

ECMI

ANNUAL REPORTS  
2002 to 2008

and Evaluation Report 2007

Excerpts on the Caucasus

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## **ECMI ANNUAL REPORT 2002**

### **I. Action-Oriented Projects**

The past year saw a change in the approach to minority issues in Europe. Up to the first half of the year, the debate on minority-majority relations was conducted mainly in terms of conflict transformation. The fragility of the state of Bosnia and Herzegovina, the unresolved issues connected with the future status of Kosovo, the hesitant implementation of the Ohrid agreement on peace in the Former Yugoslav Republic of Macedonia, and the attempts to keep together for at least another three years the Federal Republic of Yugoslavia (Serbia and Montenegro) all preoccupied international actors in this field. This was coupled with concern about the still unaddressed conflicts in Nagorno Karabakh (Armenia/Azerbaijan), Transdniestria (Moldova), Abkhazia and South Ossetia (Georgia), and Chechnya.

During 2002, ECMI continued to play a crucial role in stabilizing the settlements in Southeastern Europe, while beginning to prepare itself for activities in the Caucasus region, should settlements advance there. While maintaining its strong interest in the Balkan and Baltic regions, ECMI has also started to lay the groundwork for activities in the Caucasus area. Tom Trier, newly appointed Senior Research Associate, conducted a pilot visit to the region and authored a substantive background study, which will inform the evolving activities of the Centre. These will range from preventative action in relation to conflicts that might still be added to the long list of areas of tension in the Caucasus, as well as measures designed to accompany and consolidate the hesitant peace processes that are meant to address some of these.

# **ECMI ANNUAL REPORT 2003**

## **I. Action-Oriented Projects**

The year also saw a geographical expansion of ECMI's project activities to Moldova and Georgia. In Moldova, the Centre established a program to further the negotiations on a federalized constitution for the republic as part of international efforts to resolve the decade-long dispute over the status of the break-away republic of Transdniestria. In Georgia, a project to defuse interethnic tension and promote integration of the ethnic Armenian region of Javakheti was begun. With the "Rose Revolution" in Georgia in November 2003, new opportunities for active conflict-resolution have emerged, and ECMI is planning additional support to the stabilization of minority-majority relations in 2004.

## **II. Defusing Interethnic Tension and Promoting Regional Integration - the Javakheti Region of the Republic of Georgia**

### **A. Aims**

This project seeks to defuse interethnic tension and promote regional integration in the Javakheti region of Georgia. By establishing a network consisting of civil society actors that includes representatives for most ethno-religious groups as well as government officials in Javakheti, the project seeks to improve interethnic relations, to broaden the consultative process of decision-making, and to increase effective public participation and public awareness on local governance. The project will promote regional integration of the region by involving province- and state-level policy-makers in the network, thereby creating firmer links between regional actors and central levels of authority

### **B. Project activities**

In 2003, ECMI has carried out assessments and stakeholder consultations with civil society structures in Javakheti and government institutions at the local, regional and central levels. The project initiation was slightly interrupted in late 2003 due to the revolutionary events in November 2003, which led to the end of the Shevardnadze era, and the coming into power of Michael Saakashvili and a new Georgian leadership.

In 2004, ECMI will establish an interethnic dialogue network through the organization of a "Javakheti Citizen's Forum" to convene on a monthly basis. The forum will work to address technical issues of relevance to all communities in Javakheti, and will present their recommendations to policy-makers at the state level, governmental institutions at the regional, province and central level as well as to NGOs and international actors in Georgia. On-going research of political and socioeconomic developments in the region will be an integral part of the project. In addition, the project will enhance the capacities of local NGOs as well as ethnic and religious communities and provide resources to improve their participation in civil society. Moreover, the project will support mobilization and development in local communities to ensure their active participation in the activities of the interethnic network. The project will establish a dialogue and negotiation network that cuts across ethnic and religious lines and which is capable of focusing on technical issues affecting the population of Javakheti. The recommendations and support offered by the network, as well as the much-needed dialogue in itself, will contribute to the long-term improvement of interethnic relations and regional integration of the Javakheti region into the Georgian state.

### **III. Between Integration and Resettlement: The Meskhetian Turks**

#### **A. Aims**

The project aims to produce a comprehensive and comparative cross-border study of today's Meskhetian Turk communities and strives to develop an alternative discourse to the framework maintained by international actors addressing the problems of the Meskhetian Turks, based on an a priori assumption that Meskhetian Turks desire to return to their region of origin. The project, through the conduct of multi-disciplinary research in eight countries (Russia, Ukraine, Uzbekistan, Kazakhstan, Kyrgyzstan, Azerbaijan, Georgia and Turkey), seeks to grasp the complexity of the subject by obtaining a thorough understanding of Meskhetian Turkish identity, migration processes, concepts of "home" and social organization, which can provide a basis for new approaches to finding durable solutions to the problems of the Meskhetian Turks.

#### **B. Relevance**

The Meskhetian Turks are the last among the national groups of the Soviet Union deported under Stalin in 1943-44 that has not yet been able to return to their native region (in southwest Georgia). Consisting of some 270-335,000 people today, the Meskhetian Turks, following pogroms and multiple displacements, find themselves scattered throughout vast territories in the former Soviet Union and Turkey. In some of these countries, the Meskhetian Turks face ethnic persecution and even expulsion, while independent Georgia effectively blocks resettlement to their native region. International actors seeking to address these problems encounter severe difficulties in finding solutions, inter alia, because of a lack of consistent knowledge on Meskhetian Turks' own perceptions of their displacement and their visions for future settlement.

#### **C. Project activities**

The project will consist of three research workshops, eight country case studies (including 30 cases of mainly ethnographic fieldwork), five thematic and two legal studies, and the compilation of an authoritative research volume on the topic.

#### **D. Links with other institutions**

The project will be implemented in cooperation with several higher educational institutions, think-tanks, human rights institutions, international organizations and 59 scholarly establishments both in Western Europe, the former Soviet Union and Turkey. As a by-product, a comprehensive network of scholars on the issue will be created.

#### **E. Time frame and funding details**

The project will run for 20 months. Funding is currently being sought. While assessments were conducted in 2003, the project will be initiated in 2004 and run for two years.

# **ECMI ANNUAL REPORT 2004**

## **I. Action-Oriented Projects**

### **A. Caucasus**

In 2004, the European Centre for Minority Issues accelerated its activities in Georgia with a complex programme aimed at enhancing the integration of two regions with large concentrations of ethnic minorities: the predominantly Armenian region of Javakheti in the south of the country (constituting the eastern part of the Samtskhe-Javakheti Province) and the Azeri dominated Kvemo Kartli province in the southeast. The issue of minority rights is closely connected with and runs alongside the distinctive regional make up of Georgia. Since independence 15 years ago, development in the country has tended to be restricted to the capital Tbilisi and other major cities. In contrast, rural areas have descended into extreme poverty. From a political standpoint, the previous administration of President Shevardnadze, partly due to the need to attain a certain degree of stability, developed extensive patronage systems in which powerful local interest groups were allowed significant economic power in return for retaining stability in their particular area and delivering votes for the incumbent government during elections. A key measure of how effectively Georgia develops from here, therefore, will be how minorities and regions are integrated. This concerns not only matters of civil integration but also issues affecting broad based economic growth. It is difficult to conceive a peaceful, stable and prosperous Georgia without a process whereby the different regions of the country become more integrated. There are critical matters of importance with respect to areas of the country where densely concentrated minorities reside.

In addition to the regions of Abkhazia and South Ossetia, which broke away from Georgia after bloody civil wars in the early 1990s, the provinces of Samtskhe-Javakheti and Kvemo Kartli remain largely populated with minorities. These two regions have remained isolated from the rest of Georgia since independence, prompting fears that unless sensitive integration policies are pursued, the latent threat of conflict remains. The Georgian government has yet to devise policy regarding minority rights even though approximately one fifth of the population is made up of ethnic minorities.

## **II. Engaging Local Communities in Minority Regions**

ECMI's programme seeks to promote regional integration and defuse inter-ethnic tension in the minority regions. In the initial stages of ECMI's programme in Georgia, the focus of attention has been to foster a dialogue within the predominantly Armenian Javakheti region on matters that concern local residents and, in early 2004, ECMI established a presence in the region's principal town, Akhalkalaki. By establishing a network of civil society actors that include representatives of most religious-ethnic groups as well as government officials, the project is helping to seek improvements in inter-ethnic relations and broaden the level of the consultative process in decision making. The programme promotes regional integration and engages provincial and state level policy makers in the process, thus creating firmer links between regional actors and central levels of authority. Running parallel to this process is a system whereby training is provided to build the capacity for mobilization efforts in order to broaden public participation in the consultative mechanisms. Moreover, a number of community mobilization grants are provided for local initiatives, which serves to further regional integration. The programme is jointly funded by the Governments of Denmark, Norway and Germany.

Following an in-depth assessment of socio-political and economic obstacles for the integration of Javakheti conducted by ECMI Non-Resident Senior Research Associate, Dr. Jonathan Wheatley

(published as ECMI Working Paper #22, see [http://www.ecmi.de/download/working\\_paper\\_22.pdf](http://www.ecmi.de/download/working_paper_22.pdf)), ECMI held an initial, preparatory meeting in Akhalkalaki on 23 April. The meeting convened a small group of key stakeholders from the region and served to ensure that the project design was confirmed in consultation with the local stakeholders and to ensure early local ownership of the activities. Based on the assessment and consultative meetings, a number of priority areas were identified. Among the key concerns of local community representatives were: economic development, especially in the field of agriculture; the complicated language question in a region where the majority of the population does not speak the state language; the lack of access to adequate health care; and the poorly developed road infrastructure in a region topographically isolated from the rest of the country. In addition, the lack of appropriate communication channels between Tbilisi and the region was emphasized as a major obstacle for constructive dialogue to address the needs of the region. Discussions at the preliminary meeting served as a platform for a subsequent inaugural meeting to establish a network of citizens, a “Javakheti Citizens Forum”. In early September, the project was further strengthened by the deployment of an international project manager in Akhalkalaki, the principal town in Javakheti. The project manager, Mikael Hertoft (Denmark) has broad experience in similar activities working for the OSCE in Chechnya, the Russian Federation, and as an OSCE election observer over the past 10 years. Mikael Hertoft is the only international representative of an international agency based permanently in Javakheti.

On 22 September, the inaugural “Javakheti Citizen’s Forum” convened. The event took place in a conference format and was attended by some 80 representatives from civil society structures and local authorities for the region, as well as by representatives from central government agencies, policy institutes based in Tbilisi and the Georgian media. At the forum, the programme elements were officially launched and, in the ensuing discussion, the participants confirmed the need for improving dialogue between local and central actors. The event was widely covered by the local and national media. Two working groups were established as an outcome of the first conference: a) a Working Group on Language Questions, Information and Education; and b) a Working Group on Economic Development and Integration. These groups have subsequently met on a monthly basis to discuss current problems of regional integration in their respective thematic areas and to work on recommendations for the government for improvement of relevant state policies. The remote location of the Javakheti region (a five to seven hour drive from Tbilisi to Akhalkalaki), has hampered the participation of the Government officials from the central level and to overcome this problem, in 2005 ECMI will organize a series of meetings in Tbilisi, which will be attended by central government officials as well as by representatives from the Javakheti-based working groups. In November, the Working Group on Language Questions, Information and Education responded to a proposed draft law on primary education, currently being debated by the Georgian parliament, by providing critical comments and suggesting several amendments in a letter to the Georgian Minister of Education.

The representatives of the working group expressed concern that the Armenian and Russian languages might not be maintained under the new law as the languages of instruction in minority schools. The letter proposed that guarantees for maintaining the minority tongues as languages of instruction in the schools should be provided. At the same time, the letter emphasized that the Armenian population in Javakheti is not opposed to the introduction of the Georgian language in the region’s schools. However, it was suggested that Georgian should be taught as a second language. The letter also called for the deployment of more resources for teaching in Georgian, since there is currently a significant lack of Georgian language teachers and textbooks in the region. The letter was widely discussed in the Georgian media and at the second “Javakheti Citizens Forum” on 15 December, Deputy Minister for Education, Bela Tsipuria, as well as Tamara Tsikhistavi, representative of the Office of the State Minister for Conflict Resolution Issues, made their way to Akhalkalaki to allow for an open and transparent discussion on the

implications of the proposed law. At the conference, Bela Tsipuria handed over a letter from Minister of Education Alexander Lomaia. Though the minister and his deputy did not approve of the suggestions made by the working group members, he stressed that the parents and teachers at each individual school are entitled to make their own decisions on the language of instruction. The Ministry's reply has subsequently been discussed by the working group at a meeting in January 2005. While the working group members welcome the commitment by the Ministry, concerns remain that guarantees for instruction in minority languages are not clearly provided for in the draft law. The working group is now preparing an additional letter to the Ministry of Education. Regardless of the differences in positions, the visit by the deputy minister marked the first occasion in several years where a senior official from Tbilisi made the effort to travel the long distance to the remote region in order to take part in a direct dialogue with the local stakeholders. The appearance in Javakheti was highly appreciated by the local authorities and civil society actors as a sign of goodwill from the new government. Hence, the Citizens Forum event on education was a great success in terms of initiating direct dialogue and allowing for consultation with regional stakeholders.

Incidentally, Georgian President Mikeil Saakashvili visited Akhalkalaki shortly afterwards on a surprise visit on 29 December. The President made several commitments on behalf of the Georgian government with regard to the rehabilitation of transport infrastructure and made promises to construct a highway connecting Akhalkalaki with Tbilisi beginning in 2005. He also promised that stipends for university students from the region would be made available so as to allow for the attendance of Armenian youth at Tbilisi institutes of higher education. Saakashvili's visit seemed to highlight the government's growing interest in addressing the problems of the region.

The ECMI project in Javakheti also supports the development and strengthening of civil society structures in the region. On 12 December, a resource centre was opened in Akhalkalaki at ECMI's premises. The centre is equipped for hosting seminars and other events for up to 30 participants and computers and other technical equipment is available for civil society organizations. In 2005, the resource centre will provide various training programmes for NGOs and community leaders and also host a variety of public events.

Finally, ECMI operates a grants facility for community mobilization projects in Javakheti and can support small projects aimed at supporting the self-organization of local communities and activities which can further inter-ethnic relations within or between actors in the region and in other parts of Georgia. In December, the first five grants were disbursed to support: a chess tournament covering six different locations in Samtskhe-Javakheti, with the aim of fostering closer inter-ethnic ties, especially between Armenians and Georgians; the provision of technical equipment for the Greek community in Akhalkalaki; the production of a series of TV programmes on regional integration; the development of a regional NGO association internet homepage displayed in the Georgian and Armenian languages; and a series of seminars focusing on current obstacles to the integration of the region's youth population. The grant facility is seen as a crucially important means of increasing the involvement of unrepresented local communities in the process of engaging the regional population in political decision making affecting society in Javakheti. At present, it is primarily in the urban district centres of Javakheti—the towns of Akhalkalaki and Ninotsminda—that embryonic civil society structures are taking shape. Rural communities, including the region's minority groups—Georgians, Greeks and Russian Dukhobors—a sect of Russian Old believers who fled to Georgia in the 1830s—remain largely disenfranchised from the political process.

In 2005, special efforts will be made to further the engagement of rural communities and ensure their participation in ECMI organized conferences and working groups through trainings and grants.

In December 2004, ECMI also took measures to initiate similar activities in Kvemo Kartli. A thorough assessment was conducted by Dr. Jonathan Wheatley in September (ECMI Working Paper #23, see [http://www.ecmi.de/downloads/working\\_paper\\_23.pdf](http://www.ecmi.de/downloads/working_paper_23.pdf)), which identified an urgent need for action in the Kvemo Kartli province to defuse inter-ethnic tension. As in Javakheti, some of the major problems in Kvemo Kartli relate to the lack of economic opportunities, the poor quality of roads, the perilous state of medical facilities, and lack of knowledge of the Georgian language. Moreover, distribution of land is a major problem with an ethnic dimension and in recent months, ethnic tensions in the province have been on the rise.

On 20 December, ECMI held an initial pre-stakeholder meeting in Marneuli, the principal town in the region and, in 2005 onwards, a comprehensive project covering five out of six districts in the region with a significant (mostly Azeri, but also Greek and Armenian) minority population will be implemented along similar lines to the projects in Javakheti. Tom Trier (Denmark), who in 2004 had been acting as ECMI Deputy Director and Senior Research Associate based in Flensburg, has in January 2005 been deployed permanently to Tbilisi as Regional Representative for the Caucasus. Tom Trier will head ECMI's operations in Georgia and also be directly in charge of the implementation of the Kvemo Kartli programme.

### **III. Cooperation with the Government**

While the programme components described above direct attention towards engagement where minorities reside, ECMI also works with the Georgian government to strengthen its capacity to deal with minority issues and assist in the process of regional integration. Following the November 2003 "Rose Revolution", there has been substantial change in the structure and personnel within the senior and middle level civil service. However, as yet, there is little capacity in many areas to deal effectively with the formulation and implementation of policy. This creates problems for senior government decision makers in many areas, as they lack the resources and expertise to decide upon the cause and effect of policy.

2004 has seen a strengthening of the relationship between the central government and ECMI. The Centre has established a particularly fruitful collaboration with the Office of the State Minister for Conflict Resolution Issues. State Minister Giorgi Khaindrava and his staff were initially mandated to deal with the reintegration of the break-away republics of Abkhazia and South Ossetia. However, in the fall of 2004, the State Minister's office was additionally put in charge of the regional integration of Samtskhe- Javakheti and Kvemo Kartli. Hence, ECMI is closely coordinating its regional activities in Javakheti and Kvemo Kartli with the State Minister's Office.

A governmental strand of ECMI's programme has now been designed to assist the State Minister's Office in building the capacity to address minority issues and integration. The programme component focuses on economic issues and the determination of government policy towards, initially, the regions of Samtskhe-Javakheti and Kvemo Kartli. In early 2004, the government established a state commission for regional integration. This commission, however, has never met formally, but is comprised of ministers and is chaired by the prime minister. ECMI's strategy is to assist this commission, by working through the Office of the State Minister for Conflict Resolution Issues, to develop an integrated economic development strategy and action plan for Samtskhe-Javakheti and Kvemo Kartli. ECMI will provide significant inputs in the process in the form of advice, training and facilitation. Once the action plans and integrated

strategies are developed, they are intended to become government policy. ECMI will then work with central and local governments towards the implementation of these action plans.

In October, John Wright, a British economist based in Tbilisi, was engaged as ECMI's Political Advisor. John Wright is responsible for the implementation of this programme element and will also provide advice on ECMI's other activities in Georgia. While ECMI has been occupied with the preparatory work for this programme element in the final months of 2004, implementation focusing on Samtskhe-Javakheti will take place in 2005 and action in Kvemo Kartli in 2006.

As a whole, the ECMI programme for Georgia was developed to create synergies and cross-fertilization across the programme components so as to foster an equal-opportunities approach to integration of the minority-populated regions of Georgia into mainstream society.

#### **IV. Future Work**

In 2005, ECMI will continue the implementation of the above programmes, and will also expand its ongoing research on majority–minority relations in Georgia. In 2005–7, ECMI will enter into closer cooperation with the Danish Refugee Council under a framework programme for the Caucasus through the Danish Foreign Ministry's Neighbourhood Programme Department. The Foreign Ministries of Norway and Germany will continue their support to individual components of the programme. In addition to the outlined activities, ECMI will also carry out an analysis of gaps in programming (GAP analysis) in the implementation of the Council of Europe Framework Convention for the Protection of National Minorities (FCNM) in the wider South Caucasus region. Both Armenia and Azerbaijan have signed and ratified the FCNM, but significant measures need to be taken, especially in Azerbaijan, to adhere to the Convention. Georgia has signed but not ratified the FCNM, and the Council of Europe has recently, in Resolution 1415 (2004) of its Parliamentary Assembly, set a deadline before September 2005 for Georgia to ratify the FCNM and to sign and ratify the European Charter for Regional and Minority Languages. It remains crucial that the gaps in the ratification or implementation in this process be thoroughly identified.

#### **V. Project Activities in 2004**

- Training Workshop for the Caucasus Region, Tbilisi, Georgia, In September 2004, ECMI and the Office of the Public Defender of Georgia hosted a workshop for the staff of the Georgian Public Defender, the Human Rights Defender of Armenia and the Ombudsman Office of Azerbaijan.
- Workshop and Study Tour, Schleswig-Holstein, Germany, The third workshop was a follow-up meeting and border region study tour held at ECMI headquarters in Flensburg, Germany in November 2004. Staff of network institutions from Armenia, Azerbaijan, Georgia, Kosovo, Estonia, the Russian Federation and Macedonia joined together for three days to meet with representatives of the German Federal and Regional (Schleswig-Holstein) Commissioners for National Minorities, as well as minority representatives from the region. The group visited the parliament of the State of Schleswig-Holstein in Kiel, and participated in in-depth workshops led by experts on minority rights, human rights, and the role of the ombudsman, including from the Central European University (Budapest), DIHR, the Danish Ethnic Equal Treatment Complaints Committee and the OSCE High Commissioner on National Minorities.

## **VI. Meskhetian Turks**

### **‘Between Integration and Resettlement: The Meskhetian Turks’**

The project, which began in June 2004, aims to produce a comprehensive and comparative cross-border study of today’s Meskhetian Turk communities and strives to develop an alternative discourse to the framework maintained by international actors addressing the problems of the Meskhetian Turks, based on an *a priori* assumption that Meskhetian Turks desire to return to their region of origin. Through multidisciplinary research, the project seeks to grasp the complexity of the subject by obtaining a thorough understanding of Meskhetian Turkish identity, migration processes, concepts of ‘home’ and social organization. On this basis, new approaches to find durable solutions to the problems of the Meskhetian Turks may be developed.

# ECMI ANNUAL REPORT 2005

## I. Action-Oriented Projects

### A. Integration of ethnic minorities through increased dialogue and political participation in the South Caucasus - Georgia

The past year has witnessed a drastic increase of ECMI activities in the Caucasus. Through the implementation of three action-oriented projects, ECMI, with a particular focus on Georgia, has aimed at advancing the development of higher standards of governance for national minorities and at engaging minority communities in dialogue on minority protection and regional integration issues with government and parliament. The conduct of these activities in 2005 were made possible through funding generously provided by the Neighbourhood Programme Department of the Royal Danish Ministry of Foreign Affairs and the OSCE Section of the Royal Norwegian Ministry of Foreign Affairs.

ECMI Annual Report 2005 Georgia Following the break-up of the Soviet Union and independence in 1991, Georgia faced political unrest, ethnic tension and civil war. The regions of Abkhazia and South Ossetia became *de facto* independent, although unrecognized by the international community, after bloody conflicts in the early 1990s and these conflicts remain frozen up until today. Over the past 15 years, Georgia has also witnessed tension in the relations between changing Georgian governments and minority groups in other parts of the country. ECMI focuses its attention on two lesser known regions located in the south of the country, namely the predominantly Armenian populated region of *Javakheti* (95% Armenians, but also with groups of Russians, Greeks and Georgians) and *Kvemo Kartli*, where mostly ethnic Azeris reside, along with smaller groups of Georgians, Greeks and Armenians. Although Georgia is home to a wealth of other ethnic groups, including Kurds, Yeshids, Abkhazians, Ossetians, Assyrians, Chechens, Jews, Germans, Dagestani people and others, the regions of Javakheti and Kvemo Kartli are often referred to as potential ethnic tension zones by Georgian and international actors and political analysts. Indeed, the fact that Armenians and Azeri reside compactly in regions where they constitute the majorities has proved challenging in the relations between the state and the minorities. The Georgian government has yet to devise a clear policy on national minority protection and regional integration, despite the fact that about one fifth of the country's population is made up of national minorities with the Azeris and Armenians as the most numerous.

Past governments at best ignored the Javakheti and Kvemo Kartli regions and their non-Georgian populations. However, the rise to power of Mikheil Saakashvili and his team after the November 2003 "Rose Revolution" has given justified reasons for hope that policies on national minorities in Georgia can and will improve over the coming years. With a new government most keenly motivated to further the integration of Georgia into European and Transatlantic structures, there are promising signs that the country also in the field of minority protection is gradually becoming more receptive to voices advocating better standards for governance as means to improve the livelihood of national minorities, prevent future ethno-political tension and enhance political stability in a part of the world that has suffered tremendously by ethnic conflict since the demise of the Soviet Union.

#### *A.1. Enhancing dialogue and state-minority relations*

In this context, ECMI, since launching its activities shortly after the "Rose Revolution", has worked to enhance dialogue on policy issues affecting the Javakheti region. In 2005, ECMI has also launched a similar process in Kvemo Kartli. In parallel a project to support the Georgian Government and Parliament in devising policy on national minorities based on European best

practices was initiated. While the two former projects pay special attention to empower the minority communities in policy dialogue and to capacitate these communities in providing input to the debate based on their communities' needs and concerns, the latter initiative seeks to build capacity and transfer knowledge on minority governance to stakeholders in government and parliament based on relevant European standards. With the three initiatives closely linked thus creating synergies across the projects, the results of the activities have crystallized into significant results in the past year.

On the government and parliament side, ECMI has been lobbying intensively on enhancing awareness on the necessity of developing consistent structures for governance on regional and minority issues and on taking immediate measures to enhance relations between the central executive bodies and regional authorities and civil society in Javakheti and Kvemo Kartli. To this end, ECMI has liaised with a number of government and parliament structures, including the State Minister for Conflict Resolution Issues, the State Minister for Civic Integration, The Ministry of Foreign Affairs, The Ministry of Justice, the State Security Council, the Public Defender, the Parliamentary Committee for Human Rights and Civil Integration, the Committee for Regional Policy, Self-Governance and Mountainous Regions, the Committee for European Integration, the Committee for Foreign Relations and the Department for National Accord Processes and Civil Integration at the President's Administration. At the regional level, ECMI has also worked with the Offices of the Governors of Samtskhe-Javakheti and Kvemo Kartli, the district prefects in the Javakheti and Kvemo Kartli regions and with the Ministries for Sports and Culture, Finance and Education on specific matters. By seconding a number of national specialists to several regional and national level government bodies, ECMI has provided useful and highly appreciated assistance in making manpower and expertise available to address issues of specific relevance and support policy-making on minority and regional affairs.

Measures promoting regional development and collaboration have been of particular priority in ECMI's strategy to encourage a process of direct consultation between the central authorities and the regional stakeholders. Such efforts have taken place through the organization of a number of events in Georgia's capital Tbilisi as well as in the minority regions, where government officials and parliamentarians, including ministers, their deputies as well as a range of higher and mid-level government representatives, have met regional stakeholders and minority representatives at conferences and consultative meetings. These events have had a significant impact on how minority stakeholders perceive the central governance structures.

Having been largely ignored for over a decade, and often portrayed in mass-media as disloyal citizens, minority representatives in Javakheti and Kvemo Kartli have welcomed the new and affirmative attention expressed by central government officials with the increasing frequency of their visits to the regions and their declared willingness to consider the concerns of the regional minority populations. For example, a passport issuing authority has been established in Javakheti's principal town of Akhalkalaki, saving the local inhabitants a 75 km journey twice, respectively for submission and receipt of travel documents. Another matter, which has been addressed through consultations with State Minister Khaindrava, is the provision of coal to Javakheti for heating in the winter 2005-06. However, there are still groups in both regions that look with skepticism on the approach of the new government. Indeed, the Georgian government has yet to follow up on a range of minority concerns, even matters that both government and minorities can agree upon. Major problems remain to be solved, including issues relating to decentralization and regional self-governance, the soon-to-come closure of a Russian military base in Javakheti and its impact on the employment situation.

## **A.2. Engaging local communities**

Complementary to the dialogue process, ECMI has, at the regional level in Javakheti and Kvemo Kartli, also facilitated processes to engage local communities across ethnic lines in networks of regional stakeholders. By means of establishing specialized working groups, regional activists and community leaders have been encouraged to contribute to the identification of specific regional problems and in contributing to finding solutions to these problems. This could be for example in the areas of language and education issues, health, gender equality, youth. The proceedings of the working groups are presented at larger conferences, to which a broader and more representative segment of the regional populations are invited. The conferences, along with public information meetings and seminars, also serve as channels for disseminating information on new laws or policy matters, which may affect the regional populations. Often, the state measures to disseminate relevant information are inadequate, and the ensuing information vacuum usually in itself has a negative effect on minorities' appreciation of state policy.

In the first part of 2005, the above activities in Javakheti — along with the establishment of a Resource Centre in the region's principal town of Akhalkalaki, training events and a limited number of mini-grants to encourage community mobilization — formed the backbone of a loosely organized network for policy debate, information sharing and civil empowerment.

In August, the structure was further institutionalized when an inaugural assembly of the "Javakheti Citizen's Forum" (JCF) was held in the region, where a declaration with the aims and objectives of the JCF was adopted by some 120 stakeholders and a set of organizational statutes approved. The JCF is henceforth managed by a board with facilitation by ECMI and has a chairman and a deputy who work in close contact with the Centre. The institutionalization of the network has proved important, as the Forum now functions as a regionally representative association of NGOs and individuals, and the regional and central authorities consult increasingly with the JCF management on policy issues affecting the region. International organizations also acknowledge the importance of JCF and the network's Chairman now represents the Javakheti region on the civil society consultative board of the road project implemented by the Millennium Challenge Georgia — a USD 295 million project funded by the USA, which is envisaged to rehabilitate 245 km of main roads in southern Georgia between 2007 and 2010 to the benefit of the geographically isolated population.

Similarly in Kvemo Kartli, ECMI formed initially a loose network of stakeholders. Technically, the project in Kvemo Kartli is more complicated compared with Javakheti. Kvemo Kartli region consists of two districts, while the project in Javakheti covers only one. While in Javakheti, the vast majority of the population is Armenian, the Kvemo Kartli region differs with regard to ethnicities from district to district, although Azeris constitute the overall majority. Based on the experience gained in Javakheti, the aim of the initiative in Kvemo Kartli is to move towards an institutionalized "Kvemo Kartli Citizen's Forum". To this end stakeholders from the JCF play an active role in the activities in Kvemo Kartli and contribute significantly to the knowledge-transfer. The enhanced relations that result from the interaction between regional and central actors, are undoubtedly reducing mutual suspicion and engendering a measure of trust between the minorities and the government that help to defuse tension. It appears that an environment is beginning to take shape (especially in Javakheti where the project is at a more advanced stage than in Kvemo Kartli), where a genuine dialogue takes place between the regional representatives and the central government structures. In future, ECMI will pay significant attention to design and implement durable structures that can further institutionalize this process and make efforts in preparing the citizens' forums to become sustainable associations. To be sure, this remains a time-consuming process, but the successful results in advancing regional policy engagement, dialogue and regular consultation in 2005 certainly give cause for optimism.

### **A.3. Decentralization and self-governance**

Throughout the year, ECMI has also worked closely with parliamentary committees responsible for regional or minority issues, including the Committee for Regional Policy, Self-Governance and Mountainous Regions. The Committee has drafted a new Law on Self-Governance, which was adopted by Parliament in December 2005. In the second part of 2005, ECMI facilitated a number of consultative meetings and information seminars for stakeholders from the minority regions, which allowed the Committee members to disseminate information on the new law and the minority representatives in voicing concerns on the impact of the law. Although the law was adopted without providing adequate time for thorough consultations with civil society in Georgia, the Committee is now planning to prepare an amendment to the law, which will take place following a consultative process with the regions prior to its adoption later in 2006. ECMI will assist the Committee in this process and also facilitate minority communities in presenting their views.

### **A.4. Repatriation of Meskhetian Turks - resettlement of a deported minority**

The repatriation of Meskhetian Turks is one of the yet unfulfilled commitments of Georgia to the Council of Europe and the government is under pressure to take active measures. As a side effect of the research project on Meskhetian Turks (see separate section), ECMI has managed to reinvigorate the discussion on a possible solution to the displacement of this population group deported 61 years ago. A conference was held in June, co-organized with the State Minister for Conflict Resolution Issues & Head of the State Committee ECMI Annual Report 2005 on Repatriation. The presence of an international team of researchers in Georgia having completed extensive fieldwork in the nine countries of settlement of Meskhetian Turks as part of the ECMI research project on Meskhetian Turks, allowed for presentations to the government and a larger audience of representatives for international organizations and NGOs on the preliminary research findings. The conference and a subsequent government briefing resulted in renewed government attention to the issue of repatriation. In seeking to advance the process, ECMI in the second half of the year seconded a specialist on human rights issues as senior advisor to the State Minister for Conflict Resolution Issues.

This expert has, among other issues, played a leading role in drafting an action-plan for repatriation of the Meskhetian Turks based on collaborative efforts with relevant ministries and parliament committees represented in the State Committee for Repatriation. The action plan, in contrast to several previous plans, provides the Government's *modus operandi* for repatriation and outlines a clear division of responsibilities and a feasible timeframe for repatriation. It also forms the basis for government measures in the current preparation phase.

Through close cooperation with the State Minister for Conflict Resolution Issues, Mr. Giorgi Khaindrava, ECMI has also facilitated missions to the Northern Caucasus, Central Asia and Azerbaijan, where Meskhetian Turks are settled in large numbers. These missions have allowed the government representatives, including the State Minister himself, to gain further knowledge of the populations and also to engage in active consultations with representatives of Meskhetian Turk organizations, not only in Georgia but also in several other countries of settlement.

As an additional step to advance the process, ECMI in collaboration with the State Commission on Repatriation and the Council of Europe in December established a working group consisting of prominent Georgian legal experts. The expert group, working from December 2005 through January 2006 will complete a draft law on repatriation, to be reviewed by the Council of Europe expert. Following subsequent discussions within the government and hearings in the Parliament, it is hoped that the law can be adopted in 2006. The passing of the law is seen as a milestone event, which will provide a key indication of the extent to which Georgia will commit to begin the repatriation process.

### **A.5. Framework Convention on minorities**

A major event for Georgia's national minorities in 2005 was the ratification by Parliament of the Council of Europe *Framework Convention for the Protection of National Minorities* (FCNM). Georgia's government signed the FCNM in 2000 shortly after joining the Council of Europe, but the ratification was delayed for years. It was only in 2005 that Parliament started seriously considering the ratification. To support the process of ratification and to allay fears in government and parliament circles of its implications, a two-day seminar was held in September for MPs and government officials with a leading European expert on the FCNM. Moreover, a public conference on the Framework Convention was held for civil society to enhance public awareness and bring the ratification issue on to the media agenda. Finally, a training session for minority NGOs was organized. All FCNM-related activities were closely coordinated with the Council of Europe. It caused some concern that Georgia might follow the example of Latvia and ratify the FCNM with declarative statements limiting the implementation of specific provisions. Indeed, when the FCNM subsequently was ratified by Parliament in October, a number of declarations were made. However, when the instrument of ratification was submitted to the Council of Europe in December, no declarations were included. The FCNM enters into force in Georgia on 1 April 2006.

### **A.6. State concept for integration and protection of national minorities**

The Parliamentary Committee for Human Rights and Civil Integration has for some time been preparing a "Concept on the Policy Regarding the Protection and Integration of National Minorities". However, the preparations for ratification of the FCNM reasonably had put the drafting of this document on hold.

Following the ratification by Parliament in October, ECMI with the assistance of a legal expert and in consultation with the Committee drew up a set of recommendations, which subsequently were presented to the Committee. The recommendations in particular were aimed at securing correspondence between the Concept, the FCNM and the European Convention for Human Rights. One weakness of the Concept, however, is that it merely interprets the provisions of the FCNM, while bringing the Framework Convention into effect in Georgia is envisaged through the implementation of a number of State Programmes (e.g. on the protection and development of minority languages and cultures; on mass media access; on tolerance promotion and on participation of national minorities in local self-governance arrangements). These programmes are still in the making and, in 2006; ECMI will offer advice on the implementation modalities. In 2006, ECMI plans to follow-up on the implementation of the FCNM in a number of joint activities with the Council of Europe. Events preparing the ground for the anticipated ratification of the European Charter for Regional or Minority Languages are also being prepared in cooperation with the Council of Europe.

### **A.7. Council of National Minorities**

The last major event on minority related issues taking place in 2005 was the inauguration of the Council of National Minorities under the auspices of the Public Defender and with facilitation by ECMI. While ECMI generally encourages the establishment of minority councils as means to create permanent structures for dialogue between minorities and government and with a positive experience from helping such councils into existence in the Balkans, such efforts in Georgia led to concrete results in December. The Council of National Minorities is envisioned to be a key institution for consultations and, from early 2006, a number of specialized working groups will convene to address issues of particular concern to minorities, including language and education, mass media and culture. The working group meetings, conferences and other proceedings of the Council will form a ECMI Annual Report 2005 platform for policy discussions between minority

representatives and government and parliament. While there is a tendency in Georgia to “forget” regional stakeholders due to the physical distance from Tbilisi to the often remotely located minority populated regions, ECMI under this activity pays attention to the importance of involving minority representatives from Javakheti and Kvemo Kartli and aims at linking the existing Javakheti Citizens’ Forum and, in the future, the Kvemo Kartli Citizens’ Forum, to the activities of the Council of National Minorities.

In light of the already gained results, the considerable regional experience and the growing acknowledgment of ECMI’s efforts and expertise by government actors and minority groups alike, the Centre is now particularly well positioned to continue its functions with a high impact. As such, ECMI is likely to play an important role in the years to come in enhancing minority-majority relations in Georgia, and most probably also in other parts of the Caucasus.

## **II. Practice-Oriented Research**

### **A. The use of minority languages in the education system in Georgia**

A smaller practice-oriented research conducted by ECMI in Georgia has focused on studying the conditions for usage of minority languages in regions of Georgia in the context of best practices in Europe and on providing models for minority language usage, which can be useful in the Georgian context. A new law on higher education was passed in Georgia in 2005.

While Armenians, Azeris and other minorities before the introduction of the new law were permitted to enter institutions of higher learning situated in minority areas without knowledge of the Georgian language, the passing of a Georgian language test is now a requirement for entering university. While this new provision is meant to enhance regional integration and promotes the usage of the Georgian state language, the law in effect seems to exclude minority youth in Javakheti from higher education in Georgian institutions. This development may exacerbate an already significant out-migration trend from a poverty stricken minority-populated region, as youngsters seek access to higher education in Armenia or Russia.

To further the understanding of the impact of the new law and seek solutions to the issue, research has been conducted which offers examples from Romania and Macedonia of how bilingual education can function as a tool for regional integration. Another study focuses on the potential for and effects of introducing minority languages as second administrative languages in regions where national minorities are settled in large numbers. This research provides examples from Romania and Croatia, where special provisions are made to accommodate the special language needs of minority populations. Both studies will be made available in Georgian, Russian and English and form a basis for policy discussions with relevant stakeholders in 2006. 30 ECMI Annual Report 2005 Finally, ECMI has conducted research on resettlement of ecological migrants from the Georgian regions of Svaneti and Adjara, affected by natural disaster in the 1980s and 1990s, to the minority regions of Kvemo Kartli and Javakheti. The research, which continues in 2006, will lead to the publication of a working paper which discusses the history of the resettlement process (1987-present), provide data on the resettled population and analyze the impact of the resettlement on inter-ethnic relations in the recipient communities.

### **B. “Between Integration and Resettlement: the Meskhetian Turks”**

The research project “Between Integration and Resettlement: the Meskhetian Turks” conducted by ECMI with generous support by the Volkswagen Foundation is now drawing to a close. Its main goal was to assist the Government of Georgia in fulfilling its commitment to offer a legal framework and implementation strategies on repatriation of Meskhetian Turks to Georgia.

The findings of the project as well as its legal and implementation elements may create a model for restituting rights of other deported peoples in the former Soviet Union or forced emigration in other countries (e.g. Turks in Bulgaria). From mid-2004, an inter-disciplinary and international team of prominent researchers with expertise in the field of forced migration and a profound knowledge of issues related to the Meskhetian Turks have been conducting research in nine countries where this population is settled.

The Meskhetian Turks were forcibly and collectively deported from Georgia to Central Asia in 1944. Unlike other peoples displaced during Stalin's reign, Meskhetian Turks have for long been forsaken by policy-makers and scholars alike. Up until the end of the 1990s, the international community largely neglected the plight of this people. The paucity of scholarship has also contributed to the confinement of Meskhetian Turks to the margins of an otherwise fairly intensive debate over the fate of different ethnic and national groups in the post-Soviet space. The few existing studies addressing problems of Meskhetian Turks have lacked a comparative perspective and have tended to depict Meskhetian Turks as a homogeneous group, whose first and foremost intention is to return to Meskhetia in southern Georgia, the region from which they were originally deported. Moreover, the voices of the Meskhetian Turks themselves have been notoriously missing in most of these accounts. The major thrust of the ECMI research project has been to fill in the gap in scholarship on Meskhetian Turks, thereby drawing the attention of the international community to their problems and making the facts and knowledge available for international organizations and practitioners in devising durable solutions for this population group. It has endeavored to provide a comprehensive insight about the lives, livelihood and views of Meskhetian Turks.

Among other issues, the research covers the following aspects, which are essential for an understanding of Meskhetian Turk communities: the history of their settlement; the functional integration of Meskhetian Turk communities into their host societies; the role of their leadership and elite; identity and networks; and the Meskhetian Turks' concepts of home and homeland. Throughout the research, ECMI has ensured that the voices of the Meskhetian Turks themselves are adequately represented. Knowledge and information generated throughout this project are likely to become a significant asset for governmental and non-governmental actors committed to finding solutions to the problems of the Meskhetian Turks. A thorough analysis of peoples' responses to displacement, their own strategies and survival mechanisms is envisaged to challenge the dominant discourse based on homogenization and generalization. By presenting a comparative perspective, the research emphasizes difference and diversity of Meskhetian Turk communities in the various countries where they live.

### **C. The research process**

The project methodology has embraced a number of qualitative methods, including in-depth, open-ended interviews, expert interviews and ethnographic participant observation. Meskhetian Turks currently reside compactly in nine countries: Kyrgyzstan, Kazakhstan, Uzbekistan, Russia, Ukraine, Azerbaijan, Georgia, Turkey and the USA. Within the framework of the research project, eighteen long-term studies have been carried out in different regions of these countries. Each long-term study lasted for six weeks. During this period researchers lived continuously with one or more Meskhetian Turk host families. Each study included at least twenty in-depth interviews with Meskhetian Turk informants; 3-5 interviews with members of the host population; and several interviews with local officials and with formal or informal leaders. Participant observation also allowed the fieldworkers to observe the day-to-day life of the communities under research and engage in their activities. All field studies have now been completed.

There are several factors impacting on the course of research as well as empirical findings and analytical points that are worth a closer presentation here. Not surprisingly, given the rather turbulent situation in some countries of research, some fieldworkers encountered serious obstacles during their fieldwork. For instance, the fieldwork in Kyrgyzstan was temporarily interrupted due to the ‘Tulip Revolution’ in March 2005. The fieldwork resumed in mid April after the Meskhetian Turk communities realized that further engagement in the research process would not pose a threat to their community.

The fieldwork in Uzbekistan was very difficult from the very outset. Memories of pogroms that took place in 1989 in Fergana Valley as well as the increasingly authoritarian nature of the Karimov regime compel Meskhetian Turk communities to keep a low profile. The researchers, therefore, faced major problems with access to the field. From early on, it became obvious that local law enforcement agencies kept a close eye on the researchers throughout their fieldwork, although they did not directly prevent the conduct of the works. Similar problems impeded research in some regions of Russia. However, notwithstanding all the obstacles and problems, the researchers managed to establish contact with Meskhetian Turks and fieldworks were conducted in all countries as planned. Follow-up and short-term studies complemented the findings of the long-terms studies. Follow-up studies were conducted in the same locations as long-terms studies, whereas short-term studies sought to explore communities in the regions not covered by long-term studies. The short-term studies were conducted to ensure that the research covered a wider range of communities and thus providing an adequate picture of the communities in each country. For example in Azerbaijan, the Meskhetian Turks are settled in 19 regions and in several other countries, the communities are also numerous and scattered throughout vast territories. In total, 23 short-term studies and follow-up studies were conducted. As part of the project, a number of scholars were also commissioned to write thematic and legal studies chapters. Two legal studies chapters focus on legislation and legal practices pertaining to Meskhetian Turks in Russia and Georgia respectively. Thematic chapters cover topics such as the role of international organizations; the Meskhetian Turks’ elite and leadership; and a comparison of identity formation and concepts of ‘home’ and ‘homeland’ among Meskhetian Turks and Crimean Tatars.

#### **D. A few research highlights**

Although the study was not intended to gain accurate statistics on the numbers of Meskhetian Turks worldwide, the researchers did their best to obtain fairly reliable figures. Estimations indicate that the total number of Meskhetian Turks ranges between 400,000 and 450,000, which is higher than suggested by other studies. However, it should be noted that it is hardly possible to determine the precise number of Meskhetian Turks as many of them were registered as Azeri or Uzbeks.

Moreover, in some countries the authorities appeared reluctant to reveal information on the national minorities populating these countries, while figures provided by Meskhetian Turk organizations are often inflated. The research has confirmed the assumption that Meskhetian Turks do not constitute a homogeneous group and that their conditions considerably differ from country to country. The degree of integration of Meskhetian Turks in different countries is contingent on many factors, including the history of their settlement in a particular country, the location of Meskhetian Turk communities, the number of Meskhetian Turks and, of course, the economic, social and political situation in the host societies. In short, some countries conduct more favorable policies toward national minorities in general and Meskhetian Turks in particular, whereas others are, to put it mildly, less tolerant to ‘guests’. In terms of functional integration, in some countries Meskhetian Turks have integrated with relative success.

In Kazakhstan, Kyrgyzstan, Ukraine, and to some extent, Azerbaijan, Meskhetian Turks are relatively well integrated, hold citizenship and are, generally, treated on an equal footing with natives. Cultural and religious similarities also make for better integration into these countries. In Uzbekistan, however, the trauma inflicted by the Fergana Valley events in ECMI Annual Report 2005 33 1989 has not yet fully healed. Meskhetian Turks were disposed to be wary after what had happened to them: many of them are registered as Uzbeks and prefer to keep a low profile, blending in to the Uzbek society. However, there are common obstacles hindering the cultural and societal integration of Meskhetian Turks into their adopted societies. First, after the collapse of the Soviet Union, most former Soviet republics embarked on nation-building projects that were often accompanied by nationalist policies and rhetoric blaming minorities for numerous difficulties faced in the early days of independence. These policies generated fear among the Meskhetian Turks — particularly in Central Asia — and led to their relative marginalization and self-isolation. Second, a large number of Meskhetian Turks moved to Ukraine and Russia shortly before the demise of the Soviet Union or were evacuated after the Fergana Valley pogroms. The short history of their settlement in these regions is often mentioned as an obstacle to their integration into these countries.

Moreover, it made them most vulnerable to attacks by nationalists, as they were often perceived and portrayed as a ‘last gift’ of the crumbling empire. Third, the dire extent of economic conditions in most of these countries has not allowed for the successful and swift economic integration of the Meskhetian Turks. On the other hand, in some countries, particularly Azerbaijan, Kyrgyzstan and Kazakhstan, Meskhetian Turks are often better off compared with the natives. This further antagonizes the local population. Fourth, due to a lack of funds and goodwill, most countries have not formulated coherent policies to encourage the integration of the Meskhetian Turks. Finally, as Meskhetian Turks tend to live in rather confined and closed communities, maintaining their own rites and, often in contrast to their neighbors, working hard and live modestly, they have, to a certain extent, wittingly or unwittingly alienated themselves from the rest of the population. This hampers their cultural and societal integration. Due to these factors, compounded with the collective history of two deportations, even in the most favorable and minority-friendly countries, like Kazakhstan and Ukraine, they often concede that they still live in constant fear – as they put it, on a powder keg – of being displaced again. Quite a few of them perceive their presence in these countries as temporary. This is particularly the case in Krasnodar Krai (South Russia), which stands out as a region where continuous and persistent discrimination and violation of basic human rights take place. In this region many Meskhetian Turks are basically denied a legal status and consequently access to education, health care and legal employment.

At the same time a degree of functional and cultural integration does not necessarily correlate with Meskhetian Turks views on prospective repatriation or migration to other countries. Some Meskhetian Turks are well integrated into the local environment and enjoy support from local bureaucracy for the protection of their own businesses, and at the moment are not planning to go anywhere. Many of them are at a crossroads. Since one of the main conditions of migration for them is security guarantees and organized resettlement programs, the direction of their migration depends on who is offering such programs. Not so long ago, the majority assumed that a country of destination would be Turkey, but over 34 ECMI Annual Report 2005 the last few years the situation has changed. The Meskhetian Turks now have the hope of an organized return to Georgia, since most of them are not in a position to return independently.

The older generation mostly believes it is ready to leave for the homeland of its own accord, once the relevant laws have been adopted. However, they need political, social and economic guarantees. If Georgia can provide this, the number of potential repatriates could rise considerably. For the younger generation, countries where they were born are a comfortable and

safe home. For the majority, the Caucasus is their historical homeland, the ancestral homeland, but regardless of how informed they are (according to what the elderly told them) about features of the southern Georgian landscape, people who have never been there have a very unemotional attitude to Georgia as homeland. For them it remains an imaginary homeland.

#### **E. Research workshops and conferences**

The workshop was organized in conjunction with a conference for major stakeholders involved with Meskhetian Turk issues in Georgia, i.e. government officials and representatives for international organizations and civil society. The conference took place on 6 June and was followed by a separate briefing of high-ranking officials from the Georgian government.

The Georgian ministers for Conflict Resolution Issues, Refugees and Accommodation and Civic Integration attended the conference and subsequent briefing along with a range of other officials and parliamentarians. A press conference for local and foreign journalists was also held following the briefing. At these events, the ECMI research network experts informed Georgian officials, activists, scholars and other stakeholders involved in the solution of Meskhetian Turks' issues on the preliminary findings of the research project.

On 6 June 2005, ECMI held a conference entitled "Finding Durable Solutions for the Meskhetians" in Tbilisi, Georgia, as a part of a large-scale comparative research project "Between Integration and Resettlement: The Meskhetian Turks". A special emphasis was put on the population's integration in their countries of current settlement and their plans with regard to possible repatriation to Georgia. The events were widely and rather positively covered by the Georgian mass media.

#### **F. Project goals achieved**

The project has already achieved its main goal. During its implementation, comprehensive and profound knowledge about Meskhetian Turks has been acquired. This knowledge is not shelved but is already being shared with relevant stakeholders, especially in Georgia. Georgian officials as well representatives of the international community, including in particular the Council of Europe, have been regularly updated on the research progress. The research findings have been extensively used by the Georgian authorities in devising strategies for repatriation of Meskhetian Turks. Furthermore, ECMI is now recognized by the Georgian authorities and by Meskhetian Turk organizations as a lead agency on Meskhetian Turk issues. As an offspring of the process, ECMI is currently facilitating an expert group in Georgia in drafting a law on repatriation of Meskhetian Turks and discussions with the Georgian Parliament are currently taking place on activities to prepare recipient communities in the envisaged process of future resettlement.

The research will lead to the publication in English of an authoritative 600+ page book volume on the Meskhetian Turks. Co-edited by Tom Trier (Project Director and Regional Director for ECMI in the Caucasus) and Andrei Khanzhin (Project Coordinator and Research Associate), this volume is envisaged to be launched in early autumn 2006. In addition, efforts are currently being made to translate and publish the work in a Russian language version as well.

As another result of the research project, a network of scholars has been created. Remarkably, scholars representing different academic views and also a wide-ranging spectrum of ideological orientations pooled to produce not just a purely academic account, but a study which can serve as an important source of information for those concerned with the plight of Meskhetian Turks. It has been a positive experience for ECMI to work with such a network of researchers representing different disciplines and holding different academic views. It is envisaged that in future new research initiatives can take shape based on the contacts establish within the project.

# ECMI ANNUAL REPORT 2006

## I. Action-Oriented Projects

In 2006 these projects experienced a quality shift from being conflict resolution endeavors to constructive post-conflict transformation. ECMI's efforts to build capacities of governments and civil societies, majority and minority alike, resulted in greater awareness and a will to engage in finding political solutions based on transparency and institutional arrangements. Georgia, Kosovo, Serbia, Moldova and Roma inclusion were the focus of continued intensive actions bringing to successful closure some of the projects.

## II. Ethnic Minorities in the South Caucasus - Georgia

This year has seen some positive developments in Georgia in the field of minority-state relations. Notwithstanding the deadlock in finding solutions to the ethno-political conflicts over the break-away and *de facto* independent regions of Abkhazia and South Ossetia - which remain frozen and where increased tension in the relations between Georgia and Russia in 2006 impacted negatively on the prospects for the solution to these conflicts - progress in relations between the central authorities and the larger regionally settled minorities could be observed in the past year. Although the Georgian government has shown a positive attitude to the implementation of international standards on minority protection, there is still a need to transform the intentions into legislation and concrete policy action. Georgia's national minorities remain largely disenfranchised from political participation and civic inclusion, not least the regional minorities in Javakheti and Kvemo Kartli.

The efforts of the Saakashvili leadership to build a strong Georgian state, fight corruption and integrate the minority regions of the country has materialized in reforms in the education sector as a first step. Significant efforts have been made in 2006 to advance 22 ECMI Annual Report 2006 knowledge of the state language in minority regions, where mostly Russian and minority languages are spoken. However, in the course of the reforms, a tendency to downplay the importance of minority rights can be noted, especially in the sphere of education or with regard to the increasing usage of Georgian as the only official administrative language.

ECMI began its activities in Georgia in 2003. In 2004 and 2005, ECMI implemented activities to engage the minority communities in Javakheti and Kvemo Kartli in a process of political dialogue with the central authorities and to empower regional communities to take an active part in this process. Moving forward to the period 2006-2007, ECMI has developed an integrated strategy that fully covers issues of integration and minority rights. In 2006, ECMI continued implementing its complex programme in Georgia, which is part of Denmark's Caucasus Programme 2005-2007 and funded by the Neighborhood Programme Department of the Danish Ministry of Foreign Affairs.

The integration and protection of minorities is among the primary factors to ensure more stable and democratic development in the South Caucasus and the prevention of future ethnic conflict. The interventions of the programme thus aim towards the inclusion and integration of minorities into the socio-political life of the country, while at the same time ensuring that minority rights are protected. The programme focuses on supporting government efforts in devising legislation and policies to enhance governance on minority related issues and simultaneously on empowering local communities in minority populated regions to engage in informed and constructive dialogue with central government actors. The regional focus of the programme is on capacitating civil society actors in the predominantly Armenian region of Javakheti (Akhalkalaki

and Ninotsminda districts) and the multi-ethnic district of Tsalka in Kvemo Kartli region. Below is a review of some of the key developments under the programme in 2006.

### **A. Engaging local communities**

An obstacle for effective improvement of the conditions of national minorities and regional populations is that the minority and regional groups themselves are poorly organized and that the level of political participation in parliament and government remains very low. Hence, minorities are politically marginalized and face difficulties in raising their concerns in public debates and political life. To enhance the regions' involvement in policy-making processes — as a key component of ECMI's activities in Georgia — two regional stakeholder associations have been established, initially as informally organized structures, and subsequently as formal structures registered as associations of non-governmental organizations (NGOs). Two such associations formed in 2004 (Javakheti) and Tsalka (2005), have been further developed and capacitated in 2006: the Javakheti Citizens' Forum (JCF) and the Tsalka Citizens' Forum (TCF). The networks function as inclusive associations of regional NGOs and individuals committed to supporting the process of regional integration and protection of minority rights. Both networks are ethnically inclusive and consist of all minority groups in the respective regions.

The forums serve as important channels of information exchange between the authorities and the regional populations; on the one hand as platforms for dissemination of new legislation and government policy in the regions; and on the other hand as mechanisms for consultation between civil society and regional and central authorities. Both forums are governed by a board and a chairperson elected by the members. In the predominantly Armenian populated region of Javakheti a resource centre, established in 2005, has been maintained and developed throughout the year. The resource centre hosts meetings of the JCF and individual NGOs and implements activities to enhance awareness regionally on social and legal issues. The centre also facilitates the work of four thematic working groups made up of JCF members, who in 2006 have been drafting regionally specific recommendations to the central government. Like in earlier years, ECMI has also offered training in project development and management for JCF member organizations and has provided small grants for social, educational and cultural activities in the region. As part of a strategy for gradually making JCF sustainable, efforts have also been undertaken to engage JCF members in the running of the resource centre, and since October the centre is manned by a group of key stakeholders.

Similarly, in Tsalka, the Tsalka Citizens' Forum is supported by a resource centre established in July. Like in Javakheti, the centre runs trainings and working group meetings as well as consultative meetings with regional and central authorities. In terms of ethnic composition, the Tsalka region is more complicated than Javakheti. Here, the population consists of Greeks, Armenians, Azeris and Georgians. In general, there is little interaction between the ethnicities of the region, and while there are only 2-3 active NGOs in Tsalka district, the TCF is the first association which seeks to embrace all groups in the region, aimed at enhancing cohesion at the regional level, and at the same time establishing a channel for policy consultation and information exchange between the region and the state.

Most of the ethnic Georgians in Tsalka district are recent immigrants displaced from mountain regions affected by natural disasters. The immigration has caused tensions in ethnic relations, especially because, in many cases, ecological migrants have illegally settled in houses owned by Greeks who have departed for Greece. To bring attention to this and other problems in relation to the potential for tension in the Tsalka region, ECMI in 2006 conducted a research study on the current situation, providing an analysis with recommendations for government action. The resulting working paper has been a key source of information for the Public Defender and other state bodies in considering appropriate responses to the tense situation in the district.

There is little doubt that the policy dialogue conducted between the regional stakeholder forums and central levels of government has contributed to reducing mutual distrust and is helping to create a measure of confidence between the regional populations and the government. Indeed, the environment for region-state consultation has improved over the course of the past two years. Government officials now frequently visit the regions to attend meetings organized by JCF and TCF. In the same vein, regional stakeholders are able through the programme to travel to Tbilisi for consultation with government officials and participate in meetings organized by the Public Defender's Council of National Minorities (see below).

In December, ECMI organized a large conference in Tbilisi as an annual culmination of the work conducted by the working groups of JCF and TCF. Some 90 representatives of governmental and non-governmental structures from Javakheti and Tsalka took part in the event, as well as representatives from the central government and parliament, foreign diplomats and international development aid agencies.

The conference addressed issues related to regional integration and minority protection. Special emphasis was placed on local self-governance and integration/protection of minorities in the cultural and educational spheres. Notably, this was the first major event that specifically concerned also the situation in Tsalka district. At the conference, representatives of JCF and TCF presented regional recommendations for legislative improvements and policy action as seen from a regional perspective. While the recommendations provided a starting point for the discussions, the conference bolstered a concrete dialogue between regional actors and various central stakeholders, especially on language issues and minority inclusion in the decentralization process.

The conference took place in a cordial and cooperative spirit and, in spite of differences in opinions, participants on both sides expressed satisfaction with the constructive attitude of government and regional stakeholders to enter into this problem-oriented discussion. In contrast to similar events held in 2004 and 2005, this year's conference gave a clear impression to most participants that the government and regional stakeholders are increasingly committed to enhancing consultation to find solutions to regional and minority issues.

#### **B. International treaties on minority issues**

Georgia has moved forward in fulfilling its obligations to the Council of Europe in 2006. As regards minority related treaties, the Framework Convention for the Protection of National Minorities (ratified in December 2005) entered into force in April. The European Outline Convention on Trans-frontier Co-operation was ratified by Georgia in August. On the other hand, the signing and ratification of the European Charter for Regional or Minority Languages (ECRML) was postponed until 2007. Among other unfulfilled obligations are the issues concerning the return of the Meskhetian Turks deported from Soviet Georgia in 1944 (see below), and the adoption of a Law on National Minorities.

While a State Concept for Integration and Protection of National Minorities was drawn up in 2005 as a tentative measure to clarify state policies on national minorities, no progress has been made in 2006 to adopt this Concept. It is now envisaged that the State Concept can be amalgamated into a Law on National Minorities to be adopted in 2007 in order to conclude the fulfillment of Georgia's obligations to the Council of Europe.

However, government and parliament action towards fulfilling the remaining obligations to the Council of Europe continues to take a slow pace, and even if the obligations are fulfilled *de jure*,

it remains to be seen whether government and parliament will fully commit to the provisions enshrined in these obligations.

In 2006, however, ECMI has taken steps to support the process of implementation of the FCNM. In June, two seminars were co-organized with the Council of Europe and the Georgian Ministry of Foreign Affairs on the implementation of the Convention, respectively with the government/parliament and with minority representatives. On these occasions, the Government undertook to establish a working group to draw up the first state report due on 1 April 2007. However, by the end of 2006 little progress had been made in the drafting process. It is yet to be seen if the drafting body will be able to submit the report in a timely manner. To enhance the basis for drafting a high quality state report, however, ECMI has held several individual consultations to provide inputs to the state report, while a feasibility study on the FCNM and a set of recommendations elaborated by the Public Defender's Council of National Minorities have also been widely circulated.

The feasibility study in relation to the FCNM, conducted in 2006, undertook to identify the gaps in legislation and policy practice for Georgia to comply with the Convention. The report, which is informed by literary sources and fieldwork among minority communities, has been widely circulated among government and minority stakeholders. Moreover, ECMI has conducted research on the status of regional and minority languages - in relation to the European Charter for Regional or Minority Languages (ECRML) - leading to the publication of two working papers in 2007. One report studies the feasibility of implementing the ECRML with a special focus on the compactly settled minorities (the Armenians and the Azeris), while the other paper aims at studying the situation with regard to several regional languages (Mingrelian, Laz and Svan), which are related to Georgian, yet are not mutually intelligible with the state language. The papers will be used as a basis for providing more documentation on the language issue and for organizing a number of consultative meetings in 2007, which can impact on the policy action subsequent to the adoption of the ECRML.

### **C. Council of National Minorities**

While ECMI in December 2005 facilitated the establishment of a Council of National Minorities (CNM) under the auspices of the Public Defender of Georgia, enhanced efforts were undertaken in 2006 to develop the council into a viable and respected structure. The Council consists of representatives of some 80 national minority organizations in Georgia and has been created to bring an institutionalized mechanism for minority-state consultation into being at the national level. During the year, the CNM has drafted a set of elaborate recommendations to the government, emphasizing deficiencies in Georgia's current legislation and policy practice in relation to the provisions of the Framework Convention 26 for the Protection of National Minorities. Representatives from the regional stakeholder networks in minority regions, the Javakheti Citizens' Forum and the Tsalka Citizens' Forum (see above), as well as other regionally based minority groups have also been encouraged to take an active role in these proceedings in order to ensure a fully representative function of the Council. Subsequent to the elaboration of the recommendations, which were drafted by four thematic working groups, consultations were made with government stakeholders in December to familiarize them with the views of the minority representatives.

In the first half of 2007, the recommendations will be further refined, also taking into account the feedback from the state structures. Eventually the document will be developed into an alternative report, supplementary to Georgia's state report on the FCNM, to be submitted to the Council of Europe. In the coming year, efforts will also be made to develop the CNM into a largely sustainable consultative institution. The Public Defender of Georgia, Mr. Sozar Subari, signs the declaration of the Council of National Minorities. The Council, working under the auspices of

the Public Defender of Georgia and established with technical and financial assistance of ECMI, was inaugurated in December 2005 and consists of over 80 minority organizations.

#### **D. Decentralization and self-governance**

With local elections held in Georgia on 5 October, a new law on local self-governance entered into force. The law envisages, *inter alia*, the delegation of more power to local district authorities in administering their own funds. ECMI has worked closely with a range of state bodies, most notably the Centre for Effective Governance and State Territorial Reform (CEGSTAR) and the Parliamentary Committee for Regional Policy in enhancing awareness on the implications of the new law and the overall decentralization process.

ECMI has facilitated several meetings between the above state bodies and regional minority representatives to consult on the decentralization process, and a national expert has been seconded to CEGSTAR to support this structure in elaborating policy mechanisms for regulating minority governance based on European standards. In addition, a number of trainings were held at the regional level on the election code prior to the local elections, as well as a number of training events on self-governance for newly elected local government officials.

#### **E. Repatriation of deported Meskhetian Turks**

During World War II, a wholesale deportation of several populations took place in the Soviet Union. While most of these people were rehabilitated and repatriated in the 1950s after Stalin's death, the Meskhetian Turks deported from Soviet Georgia remain the last of the deported nations who are yet to be granted to right to return. It is among Georgia's obligations to the Council of Europe to complete the process of rehabilitation before 2012, and over the past two years some progress has been seen in Georgia to take the necessary preparatory steps. ECMI is playing a leading role in advancing this issue. From 2004-2006, ECMI conducted a large-scale research project on the Meskhetian Turks funded by the Volkswagen Foundation, leading to the publication of a 650 page authoritative research volume and covering the Meskhetian Turks in all the nine countries of current settlement.

The book will be published simultaneously in English and Russian and is to be released in April/May 2007. It is expected that the volume will be a major tool for Georgian policymakers and the international community in addressing the issue. At the same time, ECMI — in close cooperation with the Council of Europe — is actively supporting the government in devising policies on Meskhetian Turk repatriation. In the first part of 2006, ECMI facilitated a working group of Georgian experts to elaborate a draft law on repatriation. Moreover, a national key expert has been seconded to the Office of the State Minister for Conflict Resolution Issues, who has been instrumental in advancing the issue on the political agenda. ECMI has also taken part in several consultations with the Council of Europe experts and other international agencies on the issue. However, the government, in spite of ongoing pressure from the Council of Europe, has been slow in making preparations for adopting the law. Currently, it is envisaged that the law will be adopted not earlier than spring 2007. While ECMI is planning a series of follow-on activities, including the elaboration of a state strategy on repatriation, such measures will be implemented only subsequent to the parliamentary hearings on the law. ECMI will seek to second a national expert to the Ministry for Refugees and Accommodation, which is now the state body responsible for the repatriation issue.

#### **F. Other policy-action generating research**

Several smaller research studies have been conducted in 2006 as part of ECMI's overall intervention in Georgia. The research is practice-oriented and designed to generate policy action, while it seeks to provide much needed data and information on little known aspects of minority concern.

Starting from late 2005, ECMI has continued researching the situation of ecologically displaced persons from the mountain regions of Ajara and Svaneti during the past year. Since the early 1980s, dozens of thousands of persons have been displaced due to natural 28 ECMI Annual Report 2006 calamities in their region. Many of the ecologically displaced have been settled in regions populated by national minorities, at times resulting in tension between the natives and the migrants. In order to support the efforts of the government, and specifically the Ministry for Refugees and Accommodation, in managing the process and to enhance consultations with recipient communities, research on this poorly documented issue is envisaged to provide a basis for subsequent policy action. The results of the research will be published in early 2007 as an ECMI working paper.

In the second half of 2006, ECMI also began the preparation for a handbook on Georgia's national minorities. The purpose of the handbook is to explain and describe minority groups and issues and the context of their existence in simple prose for the informed, but not necessarily scholarly, reader. The book, which is scheduled for publication in Georgian and English in the second half of 2007, aims at providing basic information on the history and current situation of 14 national minorities in Georgia, including the numerous groups such as the Azeris and Armenians, but also smaller groups with a significant historical presence in the country, such as Abkhazians, Ossetians, Russians, Ukrainians, Kists (Chechens), Jews, Kurds-Yezids, Greeks, Assyrians, Avars, Udins and Roms. The intention is to provide a handbook based on facts rather than opinions as a tool for enhanced awareness in Georgian society on the country's multitude of national minority groups.

In the light of the Russian-Georgian crisis, and the increasingly harsh, at times even xenophobic, policies taken towards ethnic Georgians living in the Russian Federation, ECMI also embarked on a study of the situation of Georgia's Russian minority. Research on this issue was conducted in late 2006, and a report is scheduled for publication in early 2007. It is encouraging to note that among the conclusions of the report, it is observed that no measures against the Russian minority have been taken by the Georgian government in response to anti-Georgian policies carried out in Russia since a diplomatic crisis erupted in September 2006. Generally, the Russian population in the country does not face problems based on their nationality, other than a general lack of state funding for minority community activities.

A specific study of a Russian ethno-religious sect settled mostly in Ninotsminda district of Javakheti, the Dukhobors, was conducted during the second part of 2006. This group, which settled in Georgia in the 1840s having been expelled from central Russia for their religious dissent, is currently facing serious trouble with the status of their collective farm (a Soviet style *kolkhoz*). While nearly all state farms were privatized in the mid 1990s, the Dukhobor community has maintained their *kolkhoz* and now find themselves caught in a complicated legal trap that threatens to jeopardize the future existence of the community. Currently facing the threat of bankruptcy of the collective farm, thus potentially depriving the small-scale farmer community from of its of subsistence, many Dukhobors consider emigration to Russia as their only option. Against this background, the ECMI study has undertaken to document the reasons for the unfortunate developments regarding the Dukhobor farm as a means of providing the government with information to take necessary action in finding solutions. When published in November, the report received extensive media coverage, and a roundtable at the Public Defender's Office was held with key government figures from relevant state bodies. As a result, ECMI and the Public Defender have established cooperation with the Central Tax Department, the Georgian Young Lawyers Association and the Ministry of Culture to resolve the issue, and it is expected that the legal problems can be fully resolved in the first part of 2007.

The research on the Dukhobors, which also studies the process of implementation of a current land privatization reform, has also highlighted the need for provision of more information to rural dwellers on their rights in the privatization process. According to a 2005 law on privatization, thousands of hectares of state owned land is to be privatized and a large proportion of this land is situated in regions predominantly inhabited by national minorities. To prevent tension over land ownership, it appears crucial that the rural population in minority regions (but also in Georgian inhabited regions) is properly informed about their right to acquire land. Hence, ECMI in cooperation with the Georgian Young Lawyers' Association has developed an easy-to-read publication in Georgian, Russian and Armenian, which is being distributed at a series of information-sharing meetings with farmers in Javakheti and Kvemo Kartli in relation to the privatization process.

Finally, ECMI has conducted initial research on the Roms in Georgia. There are an estimated 4,000 Roms in the country, but hardly anything is known about this particularly vulnerable national minority. The study, which will lead to a policy paper for publication in spring 2007, will provide basic information on the Romani community, and is intended for future action on Roma social inclusion by the government and the international community.

Overall, Georgia has moved slightly forward in the past year to enhance governance on national minorities. While the government has been vigorous in advancing regional — and especially linguistic — integration, concerns remain that the integration policies to an extent affect the protection of the rights of minorities. However, the Georgian government that took office after the “Rose Revolution” of 2003 remains keenly interested in furthering the integration into Euro-Atlantic structures and with the current prospects of becoming a NATO-member in the not too distant future, the country's leadership is stimulated to complete the fulfillment of its obligations to the Council of Europe, including provisions on national minorities. Although the pace of ratification, adaptation and implementation of Georgia's commitments continues to be behind schedule, government officials have appeared increasingly willing and committed to enter into policy dialogue with representatives of national minorities. There are signs that attitudes among decision makers towards national minorities are gradually, albeit slowly, changing, and that policymakers and key-government stakeholders are moving towards more ethnically inclusive concepts of state building. While this is an encouraging fact, it should also be noted that 30 dialogue alone cannot enhance participation and inclusion of national minorities in society.

The Georgian government and parliament will have to make significant progress in 2007 on enhancement of minority related legislation, governance, minority protection and tolerance promotion to show its constituency and the international community that the country's commitments are more than just declarative intentions.

A condition for promoting regional integration and defusing inter-ethnic tension in the South Caucasus, and in particular in Georgia, is the empowerment of the central government to enhance governance on minority and regional issues. Government structures in Georgia generally remain weak and lack institutionalization, in spite of some progress made after the “Rose Revolution”. Issues concerning regional and minority issues are largely dealt with in an unsystematic and *ad hoc* manner. This issue needs to be seriously considered by the government in 2007. While there is a range of government and parliamentary bodies, which are partly responsible for these areas, there is a clear absence of an efficient state body to carry out policies in this field. In 2007, ECMI will make efforts to seek government support for the establishment of an effective central structure — be it a separate ministry or a department within an existing ministry - to be responsible for minority issues and civic integration.

# ECMI ANNUAL REPORT 2007

## I. Preface

The main focus in ECMI's action-oriented work remains on Georgia and Kosovo. In both regions, the Centre has established itself as the key player in the area of majority minority relations, working both with civil society actors and the government. In Georgia, the centre's office, led by Mr. Tom Trier, has continued its work in Samtskhe Javakheti and in the Tsalka region. At the same time, the Centre has continued to offer legal and institutional support to the central government and parliament, acting in coordination with the Council of Europe.

## II. Conflict Transformation Programme

The Programme addressed conflict transformation out of two main perspectives — conflict prevention in Georgia; constructive conflict transformation in Kosovo and conflict transformation through delineation of power-sharing in Moldova.

Georgia in 2007 - two steps forward, one step back ([www.ecmigeorgia.org](http://www.ecmigeorgia.org)) In 2007, ECMI continued the implementation of the Centre's complex programme in Georgia begun in 2003, partly within the framework of the interventions of a larger programme implemented by the Danish Foreign Ministry — Denmark's Caucasus Programme 2005-2007 — and partly based on funding provided by the Norwegian Ministry of Foreign Affairs. By the end of the year, Denmark's Caucasus Programme came to an end. However, the ECMI interventions in Georgia so far will be continued in 2008. The regional activities, focused mostly on the two southern regions of Georgia with large concentrations of persons belonging to national minorities — the predominantly Armenian region of Javakheti and the multi-ethnic region and Kvemo Kartli (Azeris, Armenians, Greeks and Georgian) — will be extended based on Norwegian support, while the interventions aimed at developing government capacities and advance Georgia's accession to international treaties on minority issues will continue under a new Danish funded partnership with the Council of Europe in the period of 2008-2009, in which ECMI will act as an implementing partner to the Council of Europe.

### A. Engaging local communities in minority regions

ECMI has continued support to the development of inter-ethnic civil society networks, the Javakheti Citizens' Forum (JCF, established in 2004) and the Tsalka Citizens Forum (TCF, established in 2005). Both forums are associations of NGOs and individuals in Georgian minority regions which aim at working towards regional integration and function as platforms for dialogue with the central government on issues of regional concern.

Through working group meetings, roundtables and conferences the stakeholder networks engage in consultation with the government, and simultaneously assistance is provided through resource centres in Javakheti and Tsalka to build the capacity of regional NGOs to perform as regional civil society partners for the government and international organizations which support development and other activities in the region.

In 2007, significant progress has been made in enhancing the political dialogue between central government actors and regional stakeholders through JCF and TCF. Activities have been carried out to foster new links between regional stakeholders and governmental bodies. As Georgia's regions are approaching a new stage of land-privatization, intense consultations have taken place between regional civil society representatives and officials from local authorities and central government institutions, and information campaigns on privatization rights have been carried out

in local minority communities. The Georgian Ministry of Education and Science have been responsive to the recommendations of the civil society structures, and close liaison has taken place between the parties throughout the year.

Currently, a series of reforms is being implemented in the educational sphere to enhance knowledge of the state language in regions predominantly inhabited by minorities, where only small proportions of the population master the Georgian language. Here, one issue of particular concern to minorities is that a new law on elementary education passed in 2005 provides for a transition over five years to replacing minority language with Georgian in subjects such as literature, history and geography. While regional minority representatives agree to the need for increased measures to teach Georgian, this has also caused legitimate concerns that teaching of Georgian will be strengthened at the expense of minority languages. Through regional recommendations and numerous consultative meetings between the Javakheti and Tsalka Citizens' Forums and the ministry, the issue has been raised and discussed in several rounds over the past years. The ministry until recently took a rather uncompromising position on the issue, but in October it announced that a committee now is considering the recommendations of the regional stakeholders, and an amendment to the law is currently underway to soften the legal provisions for language teaching in minority regions. It seems that a breakthrough finally is on its way on this issue after three years of dialogue and lobbying, as the ministry shows increasing willingness to compromise.

As new language requirements for public school directors were introduced at the national level, school directors throughout Georgia were required to pass a general qualification test in January 2007. Ethnic non-Georgian candidates largely failed to pass the exams, especially due to a component of the exam which requires knowledge of Georgian language. Hence, only 11 school directors and other candidates out of a total of 175 candidates in Javakheti managed to pass the test, while 8 of them being ethnic Georgians.

In Kvemo Kartli, out of 659 candidates, 273 persons managed to pass the exam, but only 8 of them were ethnic Azeris. In spring 2007, a second round of exams was conducted for schools, where no candidates managed to pass the exams. However, if the language requirements are upheld, it is expected that very few of the candidates in Javakheti, where 95% of the population is Armenian, will be able to qualify. Through JCF and TCF efforts have been made to consult the government about the problematic aspects of this policy, which may lead to the ousting of the vast majority of the ethnic non-Georgian school directors, and to provide constructive suggestions to avoid ethnic exclusion. At the same time, ECMI has supported activities to conduct Georgian language training for 90 Armenian school directors in Javakheti.

2007 was also the year in which the Russian army finally withdrew from Georgia after years of delay. In June, the last military column departed from the closing 62nd Russian base in the town of Akhalkalaki in the overwhelmingly Armenian populated region of Javakheti, and in November the last contingent of Russian soldiers left the closed military base in Batumi on the Black Sea coast. The closure of the Akhalkalaki base expectedly did have a strong negative effect on the economy of the local population, as many local Armenians were employed at the base and in other ways benefited economically from the Russian presence. Indeed, there is an urgent need to develop alternative means of employment in the region. However, the closure of the base did not lead to political tension in the region, and in this context it can be assumed that the functioning of mechanisms for political dialogue between the region and the centre has helped to further political integration and defuse regional tension.

## **B. Meskhetian repatriation**

One of the major events on minority related issues this year was the passing by the Parliament of Georgia of a law on repatriation. The law, officially titled the “Law of Georgia on Repatriation of Persons Forcefully Sent into Exile from the Georgian SSR by the Former USSR in the 40’s of the 20th Century”, was passed on 11 July with 117 votes in favor and 19 against within a month after being first presented for hearing in Parliament. The passing of the law was seen by many as a breakthrough both in bringing historical justice to a people — the Meskhetian Turks — who were collectively deported by the Stalin regime during World War II, and in fulfilling one of Georgia’s remaining commitments to the Council of Europe.

However, the initial euphoria among Meskhetian Turks was overshadowed by darker perspectives after a closer examination of the law revealed several deficiencies in the adopted version of the law, causing concern among Meskhetian Turks and international organizations alike that the law in reality does not provide guarantees for the right to return, and fear that the law may have been passed with a view solely to satisfy demands of the international community without being followed by real intentions by the Georgian Government of undertaking a serious process of repatriation.

A main problem is that the provisions of the law are very vague, leaving a very large margin of discretion to government officials in processing applications for repatriation and in interpreting the principles for the return process. While according to the law, applications for repatriation are to be submitted throughout 2008, the actual processing of application will begin only in 2009. This implies that potential repatriates are entitled to submit their applications only during a one year period, and some observers have voiced concern that this period will be insufficient to ensure that all eligible applicants can be properly informed about their entitlements. Another issue of apprehension is that applicants will have to provide documentation that they or their descendants were forcefully exiled. This requirement may create a major obstacle for many deportees and their descendants. The law does not specify which types of documentation are necessary to satisfy this demand, and it is expected that many Meskhetian Turks will face severe difficulties in providing such documentation. No specific documents were issued upon deportation, although old identity documents in some cases may help to establish that relatives were subjected to the deportation. However, as many Meskhetian Turks originally were deported to the Central Asian republics of the Soviet Union, and later, in 1989, again were displaced due to ethnic unrest in Uzbekistan, dozens of thousands among the potential repatriates may have lost documentation of this kind. Moreover, the law does not define when and under which circumstances repatriates will be entitled to obtain Georgian citizenship, while they are to renounce their current citizenship upon repatriation. The Parliament of Georgia has postponed the decision on the conditions and timelines for issuance of citizenship for repatriates to 2010.

ECMI has been among the very few international organizations that has taken an interest in the Meskhetian Turk issue from early on. As early as in 2003, ECMI embarked on a large scale research project aimed at studying integration and migration patterns among Meskhetians in the nine countries where they are currently settled in larger numbers: ECMI Uzbekistan, Kazakhstan, Kyrgyzstan, Russian Federation, Ukraine, Georgia, Azerbaijan, Turkey and the USA (ECMI Working Paper #21). The research, which was generously funded by the Volkswagen Foundation, was conducted by 37 ethnographers and other social scientists based on field work in Meskhetian settlements and resulted in the past year in the publication of an authoritative 663 page volume on the subject: Tom Trier & Andrei Khanzhin: *The Meskhetian Turks at a Crossroads, Integration, Repatriation or Resettlement?* LIT Verlag, Berlin, 2007. A Russian edition of the volume was simultaneously published by Aleteiya Publishing House in St. Petersburg, Russia.

The preliminary results of the research project has in the past few years helped to inform international and Georgian stakeholders in preparation of the repatriation and ECMI has organized numerous conferences, seminars and consultations on the subject. With the publishing of the book volume in the second half of 2007, relevant stakeholders in Georgia and abroad have acquired an instrument of knowledge on the contemporary situation of the Meskhetian Turks, which hopefully can help to prepare policy-makers and planners in the implementation of the law on repatriation.

Upon adoption of the law on repatriation, the Council of Europe and ECMI in October held a working meeting for Georgian government officials, members of parliament and civil society representatives with the participation also of the OSCE, the OSCE High Commissioner on National Minorities, the International Organization for Migration and the UN Refugee Agency, UNHCR. The aim of the meeting was to review the legal provisions of the law and to discuss how the law can translate into implementation practice.

During the working meeting, a number of critical issues were raised and discussed. The establishment of an inter-agency working group was among the recommendations of international organizations to elaborate a 'Manual of Application Procedures' and also in the longer term to develop and implement a strategy for repatriation and integration of returnees. An *ad hoc* working group consisting of representatives of the participating international organizations was established at the October meeting, which subsequently elaborated a suggestion for a government working plan as well as a list of problem issues related to the legal provisions of the law vis-a-vis the implementation practice.

Unfortunately, the political turmoil that broke out in Georgia in November, in which demonstrations organized by the opposition resulted in a confrontation with the government, and an ensuing government crack-down on the demonstrators on 7 November followed by the introduction of a state of emergency and a closure of opposition radio and TV stations, brought the consultation process on repatriation to a temporary standstill. It is expected, however, that the consultative process can be resumed early in 2008, subsequent to the presidential election on 5 January. It is an objective in ECMI's interventions in 2008 to assist in the advancement of implementation principles for the law on repatriation as part of the ECMI-component of the Council of Europe successor programme 2008-2009.

### **C. International treaties**

It is an integrated part of ECMI's interventions in Georgia to provide support to the government in fulfilling its obligations to the Council of Europe on areas related to national minorities. Apart from the issue of Meskhetian repatriation, ECMI also work towards the implementation of the Framework Convention for the Protection of National Minorities (FCNM), which was ratified in December 2005. While Georgia's first State report to the Advisory Council on the FCNM was submitted in July 2007, Georgia now awaits a mission of experts from the Advisory Committee envisaged to take place in the first part of 2008. Hence, activities in the area of supporting the creation of a monitoring body are planned subsequent to the visit of the Council of Europe delegation.

Efforts were made in the past year by the Council of Europe to advance the signing and ratification of the European Charter for Regional or Minority Languages (ECRML) and ECMI supported this work by assessing the specific conditions in Georgia for accession to this treaty; however the political turmoil in November and the announcement of the snap presidential election and the possibility of early parliamentary elections in spring 2008 had a postponing effect on the furthering of this commitment, given the controversial character of the ECRML as understood in Georgia. Georgian decision-makers are wary of the provisions of the charter, partly out of concerns that the application of the ECRML in Georgia may imply a special status

to regional languages such as Mingrelian and Svan, where many fear that the extension of enhanced language rights may be seen as an encouragement to the development of particularistic ethnic identities among the speakers of these languages. There are also concerns that Armenians and Azeris may be given wider linguistic rights under the charter, and many lawmakers feel that this may be detrimental to government efforts to current processes of Georgian language learning in minority regions. However, it is expected that Georgia eventually will enter into serious considerations of the Language Charter as well as a Law on National Minorities – the two commitments being the final before the country has completed the fulfillment of her obligations to the Council of Europe, and ECMI’s assessments and documentation in this area seek to allay some of the concerns and provide a knowledge base that can inform decision-makers on the implications of the ECRML and a law on minorities. The fact that fulfillment of Council of Europe obligations are closely linked to the process of accession to NATO, to which Georgia is a keen candidate, provides a strong motivation to complete the obligations.

#### **D. Council of National Minorities**

In the past year, ECMI continued its close collaboration with the Public Defender of Georgia to facilitate and support the work of the Council of National Minorities, instituted with ECMI support in December 2005. The Council of National Minorities (CNM) is rapidly solidifying its place as a major actor in the debate on integration and education reform affecting national minorities. With each month, CNM has become increasingly institutionalized, garnering the participation of more and more regional representatives and following the work plan designed to expedite and magnify the Council’s presence and effect on government policies. Accordingly, its activities have been extremely well-received by relevant government officials, who have regularly commented on the usefulness of such a forum. Much emphasis has been put on enhancing the links with the government structures in the past year and this has only served to increase the popularity of the CNM as a viable mechanism to actually influence policy-making processes. In the first part of the year, CNM spent significant efforts through the proceedings of four thematic working groups (language and education, legal issues, media and regional issues) to draft a comprehensive set of recommendations based on the provisions of the recently ratified Framework Convention for the Protection of National Minorities. The set of recommendations were presented at a large event in May, gathering almost 300 representatives of government, parliament, civil society and the mass media. The government’s reception of the recommendations was generally positive, and government representatives and parliament members committed to strengthen the process of consultation with CNM. In the second part of the year, the CNM continued to refine selected recommendations and consult with the government on their implementation. Over the final months of the year, working groups expanded upon recommendations in the thematic spheres, to establish a comprehensive set of policy priorities for further discussions with state officials in the coming year. Targeted work in these areas has enabled the CNM to begin taking more concrete and detailed policy stances on important issues.

#### **E. Research and documentation**

In the academic field, ECMI has continued efforts to conduct research and provide documentation on issues relevant for policy makers related to national minorities in Georgia.

As follow-on to research on the obstacles for regional integration of the isolated Samtskhe-Javakheti region of Georgia with its large Armenian population conducted in 2004, ECMI published a working paper on the past two years’ developments in the region, documenting the progress made in enhancing dialogue between the regional constituency and the Government. The findings of this study are published in English and Russian as ECMI Working Paper no. 28:

Hedvig Lohm: Javakheti After the ‘Rose revolution. Progress and regress in pursuit of National Unity in Georgia, April 2007.

A paper on eco-migration: Tom Trier & Medea Turashvili: “Resettlement of Ecologically Displaced Persons Solution of a Problem or Creation of a New?”, (ECMI Monograph no. 6, August 2007), was published in English and Georgian and has been widely disseminated among relevant stakeholders within government and civil society. The monograph addresses for the first time in a systematic and comprehensive way the problem of ecological displacement in Georgia’s mountain regions, and how unplanned migration causes tension, as migrants move into minority inhabited regions.

Together with the Public Defender’s office, ECMI plans to organize a roundtable on this issue in the first part of 2008 with the aim to generate policy action in this field. Research on another working paper on the Romani minority in Georgia, responding to encouragement to address the plight of this particularly vulnerable and marginalized minority by the European Committee against Racism and Intolerance (ECRI) was completed in December, and is now to be translated, published, and followed up upon through a series of awareness raising initiatives in 2008. In addition, research on the state policies in the educational sphere with regard to national minorities was completed in December, and a report is to be translated, edited and published in the beginning of 2008.

In continuation of research begun in 2006, ECMI — in partnership with researchers from the Georgian Centre for International Policy Studies (IPS) — carried out research on the historical and current situation of all the main ethnic groups in Georgia, including those living in the break-away territories of Abkhazia and South Ossetia. The study covers 23 encyclopedic entries on the individual groups as well as a comprehensive historical introduction to ethno-politics, minority relations and governance on minorities in Georgia. This research will be published in 2008 in the volume: Tom Trier & Gia Tarkhan-Mouravi: Georgia – an Ethno-Political Handbook, which will appear in English and a Georgian version. Upon completion, ECMI believes that this handbook will be an invaluable resource for actors dealing with minorities in Georgia and a very useful source of information on minority and ethno-political issues.

Georgia continued to move forward in 2007 with regard to the fulfillment of international obligations on national minorities and related issues. However, it is a matter of concern that the adopted Law on Repatriation does not contain concise provisions for the return of deported persons, and only the ensuing implementation practice will show to what extent government planners’ real intentions with regard to repatriation of deported Meskhetian Turks have.

However, the fact that Georgia remains committed to enhance her integration into Euro-Atlantic structures gives course for optimism. The obligations with regards to repatriation of Meskhetian Turks are only partially fulfilled with the passing of the law, and in the coming years the Council of Europe and NATO will closely monitor the process of implementation. It is also the prospects of NATO accession that will be the determining factor for the signing and ratification of the European Charter for Regional or Minority Languages and the adoption of the Law on Minorities. At the same time, however, there is a need to support the Georgian government with the building of effective institutions that can enhance good governance for national minorities and mechanisms for on-going consultation between the authorities and minority representatives. It is this fields that will be the focus of ECMI interventions in Georgia in the coming years.

#### **F. Political participation in post-conflict societies**

The research methods used by ECMI for investigating different aspects of minority inclusion in party politics in one national context also inform research and advisory work on minority

political participation in other contexts. Research on parties' policy positions on minority issues has also been started by the ECMI regional office in Georgia, which is another post-Soviet country with a long experience of ethno-territorial co Nine NUTS III regions (as defined by EUROSTAT's Nomenclature of Territorial Units for Statistics III classification) have been selected: Region North, Northern Ireland (United Kingdom); Covasna County (Romania); Skopje (FYR Macedonia); Rodopi district, Western Thrace (Greece); Harju County (Tallin, Estonia); South Tyrol/Provincia Autonoma Bolzano (Italy); Gagauzia (Moldova); North Banat, Vojvodina (Serbia); and Samtskhe-Javakheti (Georgia). The regions (from which two of them, Skopje and Tallin, are actually capital cities) — comprised of a significant and compact presence of minority population — have been selected to ensure a “most different case study design” in terms of the widest possible variation of potential explanatory factors. The table that follows gives an overview of the regions and the minorities under scrutiny.

## **ECMI ANNUAL REPORT 2008**

### **I. Georgia in 2008 – War and Instability**

2008 was a dramatic and turbulent year in Georgia's recent history with tension over the breakaway territories of South Ossetia and Abkhazia culminating in August in armed warfare with Russia. The short Russo-Georgian war that raged from 7-12 August and resulted in the occupation by the Russian Federation of vast parts of Georgian territories interrupted the process of democratization, as the Georgian government and other actors were understandably preoccupied with responding to the crisis situation. Domestically, the year also witnessed significant political tension in the aftermath of the opposition's mass demonstrations in late 2007, leading to snap presidential elections in January and parliamentary elections in May. Together, these events impacted on the implementation of national minority programmes.

ECMI continued the implementation of its programme activities in the regions of Georgia inhabited in substantial numbers by persons belonging to national minorities, with a particular focus on the Samtskhe-Javakheti and Kvemo Kartli regions. Activities were also continued to enhance good governance on minorities through support to government institutions. This year ECMI concluded Denmark's Caucasus Programme 2005-7 that had been extended until June 2008, as well as the programme entitled Enhancing Minority Governance and Enhancing Civil Society in Minority Regions of Georgia 2007 funded by the Royal Norwegian Ministry for Foreign Affairs (also extended until June 2008).

The components of these programmes were carried over in two new main interventions. One is the new Denmark's Caucasus Programme 2008-9: Enhancing Good Governance, Human Rights and the Rule of Law in Georgia, implemented by the Council of Europe and supporting democratization in Georgia with a focus on the judiciary, the Public Defender's Office and institutions responsible for minority issues. This programme is funded by the Royal Danish Ministry of Foreign Affairs. ECMI acts as a sub-implementing partner within this intervention, responsible for the component on minority issues.

The other programme, Enhancing Minority Governance and Developing Civil Society in Minority Regions (2008-2009), funded by the Royal Norwegian Ministry of Foreign Affairs, is focused primarily on previous regions of concern, and aims to develop and make sustainable the two established networks of civil society stakeholders, the Javakheti Citizens' Forum (JCF) and the Tsalka Citizens' Forum (TCF).

In addition to the two main programme interventions, ECMI implemented two smaller projects in Georgia in 2008, both funded by the Council of Europe: one to conduct awareness raising activities (trainings and information meetings) in minority populated areas prior to the parliamentary elections in May; and another to provide information on repatriation procedures to deported Meskhetians in Azerbaijan seeking status as repatriates in Georgia.

Overall, the programmes implemented by ECMI in Georgia since 2003 have been largely successful and have resulted in reduced tension between minority regions and Tbilisi through enhanced political dialogue between the regions and the centre and by the creation of institutionalized structures for permanent dialogue, such as the Council of National Minorities functioning under the auspices of the Public Defender of Georgia, as well as the formation and development of the abovementioned umbrella organizations of NGOs in minority regions (JCF and TCF).

In 2008, the political turbulence impacted significantly on the implementation of politically sensitive issues related to programming on national minorities. While political instability effectively halted progress on implementation of minority policies, as government priorities shifted to crisis management, a few positive developments were still evident. In April, the former head of the board of the Georgian state television channel, Ms. Tamar Kintsurashvili, was appointed Adviser to the President on Minority and Civil Integration Issues. After the parliamentary elections Ms. Elena Tevdoradze, who formerly led ECMI had held the post as Chairperson of the Parliamentary Committee for Human Rights and Civil Integration, was appointed Deputy Minister for Reintegration with the mandate of establishing a Department for Minority Issues. The appointment of two senior officials with previous experience in the field of minorities is a positive sign that the government is paying increasing attention to this policy area. The minority department in the Reintegration Ministry was eventually formed in October, and personnel were hired both for the central office of the department as well as for the three regional offices in minority areas. ECMI envisages a number of new activities to be conducted in 2009 to support the functioning and development of the minority department.

## **II. Denmark's Caucasus Programme 2008-09**

As part of Denmark's Caucasus Programme 2008-09, and in partnership with the Council of Europe, ECMI implemented a number of activities related to minority issues. These activities are reviewed briefly below.

### **A. Council of Europe programme steering committee meeting**

#### **A.1. Council of National Minorities**

The creation of the Council of National Minorities (CNM) was facilitated by ECMI in December 2005 under the auspices of Georgia's Public Defender. After three years of operation, the Council has firmly established itself as an important structure for ongoing consultation between minority organizations and the government. The work of CNM was also affected by political instability in Georgia, as the drive towards enhancing the implementation of minority policies was hampered by political tension and dramatic events.

Nevertheless, in the past year CNM upheld a significant level of activities through meetings of thematic working groups, roundtables, plenary sessions and trainings. Prior to the presidential and parliamentary elections, sessions were held with nominated candidates that permitted minority representatives to scrutinize their policy on national minorities.

A number of specialized roundtables on the problems of specific minorities were also held, including sessions on the particularly vulnerable Roms and Yezidi-Kurds, to allow government and international actors gain a better insight into the concerns of these groups. Other meetings have featured prominent European experts on minority issues, while a meeting in September focused on the post-conflict situation and the impact of the war on national minorities.

A Memorandum of Cooperation was signed in June between CNM and the Council of Tolerance and Integration under the President's Administration in order to further develop and institutionalize interactions between the government and national minority representatives.

#### **A.2. Law on repatriation**

After years of delay, the Law on Repatriation of persons deported in the 1940s, affecting Meskhetians in particular, was passed by the Georgian parliament in July 2007. The Law has been seriously criticized for not adequately guaranteeing the rights of potential applicants and for

even creating obstacles for repatriation. According to the provisions of the Law, deported persons or their descendants, who wish to repatriate to Georgia, can apply for repatriation status only in 2008. In October 2007, the Council of Europe, ECMI and the Georgian government initiated a consultative process with the aim of providing international support for implementation of the repatriation policy. However, the process was interrupted by the political crisis that developed during the confrontation between the government and the opposition in November 2007, over the elections and, later, over the outbreak of war. Government priorities did not accommodate a process that could clarify and streamline policies with regard to the repatriation process. As a result, Meskhetian and other potential applicants were left unclear as to their rights and duties in relation to the submission of applications. At the same time, the responsible Georgian authorities, the Ministry for Refugees and Accommodation and the Ministry of Foreign Affairs did not ensure that application material was available in the Georgian consulates abroad until sometime in early March, and Meskhetians in several countries were complaining that they were unable to find properly informed staff at the consulates. Moreover, it was not until July that some details with regard to health certificates had been clarified by the Georgian authorities, hence impacting negatively on the possibility for Meskhetians to submit their applications.

To provide potential applicants with proper information about possibilities for applying and the practicalities related to the application process, ECMI implemented a project in a separate intervention to conduct awareness-raising in the final months of 2008. The project was carried out in November and December, in collaboration with the International Organization for Migration (IOM), based on funding made available by the Council of Europe. Following a 'training of trainers' workshop by ECMI in Baku in early November, ECMI trainers conducted dozens of information meetings for Meskhetian applicants in Azerbaijan, while IOM carried out similar meetings in the Northern Caucasus through local NGOs.

It is anticipated that the deadline set in the Law on Repatriation will be extended for several months into 2009 to ensure that Meskhetians and other deported persons who wish to repatriate – given the delays in starting the application process – will be given a more realistic timeframe for submitting their applications.

### **A. 3. The Framework Convention for the Protection of National Minorities**

Having ratified the Council of Europe Framework Convention for the Protection of National Minorities in 2005, the Convention entered into force in Georgia on 1 April 2006.

A state report was submitted to the Council of Europe in July 2007 and, according to the established monitoring practice, was to be followed by a visit of the Advisory Committee of the Framework Convention soon after. However, due to political turbulence on the domestic scene from November 2007, followed by the elections and then the August war, the state visit was postponed several times. However, the mission finally took place on 8-13 December with the participation of three members of the Advisory Committee. Along with the government of Georgia, ECMI played a key role in organizing the visit, which included a thorough round of consultations with most minority organizations and relevant community structures in the country. The Advisory Committee also visited the regions of Javakheti, Kvemo Kartli and Shida Kartli. The findings of the Advisory Committee will lead to an Opinion on Georgia, to be published in spring 2009. Following the visit of the Advisory Committee, it is envisaged that ECMI in 2009 will conduct a number of trainings and other activities to support the implementation of the FCNM.

#### **A. 4. Other minority issues**

Georgia has yet to fulfill two missing commitments and obligation to the Council of Europe, namely the signing and ratification of the European Charter for Regional or Minority Languages (ECRML) and the Law on Minorities. Both are considered highly controversial by the government. However, the central authorities seem now to be close to commit to the Language Charter; at least a specific reference to the Charter has been incorporated into the Government's Strategy for Protection and Integration of Minorities.

It is envisaged that the Charter will be signed in the first part of 2009, while it is yet to be determined when the ratification may take place. On the Law on Minorities, the Government is of the opinion that there is no need for a separate law, as minority related legislation is or should be covered by the general legislative framework, including in the fields of education, culture, economic activities, penalty codes, etc. There are also concerns that a separate law risk being in contradiction with other legislation and it has been discussed recently whether this commitment could be modified, so as to ensure minority protection rather by a review of and amendments to existing legislation. Such considerations are likely to result in policy action in the coming year.

ECMI will support the implementation of the ECRML, the Law on Repatriation and the yet unfulfilled commitments and obligations as part of the minority component of Denmark's Caucasus Programme 2008-09. A number of trainings, seminars, conferences and workshops are envisaged to this end.

### **III. Enhancing Minority Governance and Developing Civil Society in Minority Regions (2008-2009)**

#### **A. Armenian-populated rural district in Ninotsminda**

As mentioned above, this programme funded by the Royal Norwegian Ministry of Foreign Affairs focuses on two Georgian regions densely populated by persons belonging to national minorities, i.e. the predominantly Armenian region of Javakheti (part of the Samtskhe-Javakheti province) and the multiethnic region of Kvemo Kartli, consisting of six districts and where the programme's main emphasis is on the Tsalka district, inhabited by Armenians, Georgians, Azeris and Greeks.

In spite of the difficulties faced in relation to the two elections and especially the August war, efforts to develop region—centre dialogue and build the capacity of the Javakheti Citizens' Forum (JCF, established in 2004) and the Tsalka Citizens' Forum (TCF, established in 2005) were successfully continued. JCF and TCF are regional umbrella associations for NGOs and individual members in the minority regions, the capacity and outreach of which has been built up over previous years to facilitate the formation of a solid base in the regions for civil society engagement and dialogue with the central government over matters of regional concern. ECMI's direct engagement in the two regions is coming to an end, and particular efforts are being made in 2008 and 2009 to ensure the sustainability of the networks. At the end of 2008, JCF was already functioning as a fully independent entity with its own organizational and administrative structures. At the same time, this year has seen a boost in the commitment and engagement of local stakeholders, and JCF now engages in a wide range of policy matters in Javakheti and consults closely with the district authorities as well as relevant ministries in Tbilisi, particularly the Ministry of Education and Science.

In 2009, ECMI will continue to provide JCF with financial support, but without the active involvement of previous years, and it is foreseen that JCF – with its developed organizational structures and administrative capacity – will be able to secure funding from other donors from

2010 and beyond. TCF, which was initiated at a later date and in Tsalka, which is less developed than Javakheti, is also on its way towards sustainability. It is envisaged that TCF will become sustainable in 2009, while direct financial support to elementary activities, such as the running of a resource centre, core personnel etc., will be required beyond that point.

As a spin-off effect of successful ECMI activities to build up civil society capacity in minority regions, other minority NGOs in the Kvemo Kartli region, and particularly those in Marneuli, Gardabani, Bolnisi and Dmanisi, have been inspired to establish a similar network of civil society organizations, aimed at covering the entire province of Kvemo Kartli. It is expected that around 30 NGOs will formally establish the Kvemo Kartli Citizens' Forum (KKCF) in early 2009. ECMI has supported preparations by the NGOs and will seek to provide more targeted assistance in the coming year.

## **B. Research and documentation**

In 2008, ECMI continued to conduct its research and documentation activities, which play an integral and highly important part of the larger programme activities. In past interventions, research and documentation on groups or issues have been instrumental in directing governmental and/or international attention to specific problems. In February, ECMI published the results of comprehensive field research among the small and disadvantaged Romani communities in Georgia. The paper, by David Szakonyi, was published in the ECMI working paper series (No 39), entitled "No Way Out: An Assessment of the Romani Community in Georgia". It was presented to a larger audience of government and NGO stakeholders at a roundtable organized in collaboration with the Council of National Minorities in March.

In late 2007, a study of the treatment of ethnic Russians was also carried out, resulting in the publication in February 2008 of issue brief no. 16: David Szakonyi, "Reciprocity or the Higher Ground? The Treatment of Ethnic Russians in Georgia After the 'Spy Scandal' of 2006".

ECMI also continued its research on the effect of educational reform on national minorities, and a report is expected for publication in early 2009. A study on the development of institutions responsible for minority issues since the Rose Revolution in 2003 is also underway and is expected to be published in early 2009.

In addition, two studies are currently being prepared on the upcoming signing and ratification of the European Charter for Regional or Minority Languages and include a paper on language issues in Javakheti and Kvemo Kartli and a paper on regional languages (Megrelian, Svan and Laz). These are designed to inform the debate between government and minority/regional stakeholders, and presentation is envisaged for 2009.

Moreover, field studies in the Georgian breakaway region of Abkhazia have led to the compilation of a book by ECMI Regional Representative in Georgia, Tom Trier, Hedvig Lohm and David Szakonyi on the interethnic situation in that territory, entitled *Under Siege: Inter-Ethnic Relations in Abkhazia* (Hurst and Co., 2009).

Finally, ECMI continued its work on a larger research project that will lead to the publication of a handbook by Tom Trier and George Tarkhan-Mouravi on Georgia's ethnic groups, entitled *Georgia: An Ethnopolitical Handbook* (Bennett and Bloom, forthcoming). Georgian and Russian versions of the book are also being prepared thanks to a grant from the Swiss Embassy to Georgia. The eventful year of 2008 necessitated a significant number of revisions which affected the completion of the manuscript, and publication is now expected for 2009.

## **ECMI Evaluation Report 2007**

(Annex A)

**Case Study - Enhancing Minority Governance in Georgia - Government and Civil Society  
Dialogue: Capacity Building and Empowering Programme in the South Caucasus**

## **I. Case Study - Enhancing Minority Governance in Georgia - Government and Civil Society Dialogue: Capacity Building and Empowering Programme in the South Caucasus**

ECMI's Georgia project is an example of a programme that began towards the end of the first five-year period (2004) following the launch of the ECMI strategy document of 2000 and exemplifies the kind of multi-dimensional, multi-disciplinary approach that ECMI has been employing. The Georgia programme is ECMI's second major action-oriented project and its implementation can be divided into two key phases – 1) capacity building of minority groups in Javakheti and 2) capacity building of the government to enter a meaningful dialogue on the tense issues of minority majority relations in post-Shevardnadze Georgia.

The first phase focused primarily on one region, the Javakheti region in southern Georgia, and during this phase the project attempted to build a network of stakeholders first within the region itself and then extending from the region to the central authorities in Tbilisi. The second phase then sought to consolidate ECMI's co-operation with the central authorities by working intensively with government structures in order to assist the government in ensuring that international standards on minorities are observed. Concurrently with this second phase ECMI sought to 'export' its capacity-building project in Javakheti to another region (Kvemo Kartli), using the lessons learnt in the first region. Like the Kosovo project, the Georgia project serves as an example of ECMI's long-term engagement and its aim is to build a relationship over the medium to long term not only between stakeholders in Georgia and ECMI but also between stakeholders at local and national level, as well as between all stakeholders and other international agencies. The evolution of this project has been very finely calibrated in response to lessons learnt at all stages of the project.

After a brief outline of the context in which the project was launched at its early stages, the following analysis will examine each of the two phases in the evolution of ECMI's activities in Georgia. As the second phase (in chronological terms) was marked by a two-pronged approach with the extension of ECMI's regional networking project from Javakheti to another region (Kvemo Kartli), on the one hand, and greater engagement with the central authorities, on the other, this second phase is divided into (a) and (b) components.

## **II. General Background and Need for ECMI Involvement**

In early 2004, when ECMI first began implementing its projects in Georgia, the country had just embarked upon a period of rapid transformation. The new administration led by President Mikheil Saakashvili that had come to power following the Rose Revolution of November 2003 pledged to take Georgia in a new direction by re-establishing the core functions of the Georgian state and integrating further into European and Euro-Atlantic structures. With regard to this latter direction, it was expected that the Georgian Parliament would finally ratify the Framework Convention for the Protection of National Minorities (FCNM), would sign and ratify the European Charter for Regional and Minority Languages and would enact a law allowing the return of the Meskhetian Turks, deported by Stalin in 1944. Although the FCNM had been signed by the Georgian government in 2000, it remained little more than a statement of intent.

In 2004, national minorities in Georgia remained poorly integrated into the political and civic life of the country. In particular, the two largest minorities, the Armenians and the Azeris were geographically concentrated in two provinces of Georgia, respectively Samtskhe-Javakheti and Kvemo Kartli. The geographical concentration of minorities in these regions meant that there were many monolingual minority communities that had no opportunity of learning the Georgian language, which, according to the 1995 Constitution, was the only state language. This situation was exacerbated by a corrupt and dysfunctional state apparatus that had neglected almost all rural regions, including those in which minorities were concentrated, by failing to provide even the most basic public goods. The result was that most members of Georgia's minorities lived in communities that were mired in poverty and in which basic infrastructural provisions (such as roads, schools and hospitals) were absent or degraded. Most had little or no contact with the Georgian state and eked out a subsistence living from the crops they grew, the animals they raised, or small-scale consumer articles they would sell. In addition, the language barrier made it impossible for them to interact with state structures. Under such circumstances, the notion of integration with the Georgian state was, for them, either absurd or meaningless.

The immediate aftermath of the Rose Revolution provided the ideal environment for ECMI action. The new government pledged to root out corruption and thereby restore the basic functions of the state. For the first time since Georgia's independence it was the new government's aim to fully integrate Georgia's national minorities into Georgian public life through rebuilding the infrastructure that would reconnect minority regions geographically with the rest of the country and through ensuring that members of minorities learnt the Georgian language. Given that such moves towards integration are sometimes resisted by minority populations, who fear cultural and linguistic assimilation, and given ECMI's experience as a facilitator of dialogue between majority and minority communities and as neutral broker in conflict resolution, ECMI's intervention could not have been more apposite. ECMI's expertise was needed above all to establish networks of stakeholders in the minority regions that could voice their demands and grievances and communicate them to the Georgian government in a peaceful manner, as well as to assist the Georgian government in fulfilling its international obligations.

### **III. Phase I. Defusing Interethnic Tension and Promoting Regional Integration in the Javakheti Region**

#### **A. Needs assessment**

The point of entry for ECMI was the Javakheti region of Georgia, which consists of the Akhalalaki and Ninotsminda districts of Samtskhe-Javakheti province. More than 90% of the population of Javakheti region is Armenian and most live in monoethnic communities. Due to the high altitude and geographical isolation of the region, the infrastructure is particularly degraded and economic problems are severe. In February-March 2004, contact was established with the local authorities in Akhalkalaki and Ninotsminda districts and other local stakeholders, and a preliminary needs assessment of socio-political and economic obstacles for the integration

of Javakheti was carried out. This needs assessment was later published as an ECMI working paper (see below).

### **B. Consultation with stakeholders, methodology and project development**

At the initial stage, the project activities were focused on fostering a dialogue *within* the Javakheti region on matters that were of concern to local residents. Following the completion of the needs assessment, ECMI convened a preparatory meeting in the town of Akhalkalaki on April 23, 2004 to which some 20 civil sector and local government key-stakeholders from the region were invited. The meeting identified key areas of concern to the local community. The lack of channels for appropriate communication between Tbilisi and the region was identified as a major obstacle for a constructive dialogue to address regional needs. These preliminary discussions served as a platform for the subsequent establishment of a yet informal but rather broadly representative network of local actors, the “Javakheti Citizens Forum” (JCF), which was established in Akhalkalaki on September 22, 2004. This event took the format of a conference, attended by some 80 representatives of civil society structures, local and central government agencies, policy institutes and Georgian mass media. The forum facilitated discussions on the need for improved dialogue between the local and central actors to address the regional community’s concerns. To support and maintain such a dialogue two JCF working groups (WGs) were established: a) a Working Group on Language, Culture and Education and b) a Working Group on Economic Development and Integration.

### **C. Funding and partnership**

As is the case with all of ECMI’s projects, this project was not developed in response to the criteria of funding organisations; instead, the priorities of the project were driven by the needs on the ground. ECMI was most fortunate to receive support in terms of funding from the Royal Danish Ministry of Foreign Affairs (FRESTA) and the Norwegian Ministry of Foreign Affairs to implement the project. Since 2006, the Georgia programme has been consolidated into Denmark’s Caucasus Programme 2006-2007.

As well as international partners, ECMI worked closely with Georgian partners at both national and local level. These included the local authorities of the districts of Akhalkalaki and Ninotsminda, the office of the authorised representative to the province of Samtskhe-Javakheti, a wide range of actors from the local civil society (mainly NGOs), the office of the State Minister for Conflict Resolution Issues in Tbilisi, the Ministry of Education in Tbilisi and other state bodies.

### **D. Implementation and outputs**

Over the early phase of its implementation, the project helped regional actors in elaborating a more consolidated approach towards the issues of integration and for addressing the current socio-economic recession. At the same time it clearly demonstrated the need for establishing mechanisms for a constant and constructive dialogue, as well as direct and effective information flow between the local and national level stakeholders to eliminate the threat of further isolation and aggravated ethno-political tension in the region.

From the time they were established, the newly established JCF Working groups regularly met during October and November 2004 to discuss, prioritize and prepare recommendations on problematic regional issues in their respective thematic fields. At the same time a series of conferences, prepared jointly by ECMI and JCF, in which central government representatives were invited, provided a forum for the JCF to communicate the opinions of the local Armenian

community and to engage in an open discussion with the authorities on issues such as language, education and regional socio-economic problems.

To enhance and formalize the legal and organizational status of the JCF, as well as to prepare the ground for its sustainable functioning after completion of the project, ECMI initiated a process of formal institutionalization of the network in mid 2005. On June 10, the 4th regional Conference in Ninotsminda elected a Consultative Group of 21 activists, which subsequently established a working group of 6-10 activists with a legal background, to start drafting of the JCF statutes and an inaugural declaration of the future association. The process of formalisation of the JCF was made complete by the JCF Inaugural Conference, which was convened on August 23 2005 under the auspices of ECMI. This Conference brought together around 200 representatives of the civil society sector in Akhalkalaki and Ninotsminda rayons as well as community leaders, local public/governmental officials, other stakeholders and the media. The conference adopted the JCF organizational Statute and Inaugural Declaration and elected a 40-member Organizational Council to form the governing and executive structures of the JCF. On August 24, the Organizational Committee convened to elect the JCF Board. To ensure that the JCF management from the outset would not be controlled by the radical segments of civil society in Javakheti, which would deter the central authorities from continuing the dialogue process, and in compliance with the JCF Statutes, ECMI reserved the right to appoint the Chair and Deputy Chair of the JCF Board. However, the Board by consensus nominated two candidates who were subsequently approved and appointed respectively as Chairman and Deputy Chairman by ECMI on September 13, 2005. On October 24, 2005, the JCF was officially registered as an NGO with the Ministry of Justice.

#### **E. Outcomes/evaluation and lessons learnt**

Given the current status of the decentralization process in Georgia, JCF, as a structure for maintaining sustainable policy consultations between stakeholders in minority regions and the central governmental institutions, has set a successful example that can be replicated in other minority populated areas in Georgia and even in monoethnic communities across the country. The replication of the centre-region dialogue model can become a useful tool in addressing acute regional issues and promoting the country's integration until Georgia achieves an enhanced level of decentralization and relevant centralized tasks are effectively devolved down to the regional and community levels. It was for this reason that ECMI attempted to replicate this model with the establishment of a Tsalka Citizens' Forum in 2006 (see below).

However, despite the fact that all network participants formally accepted the JCF organizational statutes and programmatic objectives, many members joined the association in anticipation of donor resources rather than out of commitment to the JCF organizational goals. Some participants, including members of the Board, became disillusioned with the process when it became clear that such resources would not be available. This phenomenon threatened the future sustainability of the network after ECMI's withdrawal. In mid-2006, it was therefore decided that steps needed to be taken in order to make the Forum a more efficient and robust organization. In July, members of the Board agreed to introduce changes to organizational structure and management of the JCF. It was decided to reduce the number of board members and to invite prominent civil society leaders to join the JCF board. A director of the Caucasian Institute for Peace Democracy and Development, Dr. Gia Nodia, therefore accepted an invitation to sit on the JCF board. Members of the board also decided to abolish the organizational committee, which had not been a particularly efficient structure. A position of a deputy chairman

of the board was also abolished at a General Assembly meeting later the same month. Significant improvements in the overall efficiency of the organization were noted in the second half of 2006.

Many of the lessons learnt through the establishment of the JCF were later also applied to the Tsalka Citizens' Forum. In particular, two meetings of the Tsalka Citizens' Forum were facilitated by the members of the JCF (see below). Furthermore, the JCF also played a role in the proceedings of the Council of National Minorities, established under the auspices of the office of the Public Defender of Georgia (see below).

### **Link to Academic Outputs**

The following are ECMI Working Papers, available at

<http://www.ecmi.de/rubrik/58/working+papers/>:

#22: Wheatley, Jonathan, Obstacles Impeding the Regional Integration of the Javakheti Region of Georgia. September 2004, 41 pp., appendix.

#25: Dafflon, Denis, Managing Ethnic Diversity in Javakheti: Two European Models of Multilingual Tertiary Education. February 2006, 25 pp, appendix.

#35: Hedvig Lohm, Dukhobors in Georgia: A Study of the Issue of Land Ownership and Inter-Ethnic Relations in Ninotsminda rayon (Samtskhe-Javakheti), November 2006, 44 pp., appendix. [Note: This Working Paper is available in English and in Russian]

The following is an ECMI Issue Brief, available at

<http://www.ecmi.de/rubrik/59/issue+briefs/>:

#6: Sabanadze, Natalie, Armenian Minority in Georgia: Defusing Interethnic Tension. August 2001, 7 pp.

### **IV. Phase II (a) Enhancing Minority Governance in Georgia through Establishing a Representative Stakeholder Forum in Kvemo Kartli**

### **A. Needs assessment**

Following the establishment of the JCF, ECMI decided to enlarge its focus to encompass the other main area of Georgia in which national minorities are concentrated, Kvemo Kartli. Kvemo Kartli is a multiethnic province with a population of 45% Georgians and 45% Azeris, according to the 2002 Census. Other nationalities include Armenians and Greeks, who are concentrated primarily in the Tsalka district in the west of the province. As in the case of Javakheti, meetings were held with key stakeholders in the autumn of 2004 and a needs assessment on the socio-political and economic obstacles for the integration of Kvemo Kartli was carried out. As before, this was published as an ECMI working paper.

### **B. Consultation with stakeholders, methodology and project development**

During 2005 ECMI carried out extensive meetings both within the region and with central government bodies in order to draw up a list of key stakeholders in Kvemo Kartli region. They also conducted meetings and consultations with central-level civil society and minority representatives and with the most active NGOs of Kvemo-Kartli to assess the overall regional socio-political changes that were taking place in the region. The assessment visits in Kvemo Kartli resulted in subsequent stakeholder meetings in the six districts of Kvemo Kartli during October and November 2005.

However, the local authorities in several districts in Kvemo Kartli did not see the need for external assistance in improving dialogue with the (predominantly Azeri) minorities and other communities in their districts, arguing that with increased local and central budgetary resources during the last two years they were capable of solving basic social and economic issues, which, in their opinion, are the major causes for any interethnic tensions. They indicated that additional resources, such as international development aid would further improve the situation, however highlighting the minority rights/issues could, in their opinion, increase the influence of most radical minority organizations, voicing major discontents of the Azeri minority in the region, thus hindering positive political changes in the country.

Given the reluctance on the part of some local authorities in Kvemo Kartli and given uncertainties regarding the future funding of the project (see below), it was decided to begin the process of establishing a representative stakeholders' forum in just one district of Kvemo Kartli, Tsalka district. Tsalka district was chosen first and foremost because it is a multi-ethnic community comprising four nationalities (Georgians, Armenians, Azeris and Greeks) with special needs. These special needs relate to the fact that the population has been highly unstable over the last decade and a half, with a rapid out-migration of ethnic Greeks and a rapid in-migration of Georgians from mountainous regions of Adjara and Svaneti that have been affected by frequent landslides and avalanches. They also relate to the fact that Tsalka is an economically deprived region with a much degraded local infrastructure. The volatility of the population has aggravated an already difficult economic situation and has led to high levels of uncertainty regarding land and property rights, increasing the risk of inter-communal conflict. It was decided that ECMI's expertise would prove particularly useful in such difficult circumstances and that therefore a Tsalka Citizens Forum (TCF) should be established along similar lines to the JCF.

In general, there is little interaction between the ethnicities of the region, and while there are only 1-2 active NGOs in Tsalka district, the TCF is the first association which seeks to embrace all groups in the region, aimed at enhancing cohesion at the regional level, at the same time as establishing a channel for policy consultation and information exchange between the region and the state. Civil society exists at an embryonic stage in the region, and the local population lacks

basic understanding of such concepts as activism, self-organisation and voluntary work, let alone knowledge about grant financing mechanisms and skills to formulate the region's problems and recommendations for its solutions. It was therefore ECMI's aim to enhance this rather low level of civil society capacity.

In the initial stages, activity progress in Tsalka was slightly slower than planned. It took longer than expected to identify project stakeholders that would commit to the programme concept of creating a civil society structure. However, by mid July 2006, after extensive visits in the region and a large number of meetings with formal and informal leaders in the region's communities, ECMI staff managed to form a network of local activists comprising representatives of different nationalities living in the Tsalka region.

### **C. Funding and partnership**

Like the Javakheti project, ECMI's activities in Kvemo Kartli are funded by FRESTA. However, during the inception and the first semi-annual periods, active implementation of the planned project activities was hindered by uncertainties as to the status of the project funding. Moreover, the postponing of a decision of funding for 2006 under Denmark's Caucasus Programme 2005-2007 necessitated a budget revision and non-cost extension for the months of January and February 2006 to sustain ECMI activities in Georgia. Hence, funding initially meant for implementation activities in Kvemo Kartli reallocated to cover costs for the Javakheti project in January and February 2006. For this reason implementation of activities in Kvemo Kartli took place at a reduced level in the first two months of 2006. FRESTA resumed funding in the spring of 2006, allowing ECMI activities in Kvemo Kartli to continue. Since 2006, Danish funding for these activities has been consolidated into Denmark's Caucasus Programme 2006-2007.

As in the case of ECMI's activities in Javakheti, ECMI worked closely with Georgian partners at both national and local level. The possibility of working with the local authorities was indeed a determining factor in the choice of the districts in which ECMI decided to operate (see above).

### **D. Implementation and outputs**

In June-July 2006 ECMI's regional project manager and Kvemo Kartli project assistant identified potential stakeholders in Tsalka representing the region's different nationalities – Armenians, Greeks, Georgians and Azeris. In July-August 2006, ECMI worked on formalizing the network of project stakeholders. Four weekly meetings of the network members were held to define working priorities and set up two thematic working groups on: a) *socio-economic* issues; and b) *cultural-educational* issues. Each working group included 8 members representing the different ethnicities of the region. Overall, in July-December, 32 WG meetings took place in Tsalka. In order to create know-how transfer and a model for civic initiatives to follow, two meetings were facilitated by the members of the Javakheti Citizens Forum.

Due to bureaucratic difficulties in registering the TCF as an association of NGOs at the regional level, and to avoid delays, it was necessary to start with the registration of an NGO comprised of stakeholders. Thus, the NGO "The Tsalka Centre for Civic Development" was registered in Tsalka with ECMI facilitation in November 2006. This organization, which consists of members of the ECMI working groups, will become one of the founders of the Tsalka Citizens Forum, which is expected to be formally registered at the beginning of 2007.

In July 2006, a Resource Centre in Tsalka was established with access for project stakeholders on government legislation and policies. The Resource Centre is hosted free of charge in the building of the regional administration, where minor refurbishing works were carried out. On October 18, the ECMI Resource Center was officially inaugurated.

#### **E. Outcomes/evaluation and lessons learnt**

Given the fact that the TCF was only established near the end of the reporting period, it is as yet too early to point to sustainable outcomes and lessons learned.

#### **Link to Academic Outputs**

The following are ECMI Working Papers, available at

<http://www.ecmi.de/rubrik/58/working+papers/>:

#23: Wheatley, Jonathan, Obstacles Impeding the Regional Integration of the Kvemo Kartli Region of Georgia. February 2005, 49 pp., appendix.

#36: Jonathan Wheatley, Defusing Conflict in Tsalka District of Georgia: Migration, International Intervention and the Role of the State October 2006, 42 pp., appendix.

[Note: This Working Paper is available in English and in Russian]

### **V. Phase II (b) Enhancing State Capacity on Minority Issues**

#### **A. Needs assessment**

Georgia made four concrete commitments on its accession to the Council of Europe in 1999: to sign and ratify (within a year of its accession) the Framework Convention for the Protection of National Minorities, to sign and ratify (within a year of its accession) the European Charter for Regional and Minority Languages, to adopt (within two years of its accession) a law on minorities based on the principles of Council of Europe Parliamentary Assembly Recommendation 1201 (1993) and to adopt (within two years of its accession) a legal framework permitting the repatriation and integration of the Meskhetian Turks. While these Council of Europe requirements had been largely ignored by the administration of former president Eduard Shevardnadze, the new government showed a greater willingness to make progress on these issues. However, the state administration lacked expertise in terms of devising and implementing legislation that could bring Georgia into line with these international standards and was plagued by doubts as to what implementation of these requirements may mean for majority-minority relations in Georgia. ECMI, with its expertise in advising on the adoption and implementation of minority legislation, was ideally placed to make a contribution in this regard.

## **B. Consultation with stakeholders, methodology and project development**

Consultations with central government stakeholders began during the implementation of Phase I, i.e. in the course of establishing the Javakheti Citizens' Forum. The rise to power of a new, reform-oriented government paved the way for easier access to central government actors responsible for minority and regional issues, and while establishing and implementing the initial project in Javakheti, assessments were made as to whether ECMI could also implement a project to support the government in developing structures for enhanced minority governance, especially as the Georgian parliament prepared to ratify the Framework Convention for the Protection of National Minorities. Within the context of the Javakheti project, close co-operation was forged with the office of the State Minister for Conflict Resolution. This co-operation was highly relevant with regard to the possible repatriation of the Meskhetian Turks to Samtskhe-Javakheti, which was bitterly opposed by members of the Armenian community living in Javakheti. In August 2005, ECMI facilitated a meeting between the State Minister for Conflict Resolution, Mr. Giorgi Khaindrava, and around 40 local stakeholders in Javakheti to discuss the issue of the anticipated repatriation of the Meskhetian Turks.

This co-operation led to ECMI's decision to second the former acting Ombudsman of Georgia, Mr. Teimuraz Lomsadze, to work in the Office of the State Minister for Conflict Resolution and to advance the issue of the repatriation of the deported Meskhetian population within government circles. The issue of the Meskhetians came to be one of the main areas of co-operation between ECMI and the Georgian government and work on this issue went hand in hand with a large-scale research project funded by the Volkswagen Foundation entitled "Between Resettlement and Integration: The Meskhetian Turks". Under this project ECMI provided extensive assistance to the Georgian government's efforts in developing policies and strategies concerning the repatriation of the Meskhetians.

Another area of co-operation between ECMI and the Georgian authorities was through the support ECMI provided to the office of the Public Defender of Georgia. In December 2005, ECMI facilitated the establishment of a Council of National Minorities (CNM) under the auspices of the Public Defender and seconded a local human rights expert, Mr. Koba Chopliani to the Public Defender's Office. The aim of the CNM was to bring an institutionalized mechanism for minority-state consultation into being at the national level. In 2006 enhanced efforts were undertaken in order to develop the Council into a viable and respected structure. The CNM came to include some 80 national minority organizations in Georgia. Representatives from the regional stakeholder networks in minority regions, the Javakheti Citizens' Forum and the Tsalka Citizens' Forum (see above) as well as other regionally based minority groups were also encouraged to take an active role in order to ensure a fully representative function of the Council.

A third area of co-operation between ECMI and the Georgian government has been in relation with the commitments Georgia made on joining the Council of Europe (see above). Georgian formally ratified the Framework Convention for the Protection of National Minorities in December 2005 and the treaty entered into force in April 2006, and ECMI played a very substantial role in facilitating the ratification of the treaty by organising seminars, conferences and workshops in the summer and autumn of 2005 that brought together representatives of the

government, the Council of Europe and minority organisations. The method used was quiet diplomacy and the facilitation of both formal and informal contacts and this played a particularly important role in ensuring that the Georgian parliament ratified the FCNM without declarations (see below). ECMI's consultations with the government on the FCNM continued after its ratification, but attention then turned to its implementation and the preparation of the first state report. In June 2006, two seminars were co-organized with the Council of Europe and the Georgian Ministry of Foreign Affairs on the implementation of the Convention, respectively with government/parliament and with minority representatives. To enhance the basis for drafting a high quality first state report, due for publication on 1 April 2007, ECMI has a series of consultations with government officials to provide inputs to the content of the report.

Finally, ECMI has also collaborated with the Georgian government on issues of local self-government. With local elections held in Georgia on 5 October, a new law on local self-governance entered into force. The law envisages, *inter alia*, the delegation of more power to local district authorities in administering their own funds. ECMI worked closely with a range of state bodies on this matter, notably the Centre for Effective Governance and State Territorial Reform (CEGSTAR) and the Parliamentary Committee for Regional Policy in enhancing awareness on the implications of the new law and the overall decentralization process. ECMI facilitated several meetings between the above-mentioned state bodies and regional minority representatives to consult on decentralization, and a national expert was seconded to CEGSTAR to support this structure in elaborating policy mechanisms for regulating minority governance based on European standards.

### **C. Funding and partnership**

ECMI's activities on enhancing the institutional capacities of executive bodies of governance are funded by the Neighbourhood Programme Department of the Royal Danish Ministry of Foreign Affairs (FRESTA). Missions to the Northern Caucasus, Azerbaijan and Central Asia to assess the current living conditions of Meskhetian Turks, in which government officials also participated, were funded by the Volkswagen Foundation. The main partner in this project is the Georgian government, specifically the office of the State Minister for Conflict Resolution, the Public Defender of Georgia, the Georgian Ministry of Foreign Affairs and other state departments. Since 2006, Danish funding for these activities has been consolidated into Denmark's Caucasus Programme 2006-2007.

### **D. Implementation and outputs**

As mentioned above, ECMI played a crucial role in facilitating Georgia's ratification of the FCNM. During September 2005, ECMI organised three events to enhance the awareness in Georgia on the FCNM and to further the process of ratification of the Convention. The three events enabled policy makers, minority representatives and other interested stakeholders to become more familiar with the convention and various fears of its implications were allayed. As a consequence of the activities organised by ECMI, closely coordinated with the efforts of the Council of Europe office in Tbilisi, the ratification process was put back on the agenda in parliament. On 13 October 2005, parliament formally ratified the Framework Convention.

It caused some concern that Georgia might follow the example of Latvia and ratify the FCNM with declarative statements limiting the implementation of specific provisions. Indeed, when the

FCNM subsequently was ratified by Parliament, as many as seven declarative statements were made in the ratifying resolution. By quiet diplomacy in the following weeks, however, ECMI conducted a number of informal consultations with Government officials and members of Parliament, including several heads of relevant Parliamentary Committees. The consultations were aimed at persuading the officials to present the ratification to the Council of Europe *without* declarations. According to the procedure of ratification, the ratifying parties have to submit the instruments of ratification to Strasbourg. The instrument may contain declarations, which then become legally binding. During the consultations, ECMI argued that ratification with declarations might significantly damage Georgia's reputation with the international community. With the assistance of a legal expert, Christopher Decker (OSCE Legal Advisor Kosovo), ECMI also produced a letter to the Parliament, which reviewed the resolution of Parliament on ratification and provided advice on Georgia's approach to the ratification process. These efforts appeared to bear fruit. On 22 December, the instrument of ratification was deposited with the Council of Europe without any declarations.

ECMI also elaborated a feasibility study on the implementation of the Framework Convention. This study, conducted in 2006, undertook to identify the gaps in legislation and policy practice for Georgia to comply with the Convention. The report, which is informed by literary sources and fieldwork among minority communities, has been widely circulated among government and minority stakeholders. As a result of efforts by ECMI and the CNM, the Georgian government undertook to establish a working group to draw up the first state report due on 1 April 2007.

Turning to the next major area of co-operation with the Georgian government, ECMI's assistance has brought Georgia to a point when it will soon be ready to adopt a law on the repatriation of the Meskhetian Turk population. Through close cooperation with the State Minister for Conflict Resolution Issues, Mr. Giorgi Khaindrava, ECMI facilitated missions to the Northern Caucasus, Azerbaijan and Central Asia, where Meskhetians are settled in large numbers. The missions allowed the government representatives, including the State Minister himself, to gain further knowledge of the populations and also to engage in active consultations with representatives of Meskhetian organizations, not only in Georgia but also in several other countries of settlement, including Azerbaijan, Kyrgyzstan and Kazakhstan. A mission was also conducted to Central Asia, to identify the central archives with registration data on the originally deported Meskhetians. These data will be of significant importance for the Government in the process of screening Meskhetian applicants for citizenship in Georgia.

As an additional step to advance the process, in December 2005 ECMI, in collaboration with the State Commission on Repatriation and in coordination with the Council of Europe, established a working group consisting of prominent Georgian legal expert. The expert group, working from December 2005 through February 2006 completed a draft law on repatriation. Although the Georgian government has been somewhat slow in making preparations for adopting the law, it is envisaged that the law will be adopted at some stage during 2007.

As to the capacity-building aspect of ECMI's co-operation with the Georgian government, with ECMI support the Council of National Minorities (CNM) developed into a powerful forum through which members of national minorities and minority organisations are able to voice their demands and has been particularly active in helping to ensure the implementation of the

Framework Convention. During 2006, the CNM drafted a set of elaborate recommendations to the government, emphasizing deficiencies in Georgia's current legislation and policy practice in relation to the provisions of the Framework Convention. Subsequent to the elaboration of the recommendations, which were drafted by four thematic working groups, consultations were made with government stakeholders in December to familiarize them with the views of the minority representatives. In the first half of 2007, the recommendations will be further refined, also taking into account the feedback from the state structures. Eventually the document will be developed into an alternative report, supplementary to Georgia's state report on the FCNM, to be submitted to the Council of Europe.

#### **E. Outcomes/evaluation and lessons learnt**

ECMI's co-operation with the Georgian government facilitated the ratification of the Framework Convention in late 2005. This must be seen as a very major achievement of the project. In addition, ECMI also facilitated the establishment of a body, the Council of National Minorities that has become a real forum in which diverse representatives of minority groups have been able to find a voice. Of special importance is the fact that the CNM resolved to draft an alternative report on the implementation of the FCNM, to be submitted to the Council of Europe.

The main lesson learnt here is that quiet diplomacy works with the Georgian government. Many of the issues associated with the implementation of international minority standards are highly controversial in a country in which ethno-national discourse has dominated the public arena for at least two decades. The government is sometimes prone to backsliding as it fears being seen by sectors of society as well as its political opponents as somehow betraying the national idea. There is therefore an over-riding need for a continuation of the kind of sustained persuasion that eventually led to Georgia's ratification of the FCNM. As ECMI gradually takes a back seat role and eventually withdraw from Javakheti as the JCF becomes more sustainable, it will deepen its co-operation with the Georgian government in order to secure that the FCNM is implemented in a satisfactory manner, that the European Charter for Regional and Minority Languages is signed, that a law on minorities is adopted and that a legal framework is established to allow the repatriation of the Meskhetian Turks.

#### **Link to Academic Outputs**

The following are ECMI Working Papers, available at

[http://www.ecmi.de/rubrik/58/working+papers/:](http://www.ecmi.de/rubrik/58/working+papers/)

#15: Sabanadze, Natalie, International Involvement in the South Caucasus. February 2002, 37 pp.

#21: Pentikäinen, Oskari and Tom Trier, Between Integration and Resettlement: the Meskhetian Turks. August 2004, 54 pp.

#26: Wheatley, Jonathan, The Status of Minority Languages in Georgia And the Relevance of Models from Other European States. March 2006, 37 pp., appendix.

#28: Wheatley, Jonathan, Implementing the Framework Convention for the Protection of National Minorities in Georgia: A Feasibility Study. October 2006, 64 pp., appendix.

The following are ECMI reports, available at <http://www.ecmi.de/rubrik/57/reports/>:

#56: Blacklock, Denika, Finding Durable Solutions for the Meskhetians. A Presentation of Preliminary Findings and a Roundtable Discussion with Government and Civil Society Actors in Georgia. August 2005, 20 pp., appendix.

#57: Tom Trier and Eleonora Sambasile, Report on the International Conference, 19 September 2005 in Tbilisi 'Towards Ratification' Conference on the Framework Convention for the Protection of National Minorities. December 2005, 51 pp., appendix.

In addition, the following edited volumes are to be published in the near future:

Trier, Tom and Andrei Khanzhin (eds) (forthcoming), The Meskhetian Turks at a Crossroads: Integration, Resettlement or Repatriation. Publishing date: June 2007. Publisher – English version: LIT Verlag, Germany

Trier, Tom and Andrei Khanzhin (eds) (forthcoming). Turki-Meskhetintsi pered viborom: Integratsia, Immigratsia ili Repatriatsia. Publishing date: June 2007

Publisher – Russian version: Aleteya, Russia.