16 December	19

2009 Publications

	Title	Languages
1	ODIHR Factsheet	English, French, German, Greek, Kazakh, Polish, Russian
2	Hate Crime Laws – A Practical Guide	English, Russian
3	Countering Terrorism, Protecting Human Rights: A Manual	Russian
4	Compensation for Trafficked and Exploited Persons in the OSCE Region	Russian
5	2008 Annual Report	English, Russian
6	The Fight Against Torture	English
7	Human Rights Education in the School Systems of Europe, Central Asia and North America: A Compendium of Good Practice	English
8	The Death Penalty in the OSCE Area: Background Paper 2009	English, Russian
9	Guidelines on Population Registration	English, Russian
10	Resource Guide for NGOs on How to Address Hate-Motivated Crimes and Incidents	English
11	Integrating Gender into Early Warning Systems (policy brief)	English
12	Status Report on Implementation of the OSCE Action Plan on Roma and Sinti	Russian
13	Hate crimes in the OSCE region incidents and responses. Annual Report for 2008	English

Election Reports and Statements Released in 2009

✲ **General elections in the United States of America, 7 November 2008**

1. OSCE/ODIHR Limited Election Observation Mission Final Report

✲ **Parliamentary elections in Liechtenstein, 6 & 8 February 2009**

2. Needs Assessment Mission Report

✲ **Presidential and municipal elections in the former Yugoslav Republic of Macedonia, 22 March and 5 April 2009**

3. EOM Interim Report 1
4. EOM Interim Report 2
5. Preliminary Statement by the International EOM
6. Preliminary Statement on the 2nd round by the International EOM
7. OSCE/ODIHR Election Observation Mission Final Report

✲ **Early Parliamentary elections in Montenegro, 29 March 2009**

8. Needs Assessment Mission Report
9. EOM Interim Report
10. Preliminary Statement by the International EOM
11. OSCE/ODIHR Election Observation Mission Final Report

✲ **Parliamentary elections in Moldova, 5 April 2009**

12. Needs Assessment Mission Report
13. EOM Interim Report 1
14. EOM Interim Report 2
15. Preliminary Statement by the International EOM
16. EOM Post-election Interim Report
17. OSCE/ODIHR Election Observation Mission Final Report

✲ **Early parliamentary elections in Iceland, 25 April 2009**

18. Needs Assessment Mission Report
19. OSCE/ODIHR Election Assessment Mission Report

✲ **Presidential election in Lithuania, 17 May 2009**

20. Needs Assessment Mission Report

✲ **Elections to the European Parliament, 4-7 June 2009**

21. Exploratory Mission Report
22. OSCE/ODIHR Expert Group Report

✲ **Parliamentary elections in Albania, 28 June 2009**

23. Needs Assessment Mission Report
24. EOM Interim Report 1
25. EOM Interim Report 2
26. EOM Interim Report 3
27. Preliminary Statement by the International EOM

28. EOM Post-election Interim Report
29. OSCE/ODIHR Election Observation Mission Final Report

✻ **Parliamentary elections in Bulgaria, 5 July 2009**

30. Needs Assessment Mission Report
31. EOM Interim Report 1
32. Preliminary Statement by the International LEOM
33. OSCE/ODIHR Limited Election Observation Mission Final Report

✻ **Presidential election in Kyrgyzstan, 23 July 2009**

34. Needs Assessment Mission Report
35. EOM Interim Report 1
36. EOM Interim Report 2
37. Preliminary Statement by the International EOM
38. OSCE/ODIHR Election Observation Mission Final Report

✻ **Early Parliamentary elections in Moldova, 29 July 2009**

39. EOM Interim Report 1
40. EOM Interim Report 2
41. Preliminary Statement by the International EOM
42. OSCE/ODIHR Election Observation Mission Final Report

✻ **Presidential and Provincial Council elections Afghanistan, 20 August 2009**

43. OSCE/ODIHR Election Support Team Final Report

✻ **Parliamentary elections in Norway, 14 September 2009**

44. Needs Assessment Mission Report
45. OSCE/ODIHR Election Assessment Mission Report

✻ **Parliamentary elections in Germany, 27 September 2009**

46. Needs Assessment Mission Report
47. OSCE/ODIHR Election Assessment Mission Report

✻ **Parliamentary elections in Portugal, 27 September 2009**

48. Needs Assessment Mission Report
49. OSCE/ODIHR Election Assessment Mission Report

✻ **Presidential election in Romania, 22 November 2009**

50. Needs Assessment Mission Report
51. LEOM Interim Report
52. Preliminary Statement by the LEOM on the 1st round
53. Preliminary Statement by the LEOM on the 2nd round

✻ **Parliamentary elections in Greece, 4 October 2009**

54. OSCE/ODIHR Election Assessment Mission Report

✻ **Presidential election in Croatia, 27 December 2009**

55. Needs Assessment Mission Report
56. LEOM Interim Report
57. Preliminary Statement by the LEOM on the 1st round

✻ **Parliamentary elections in Uzbekistan, 27 December 2009**

58. Needs Assessment Mission Report

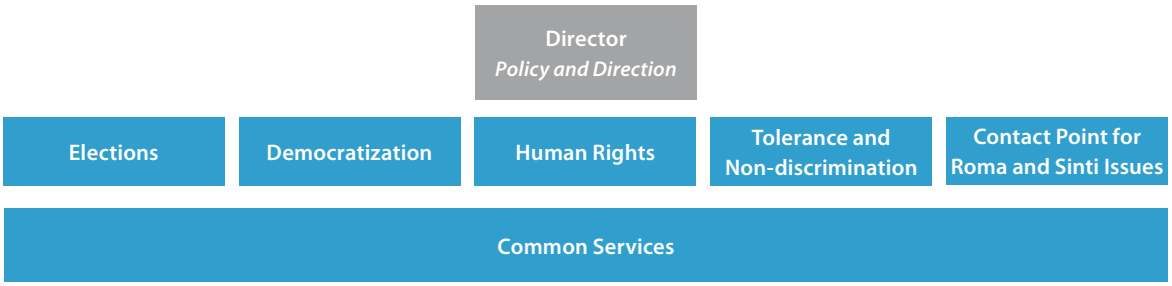
✻ Presidential election in Ukraine, 17 January 2010

59. Needs Assessment Mission Report
60. EOM Interim Report 1
61. EOM Interim Report 2

✻ Parliamentary elections in Tajikistan, February 2010

62. Needs Assessment Mission Report

ODIHR Structure and Budget



ODIHR Programmes: 2009 Budget *(all figures in euros)*	
Direction and Policy	1 295 800
Fund Administration Unit	1 617 500
Common Operational Costs	910 700
Human Dimension Meetings	769 200
Democratization	1 320 200
Human Rights	1 156 900
Elections	6 555 000
Tolerance and Non-discrimination	1 237 000
Roma and Sinti Issues	536 800
ODIHR augmentation	249 900
TOTAL	15 649 000