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Research Booklet



Introduction

Human Rights are one of the core values of the Council of Europe being embedded in its founding treaty of 1949 and being reinforced by the adoption European Convention on Human Rights in 1950. The adherence of the Human Rights, however, should not be seen as fulfilled and accomplished in Europe. The violating and suppressing of Human Rights do regularly occur in the news, both from outside and inside of Europe.

The topic of Human Rights is a quite difficult one, as it combines judicial, social, cultural and many other matters. Many European citizens take Human Rights as given and do not see the multilayer problems.

Therefore we started a project that should set an incentive for the participants to get in contact with the current situation of Human Rights before the session. The project aimed to arouse interest for the discussions about Human Rights' problems in their home countries and to give an impulse to look behind superficial media reports and research the background of the topics. Each delegation or each delegate was given two or three questions from which they could choose one and write a report about it. The question concerned up to date discussions in their home country. During their preparations they were supported by contact persons.

This booklet shows the results of their work.

And these results are really impressive. We received an unexpected huge amount of research material prepared in a very attentive way. Of course, the reports differ in length and content due to the number of delegates dealing with one topic. Reports sent in by delegations that worked together were merely overlooked for English mistakes and political correctness but are mainly put in this booklet like we received them. The hardest part was to merge together the research material of delegates working separately on the same topic. The many opinions which differed in several cases on the same topic show the necessity of the dialogue we are facing during the 2nd Franco-German Forum. We did our best to give each article the recognition and presentation it deserves and hope that the authors of the reports are content with the merged texts.

We encourage you to take your time to get an insight on the current Human Rights' discussions in Europe and to read the reports because they are definitely worth it!

A special thanks to all the hard-working participants of the 2nd Franco-German Forum 2009!

| Eva Raiber and the research project team

The single articles express the opinions of individuals but cannot be associated with the organisation or the position it holds. The content of these articles is a summary of a research done by the participants of the 2nd Franco-German Forum of the European Youth Parliament Germany in 2009. The organisers and the editor of this summary did only check for language and consistence and would like to thank the participants of the Forum for their hard working.



Czech Republic and Discrimination against Roma

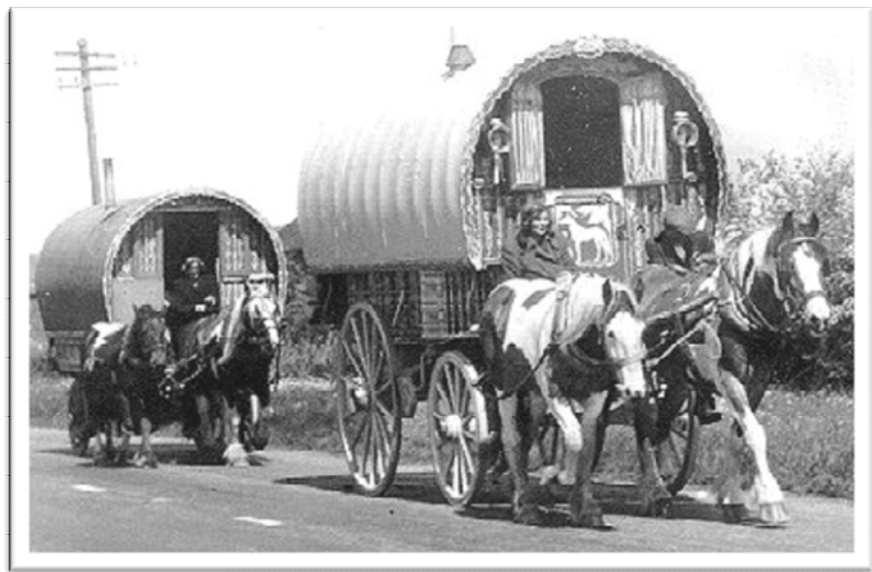
By Jan Brothánek, Kristýna Borská, Jakub Jílek, Veronika Trtková, Lukáš Wsól

The problem of Roma being discriminated against is closely connected to the Roma's history in our country, which is almost as old as the country itself and many political, social and cultural changes throughout the centuries led to the situation nowadays. The problems the so-called "Gypsies" are facing were tried to be solved but hasn't brought a sufficient result yet. Here are some facts for becoming familiar with the topic.

Through the eyes of history

The first mentioning of "Gypsies" is from the Dalimil's chronicle. Before WW I the Roma people who were called "Gypsies" were mostly lacking a standard education and even if they were educated they would have had difficulties finding a place in society. Even if they were officially acknowledged as a national minority, they still did not have equal rights. In 1927 the "Law on Wandering Gypsies" was passed. It meant that all the Roma got registered and had to apply for permission to stay the night. The aim was to "civilize" their way of life (they wanted the Roma to settle down), but it can also be seen as an attempt to assimilate the Roma. The greatest

tragedy for the European Roma was during WW II, when they were considered to be an inferior race by the Nazi-regime and their racial theories, just like the Jews. At the beginning of 1939 the Roma were forced by law to settle down. Those who didn't obey were sent to working camps. After



The original migrant lifestyle

WW II a lot of Romani people came back to the

Czech Republic and were welcomed as needed labor force. Gradual dissolution of the traditional Romani way of life and the population growth also exacerbated the level of poverty and social exclusion of the Roma, and thus increased the crime-rate among them. In 1958, a law on immediate settling down was passed. Roma had to start living where they were (for example the police cut off the wheels of caravans and took away their horses). In 1965, another law on the procedure of dispersing the Romani population was passed, through which Roma from eastern Slovakian Romani villages had to move to Bohemia to work. In this way, the Roma were moved from their traditional cabin housings to newly built

areas, far away from their social background. Then they were segregated, their children had to visit “special schools”, etc. Immediately after the Velvet revolution their emancipation started. The first ones began to become members of the Czech parliament; new organisations started their work.

Positive discrimination

The Czech Republic is a democratic country. It means that the government has to guarantee the same rights for everyone and nobody can be underprivileged because of their religion, gender, height, etc.

Like each (real) democratic country in the world, the Czech Republic is worried about being accused of discrimination. The Roma are no exception – the Czech Republic’s government wants to appear tolerant, so almost each Roma who requests social security benefits receives it. Local



The Roma habitation

administration workers are not only afraid of Roma, they are also afraid of the possibility of being accused of discrimination. And because of the fact that the Czech Republic wants to appear as a tolerant and democratic country, Roma are very often given generous social security benefits. An alarming number is that, according to analyses, 90% of Roma do not have a full-time job.

In the view of ordinary Czech citizen

Minorities often face difficulties because of other people who cannot tolerate their differences. In comparison with other minorities in the Czech Republic (evangelicals, homosexuals, handicapped) Roma have one disadvantage – people in the Czech Republic feel that they are not of the same ethnicity. Homosexuals have a different sexual orientation but still have the same skin colour, same habits and same origin. Whereas Roma are perceived as intruders – it means that a large portion of Czechs thinks that they should go to the country they originally came from – to Romania. Parents tell their children not to talk to Romani classmates and to beware of the contact with them. So the little children get the idea that Roma are abnormal and bad. And these ideas later develop into discriminating behaviour. Besides, there are some who start hating Roma after a personal bad experience with one of them.

Fortunately, there are some who don't have any problems with them. Moreover, some of us have met pleasant and honest Roma and have found friends among them. Regrettably, this is uncommon.

In comparison with other minorities

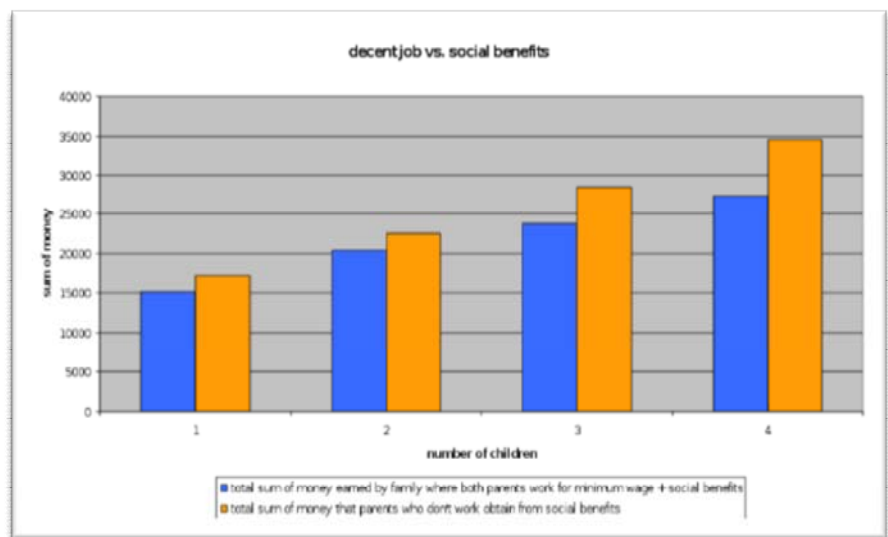
In the Czech Republic, there are twelve officially acknowledged national minorities. But most of the news about national minorities is only about Roma. And this news is often negative. This is also one of the main reasons why a majority of Czech people are afraid of Roma and try to avoid them.

Differences in culture, religion or behavior are the main reason why Roma think that they are not part of the events of our country. Most of them haven't got a job so they usually seem to not do anything what increases their dependency on the social welfare and supports existing prejudices.

Brief summary of the current Czech welfare system

In order to properly address the issue of mass unemployment and social unrest among the Roma population in the Czech Republic, we need to consider the political-economic aspect. Generally, political parties across the political spectrum tend to gain votes by unreasonable increases of benefits for one group or another, e.g. by strengthening the welfare system. Consequently, these huge increases lead (besides to an enormous national debt) to a paradoxical situation

where families with unemployed parents obtain more money in total than families with parents properly employed. Therefore, this welfare system gives preferential treatment to those who do not want to work to the detriment of those who are struggling to make ends meet for a minimum or below-average wage.



Simply said, with a

regard to an average education level of the Roma population, it is better for them not to work. This fact is considered to be the major factor in the mass-unemployment problem. The graph demonstrates the average income of basically 2 different types of families. In the first, both parents work for a minimum wage (which is 2x 7120 Czech crowns = 2x 275 Euros), while in the second both parents are unemployed. The X-axis shows the influence of children on the benefits. The Y-axis shows the amount of money earned/obtained in total.

Now it's up to you to take your point of view on the whole situation!

France and discrimination against migrants

By Valentine Barasz, Agathe Beauvais, Chloé Dos Santos, Tristan Duquesne, Farah Hapiot,
Ernestine Mbengue

Even though France is known as a country of immigration, problems of discrimination towards immigrants remain in the early 21st century, to the point where we can ask ourselves: “Are immigrants treated fairly and are their human rights fully respected?” First we will give examples of the way they are treated, then what their rights are and finally what the measures taken to fight against this discrimination are.

How are immigrants treated?

Many asylum seekers, refugees and immigrants face judicial obstacles and discrimination in seeking adequate and affordable housing. They are therefore bound to stay in bad living conditions, which affect their health, and frequently have to settle for poor-quality housing on the private rental market. Living in a disadvantaged area also aggravates social exclusion and reduces opportunities to escape poverty. Many immigrants live in homes connected to their work. Often this is synonymous with insecurity, poor quality housing, exorbitant rent, lack of privacy and dependency that discourages people to complain, either about their jobs or about their homes. Because of these problems, in most European countries, the risk of being homeless is disproportionately important among immigrants. Their legal status may also prevent access to services for homeless, which only aggravates the problem.

For certain categories of migrants, going from a resident's permit to a worker's permit is a key obstacle to finding work in France; rules even have a tendency to become more specific and gradually stricter. In addition, a good share of immigrants is only able to find either part-time, underpaid or temporary employment, with the risk of being exploited. And this is true not only for unqualified migrants: because of the non-recognition of diplomas, even highly qualified aliens have to face such situations. Finally, racial discrimination sometimes leads to being refused a job during an interview (cf. Document 1).

An alien, who lives in France and is in a regular situation, has the same rights as French citizens concerning the law and in the eyes of justice. But, in 2008, President Sarkozy announced that he wanted to create « special jurisdiction » for migrants. This jurisdiction would take care of issues concerning aliens and their rights. In fact, nowadays, the law in this field is taken care of by ordinary, non-specialized tribunals, administrative or judiciary. This project aims to improve the conditions of treatment or the situation of the migrants in France, although some people reject it, claiming that it is somewhat similar to measures taken under the government of Vichy.

Many studies have shown a link between social origin, immigration and educational success. For young immigrants who want to continue their higher studies in France, there are no adapted structures for those who do not speak French fluently. For the others, there are often discriminations at the admission in universities. Moreover they are often forced to work to pay their fees. But new laws were passed. They must now ask for a work authorization, a complicated and long process. Secondly even if they obtain a Master's degree, they cannot always ask for a temporary resident's permit. In 2002, Algerian students denounced these injustices and wrote a letter to Le Figaro to make the people aware of their situations.

Elements of suitable housing for migrant households in 2006, in %				
Sanitary	All households	Non-immigrants household	Mixed household	Immigrant households
Without water or tap water only	0.6	0.5	0.1	1.6
Water, indoor toilet, no plumbing	0.5	0.5	0.0	0.2
Water, sanitation, without indoor toilet	0.5	0.5	0.3	0.8
Indoor toilets, bathtub or shower, no central heating *	5.4	5.6	4.3	4.5
Indoor toilets, bathtub or shower, with central heating *	93.1	92.9	95.3	92.8
Together	100.0	100.0	100.0	100.0

Note: A household is said immigrated here (respectively non-immigrant) if the reference person and spouse are potential migrants (non migrants respectively).
The geographical origin of immigrant households are determined by country of birth of reference person.
A household is called mixed if it consists of an individual immigrant and a non-immigrant. By construction, households are composed of mixed couples.
(1): Sanitaryware: shower, small or large tub.
(2): mixed heating, urban, independent electric boiler or by individual or collective.
Field: metropolitan France.
Source: INSEE Housing Survey 2006.

Immigrants face greater difficulties in accessing social services than other social categories, because sometimes they cannot assert their rights. Some immigrants are not informed enough or are unfamiliar with the existence and operation of these services. Language problems and inadequate services can compound these difficulties. But there is a provision of welfare services in France (which is why it is called "Welfare State"), such as the CMU, the Universal Health Coverage. This social protection concerns legal immigrants and illegal immigrants as well. Thus, for example, foreigners working in France, if they are legally declared, enjoy the benefits of Social Security (Health Insurance, compensation for work accidents, maternity leave for women ...).

Immigrants can also benefit from financial assistance as under the Family Allowances Fund, but they are sometimes victims of discrimination as has been the case in June 2009: the FAF had removed a hundred benefits to immigrants on a single "presumption of fraud" and had been reprimanded by the High Authority against Discrimination.

Migrants often suffer from health problems, due to bad alimentation, difficult work conditions, complex adaptation, and problems finding efficient services. Recent legislation has led to a further deterioration in the status of foreign nationals living in France (removal of the right to regularisation after living in France). Moreover, access to free health-care for migrants is still a dream: a considerable number of them have no access to health care. Measures have been taken in Calais: 397 free consultations have been given to migrants. Besides, 21 Health-care and Guidance Centres have opened in the entire country. They set up prevention programs against HIV, give free medical consultations to the migrants, are lobbying for the implementation of health-care services (PASS, health-care beds in

shelters...), and bearing witness to the migrants' living conditions and difficult access to health-care. The real problem is definitely the expensive price of the consultations and the terrible living conditions of the migrants. Besides, the migrants are not always aware of the existence of associations or hospitals that could help them.

What are their rights?

Both the Universal Declaration of Human Right and the Charter of Fundamental Rights of the European Union criminalize discrimination in their articles. The rights of foreigners in France are partly similar and partly different from those owned by French citizens. The definition of "foreign" is any person not having French nationality. Political rights, strictly related to French citizenship (and voting eligibility) are not granted to foreigners, except for EU nationals for local and European elections. While the debate on voting rights for foreigners, at least in local elections remains, voting is not yet a reality. The right of entry and residence in French territory is not given to aliens. This provision was clarified by the Constitutional Council (decision 1993). The entry and stay of foreigners in France are regulated by the ordinance of November 2, 1945, amended many times since. Again, EU citizens enjoy more flexible conditions, since they can move and reside freely within the territory of the Member States of the Union. Apart from these features, foreigners enjoy the same rights as French citizens. There is obviously no question of depriving them of basic rights simply because they are not "français".

Going as far back as the second part of the nineteenth century, France was one of the first European countries to offer its nationality to migrants. The nationality was given then by jus sanguinis, introduced by the Civil code of 1804 and based on filiation. Ever since that time, France has been a land of immigration. In fact, from 1850 to 1900, the French population stopped increasing and the country developed a need for manpower; these demographic factors lead the French government to transform the jus sanguinis into jus soli. The migrants start coming from neighbouring countries (Italy, Belgium, Spain, Switzerland and Poland). Up until 1917, a simple declaration to the town hall of their dwelling was enough for migrants to establish themselves and work in France. In 1917 there was the creation of the 1st resident's permit for aliens of more than 15 years old.

Between 1917 and 1929, we can observe a development of immigration with the apparition of political immigrants. France was supporting this immigration because it was a necessity. But after the Crash of 1929, decisions were taken to slow down immigration. The Armbuster law, for instance, gave French people priority for jobs. In 1935 the Government forced some immigrants to go back to their countries. The 2nd November of 1945 is an important date in the story of immigration. The ONI (National Immigration Office which is now the OFII since 1988) was created. Moreover 3 resident's permit were created : for 1, 3 or 10 years. To restart the economy after WWII, France needed immigrants, which led to the creation of the ONI.

1974-1985 : After the economic crisis of 1973, the French government decided to control migration. The Bonnet Law in 1980 attempted to prevent illegal immigration. March 1998 : A law gave the possibility to children born in France from foreign parents to ask for French nationality from the age of 13 (with parents' consent). Lately, a Ministry of Immigration was created.

What are the reactions?

The opinions about immigration are quite divided among French parties. These are some of

the key parties' thoughts about the subject. The FN (National Front – far right) doesn't agree with the decisions previously taken by the government (right of living on the territory etc). They would like to stop any kind of immigration and abolish the laws that help migrants on French territory. The PCF (French Communist Party – far left) wants to welcome the migrants in a warmer way, and to make their rights equal to ours. The PS (Socialist Party – left) wants to regulate the number of strangers who live on an irregular situation. Evidently, agreeing on a single opinion is hard, but all of them don't agree with the decisions taken by the government. The MoDem (Democratic Movement – centre) affirms that the regulated immigrants are only added to the sustained ones. According to them, there should be only one ministry responsible for immigration. Finally, the UMP (Union for Popular Movement – right) wants to strengthen a common European migration policy to entirely control immigration, take care of illegal migrants, and encourage "chosen immigration". This type of immigration allows the host country to choose the immigrants, aims at privileging the qualified workers who could bring one more to the economic situation of the country and avoid the immigrants who would likely take advantage of the social system of the host country. In France, the term "chosen immigration" was popularized as one of the main points of candidate Nicolas Sarkozy during its election campaign for the presidential election of 2007. This term corresponds to a bill led by Brice Hortefeux, Minister of Immigration in 2007.

Reactions of the press and the public are mostly anecdotal. Events like the raid on the Calais "Jungle" or some political blunders (of right and far-right representatives, mostly) have left a mark on the public. A recent article in *Le Monde*, where the journalist (of foreign origin) related his daily humiliations, put into light the evident yet hushed discriminations against migrants on a very large social scale. We also see articles in the foreign press explaining that the "French dream" is not all that simple. We did not have a particular opinion on the subject before being confronted with it because we were not immediately concerned by this question, but this research has made us realize the extent of what had to be done to fight against these discriminations. We now understand why, and feel more concerned about these issues.

There are many institutions created in France in order to fight discrimination and help immigrants in their integration. One of the most important is the High Authority against Discrimination (Halde), an independent administrative authority created in 2004. It is a very influential institution which helps everyone to identify discriminatory practices and to combat them.

The OFII (the French Office of Immigration and Integration) is a government administrative institution, created in 2005. It combines the roles and resources of the Office des Migrations Internationales (OMI) and the Service Social d'Aide aux Emigrants (SSAE). The OFII provides immigrants with support tailored to their needs for civic, linguistic and/or cultural information. There is also the Association Service Social Familial Migrants (ASSFAM), created in 1951, which has nearly the same objectives that the OFII has (to welcome and accompany immigrants). The problem of the integration and rights of immigrants affects many people and there are also small associations created, such as the Group of Information and Support of Immigrants (GISTI) which is expert in rights of foreigners.

To conclude, these different elements show us that France is aware of the current discrimination problems towards immigrants. Recently, this has become a national issue and France government tries to correct the immigrants' situation, even though decisions are not

always sufficient. However, many associations are getting involved in the protection of the immigrants' rights and provide non-stop support for the ones who undergo discrimination. The question is: how could we transform these efforts into something more effective?

Amendment about the French National Identity By Feyriele Chilot

What is the place of immigrants (foreigners or not) in the city? The rights concerning housing, employment, education, cultural expression, and in health are the same for everyone. However the statutory and legislative rights are not respected in every case and examples for discriminating practices can be found in the access to work and to social housing etc.

Questioning the national identity of the French and the migrants is not a taboo any longer. After the extreme right seized the topic at the beginning of the 80s, and has enhanced fears of overcrowding with foreigners in the population, the debate has now arrived in the mainstream.

Eric Besson announced on October 25th the launch of a large debate on national identity. "I want to launch a big debate on the values of the national identity, on what is to be French today".

The announcement of the organisation of this vast debate was a large boost for a topic, which has been on the agenda since Nicolas Sarkozy's presidential election campaign. A little bit before the presidential elections of 2007, a poll had shown that the debate on the subject of the national identity in the electoral debate was judged as a „good matter " by 62 % of the French people, and 81 % of the potential voters of Mr Sarkozy.

So the taboo is broken and the debate is starting. But which direction the public opinion will take is not sure yet.

France and Freedom of Press

By Florian Marandet

The state of freedom of press has been worsening in France for the past several years as a result of tension between the press and the authorities, growing pressure on journalists to reveal their sources of information and reform of the public broadcast sector.

The year 2008 opened in a climate of heightened tension between the president, the government and the media. In February, Nicolas Sarkozy broke with the practice that French heads of state do not sue journalists. The president laid a criminal complaint against *Le Nouvel Observateur* after it carried an article, which turned out to be untrue, relating to a text he had allegedly sent to his former wife. In May, a



deputy for Hauts-de-Seine and spokesman for the president's Union for a Popular Movement (UMP), Frederic Lefebvre, launched a verbal attack against the AFP news agency for failing to put out one of his press statements. The president returned to the fight and

accused *L'Express*, *Marianne*, *Le Parisien*, *Le Journal du Dimanche* and *Agence France-Presse* of "taking on the job of the opposition". Then the reform of public broadcasting, begun in May 2008 and promulgated at the start of March 2009, allowed the council of ministers to appoint press executives in the public sector. Finally, in April 2009, four journalists working for



Sarkozy promotes his policy on TV

*TV:

- "The recovery plan deserves your trust."
- "The government washes whiter."
- "Sarkozy, the perfect masculine style."

*Man: "Darling! Look at that! They have put back advertisement on French TV"

the website Rue89 and for France 3 were summoned by the anti-crime unit, the BDRP, and accused of theft and receiving stolen property after Rue89 posted a video on its website of off air remarks made by Nicolas Sarkozy, particularly about public service in the media ahead of an interview on the evening news bulletin on France 3.

Alongside deteriorating relations between the public authorities and the press, there has been a worrying rise throughout the same period in investigations, warrants and searches involving journalists and media. France now holds the European record in this field. The year 2008 began under the cloud of the case of Guillaume Dasquié, editor of Géopolitique.com, who was held in custody in December 2007, facing charges of “violating state defence secrets” and closed with the early morning arrest of Libération journalist Vittorio de Filippis, who was subjected to a body search before being investigated in a straightforward libel case. In the meantime, several media offices were subjected to searches including AutoPlus, La Nouvelle République du Centre, and Tac Presse.

Journalists, who have been accused of violating the confidentiality of criminal investigations and professional and state defence secrets, have come under pressure to reveal their sources of information. Reporters Without Borders is campaigning for the principle of protection of sources to be enshrined in the 1881 press law. Nicolas Sarkozy made this very promise during his election campaign, but even though a draft law was put forward on 2 April 2008, it is still waiting for its second reading in the National Assembly which has a heavy backlog of business.

France and Illegal immigration

By Eugénie Rooke

«There are no solid estimates of the number of illegal aliens in France. The Immigration Ministry puts it at 200,000 to 400,000, (Dominique de Villepin, in May 2005) many are from former colonies in Africa. France has a population of some 63 million. On May 11, France announced tough new measures to end the flow of illegal immigrants. These measures include rules to stop arranged marriages and the use of biometric visas. France is just the latest European country to increase efforts to stop illegal immigration, adopting policies that favour the regularization of skilled foreign workers.

Last November, European Union leaders adopted a five-year plan to improve cooperation on immigration and asylum policy. This led some to call the EU "Fortress Europe," with strict border controls and fewer visas. The president, who cultivated a tough-on-crime image while serving as Interior Minister, says France needs a new kind of immigrant - one that is "selected, not endured." »

This was in 2005. Sarkozy wanted to take measures to take care of the problem of illegal immigration in France. In a nationally televised interview Sarkozy went further, saying he wants France to adopt immigration quotas by regions of the world and by occupation.

"I want us to be able to establish each year, after a debate in parliament, a quota with a ceiling for the number of foreigners we accept on our territory," he said.

European countries to the south, like Italy or Spain, face a greater challenge from illegal immigration than France - but neither has set themselves targets for throwing out aliens.

On September 22 2006, French foreign minister Nicolas Sarkozy has signed an expansive deal with his Senegalese counterpart Ousmane N'Gom, designed to limit illegal immigration.

Under the deal France will loosen up travel restrictions for Senegalese businessmen and academics while reinforcing controls on illegal traffic.

In France citizens who help illegal aliens to stay in France risk a five-year prison term, and the fact of staying in an illegal way on the territory is an offence, liable to one year of prison, to 3 750 € of fine and of 3 years of ban on the territory (article L621-1 of the code of the entrance and the stay of the foreigners and the right of asylum).

In France, it's legal to send back an illegal immigrant to his land of origin. When Brice Hortefeux left the Ministry of Immigration (on January 15 2009), he declared to have send back 29 000 illegal immigrants to their home country. (20 000 in 2002)

It's not new that France limits and controls the numbers of illegal immigrants in its territory. But now, after nearly three years of debate, European Union interior ministers this month agreed on the measure of a law which allows illegal immigrants to be detained for up to 18 months, which allows detention without trial and means of illegal immigrants who would also face a re-entry ban of up to 5 years. The measure, which has been widely criticised by human rights groups, now needs to be agreed by the European Parliament. Some people say that it's « an imperfect but necessary law. ». This will mark the first piece of legislation on illegal immigrants passed across all 27 member states.

It can be against the human rights because an illegal immigrant can flee dangerous living conditions in his origin country and would like to be in France for political asylum. The people who are fleeing their country are searching work, money, would like to raise their children in good conditions. It can be dangerous for them to stay longer in their country because of their political opinion that opposes the authoritarian regime in their country. To limit illegal immigration would be denying the difficulties which these people face in their country, and it would be unfair to accept just a part of them and not the other.

Germany and the Law against Extremist Parties

By Maren Christian, Mariama Hubig, Lisa Schommer, Anna Schu, Scharareh Sharifat

Supervision, prohibition, right of assembly - Germany knows a lot of possibilities, to fight against Neo-Nazi's. Which one they apply is a question of utility and not of principle. Germany's most extremist parties are the NPD and DVU followed by the currently popular party „die Linken“. In contradiction to the „Linken“, the rightist extremists do not seem to have learned from their past mistakes. Thus, these two parties still spread inhuman slogans. A prohibition of such a party would stop the right-wing propaganda, but such a measure would also violate freedom of expression.



The German Constitution says no freedom for the enemies of freedom, but because of the fact that this is not stated in German law it has no validity. Since 1990 Germany has set itself the goal to protect its constitution from anti-constitutional parties.

An attempt to ban the party has already failed before the Constitutional Court. Only it can outlaw a party, but the required 2/3 majority was not reached.

A prohibition of these parties would not argue against the freedom of opinion, because the followers of far right parties will still be able to have the same thoughts, they just will not have any more political influence.

The right wing extremists are still present in some parliaments, but are not yet a people's party which means that there is no need to interfere. Steps against anti-Semitic propaganda and a negative attitude against extremist parties should be enough to discourage them.

Germany and Gender Equality

Merged by the reports of Julian Georg, Larissa Köhler, Mirja Kuhlencord, Sabrina Konzok, Gwendolen Pare



It is commonly known that gender equality is necessary in order to provide justice among the citizens. However, in Germany we have serious problems with gender equality: Surveys show that Germany is on the bottom of EU-rankings concerning gender equality.

The basic law of the Federal Republic of Germany states in Article 3, No. 2: "Men and women shall have equal rights. The state shall promote the actual implementation of equal rights for women and men and take steps to eliminate disadvantages that now exist".

Although gender equality is a social consensus in Germany, the country has not yet even implemented the full EU-regulations concerning gender equality. It seems as though the realisation of this common ideal

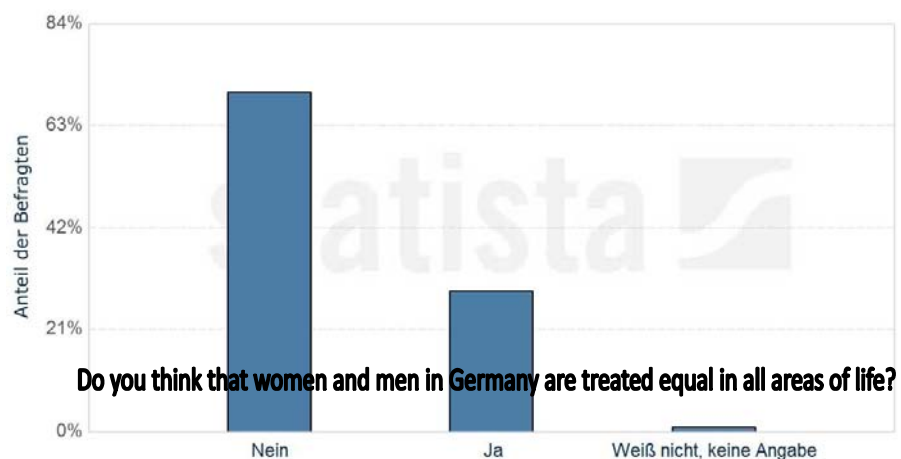
of gender equality, having been delayed and never fully achieved over the past decades, is of more difficult and complex causes than admitted. Since 1995 the overall statistics about gender inequality in Germany are even getting worse.

At first glance, equality of the sexes in our society is a paradox. On the one hand we see young women who leave school with better grades than young men. On the other hand, this educational advance does not lead to more success in accessing training and in gainful employment.

In addition to this, differences in wages are a serious problem. Women earn about 22% less than men in the same positions. With numbers like that Germany is on third position concerning the gender payment gap in Europe. Just in Poland and Spain the differences between the salaries of men and women are bigger.

It is not as if women are not ambitious, they do want to climb the social ladder (survey

"Frauen auf dem Sprung" Institut für angewandte Sozialwissenschaft) but have to work much harder for it than men. They are also still under-represented in political institutions. There are of course divergences within Germany, i.e. gender



inequality appears less in Eastern Germany because of the long-term benefits of the gender policies of the former DDR. Smaller firms treat women less unequally than bigger ones. Member-firms of the German tariff-system are generally less progressive when it comes to gender equality as their tariff-system doesn't oblige them to change and improve the tariff-situation.

Ursula von der Leyen, Germany's minister of family affairs, said: "The problem starts when the first child is born. The wage differential between women without children and women with children is bigger than the wage difference between women and men. In Germany we have as many women in leading positions as in the European average. That is not well-known, but it is the way it is. But we are the rear end light at women who are directors and have children younger than 5 years old." In her opinion Germany should improve the day care for children so that mothers could concentrate better on their business.

What reasons can be found to explain this unpleasant and even embarrassing situation? First of all the German tax system does not encourage families with two earners, but instead makes it more favourable to only have one earner in a household. In addition to this advances training for women is not invested enough in, as women do not plan for a continuous career, because of children.

This thinking collaborates with traditional views on the role of women in family life, which are still highly represented in the population. 49% of the people in West Germany and 31% in East Germany think that it is better for everybody if women are staying at home taking care of the children and the household (2000).

As a result many companies think that men are better prepared and more ambitious because they concentrate on their careers. Women concentrate more on getting children and being a good mother. In any case that is why most of the companies choose men for higher positions and remunerate them better. This adds up to women earning less money than men. Company leaders also argue that if women get children they would not be able to do their job for some time. Because of that insecurity many people say the wage differential is fair.



Furthermore there is a lack of support during parental leave, not encouraging men to take it. More profoundly, the social acceptance of prioritising a man's career above child-care is by far still higher than in the case of a woman's career. Again, this entails another problem: the German educational system does not facilitate simultaneous work and child-care. In Germany, children are admitted to school at the age of 6 years. For many, this means looking after children for a minimum of six years as the obsolete system of day-care for children is not available for everyone. This can make them incapable of regular work for a long time. Later on, women can often only work part-time as children's classes are only open until 1 am and an efficient afternoon-care system for children of full-time working parents hasn't yet been developed

The question now is how to solve this problem of gender inequality in Germany. There have been several attempts to enhance the women's situation.

However, changing public opinion on a certain matter is a long-term process that cannot be easily influenced by governmental actions. Therefore it is more efficient to deal with other problems first and maybe hand in hand public views will change with the improvement of the current situation. The



first step of the German government should be to improve the family situation.

A first step to do this can be found in the child credit ("Elterngeld") that gives money to parents for 12 months and two additional if the other parent stays at home. This helps to also encourage fathers to take a break and take care of the children, as well as making it easier to actually have children.

Additionally, something has to be done about child care. More kindergarten places need to be created so that every mother or father have the opportunity and time to work.

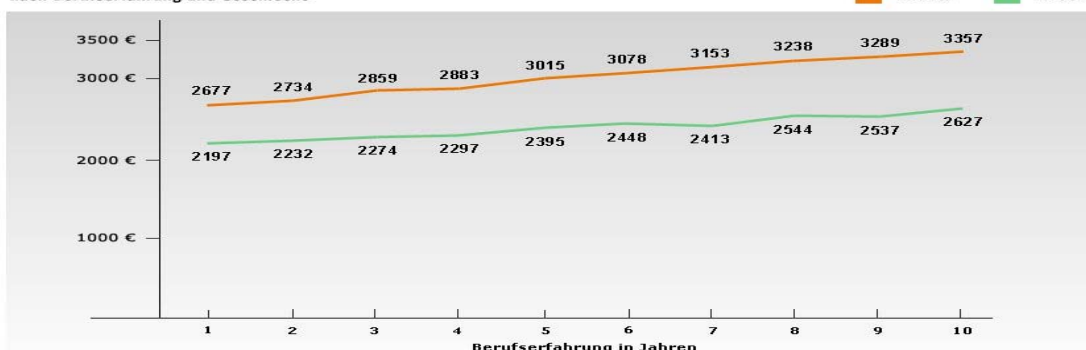
After that, we should secure women's policy as a distinct area of politics. Germany should consistently implement and improve the Federal Equality Act. This can be done by adopting an equality law for private businesses and oblige enterprises to promote equality of women and the compatibility of job and family until the average wages of women and men are the same and women make up half the number of people in every wage group.

To name a different approach, traditionally female-dominated professions must become more attractive and demanded for by men. This means, however, that unless there is a similar professional reorientation of women and men on both sides, the result can never be an equal, emancipated one.

Although there are a lot of different strategies to enhance gender equality in Germany, there is no real political strategy against wage differences and in many people's opinion politicians should do more to inhibit the unfair attendance of women in Germany. We live in the 21st century in Europe and it's time to change old attitudes towards women forever. Women deserve to get the same compensation for the same performance.

All in all women and men have been equal by law for a few years, but in society we still need to enforce the gender equality. Because as Grethe Nestor said: "The greatest threat to equality is the myth that we already have it."

Einkommen von Berufsanfängerinnen und Berufsanfängern
 nach Berufserfahrung und Geschlecht



Quelle: Hans-Böckler-Stiftung

Germany and Right-Wing Extremism

Merged by the reports of Marianne Bonev, Jim Cramer, Alexander Müssig, Ulrich Johannes Völker

Right-wing extremism is a problem Germany continued to face since World War II. But in recent years the situation seems to get worse. Within the last year, 2000 cases of politically-motivated violence were reported. Every day, about 50 new criminal offences motivated by political right-wing extremism are committed in Germany. Since 1990, around 140 people were killed in attacks linked to the “Neo-Nazi” movement. Motives for these attacks are: nationality, ethnicity, skin color, religion, physical appearance, handicap, sexual orientation or social status.

Another development is the representation of right-wing parties at state parliament level. Namely there are three parties exhibiting nationalistic ideologies. These are the NPD (National democratic Party of Germany) and two smaller competitors: REP (The Republicans – The Democratic Right) and the DVU (German People’s Union). In the past 60 years, the support of extremist parties constantly grew but also decreased, depending on how the current economic situation in Germany was at that time. It is a well-known phenomenon that times of economic crisis and its consequences like unemployment and inflation cause people to be more willing to vote for extremist parties who suggest simple solutions to the acute problems. This has been the case during the last decades in Germany.



Especially with the beginning of the new millennium, there is a new, worrying tendency of a constantly growing support of the extremist parties in Germany. This development caused that right –wing parties, like the NPD are represented in regional parliaments, especially in the East of Germany. They got significant support in the state elections of the eastern “new federal states”, most notably in Saxony, where they managed to get almost 6% of the votes in the last state elections and in Mecklenburg-Vorpommern with over 7% of the votes. The NPD also only narrowly missed out on entering the parliament of Thuringia with 4.3 percent of the votes.

Although their group of possible supporters is growing, on the one hand, the right-wing extremists are still strongly ostracised by the majority of the population, especially in West Germany. Accordingly, the public reaction to the criminal offences connected to right-wing extremism is always the same. Both the press and the democratic politicians get deeply anxious and are full of contempt and incomprehension for the offenders and their racist ideology. As a fact the movement against racism, either peaceful or militant, is much bigger than the “right mob”.

On the other hand statistics from 2008 show that one fifth of the German population has a xenophobic attitude, which was most noticeable in Bavaria with 39,3 % of the population thinking this way, followed by Sachsen-Anhalt (39,2%) and Brandenburg (34,6%). This is not only a problem of the lower classes: according to a study of the University of Leipzig, hatred of foreigners mostly appears in the middle class. However, not all of them would show their opinions by voting for right-wing parties, most people in this layer rather vote for one of the two large German centre parties, many of them are even church members!



The reasons of this development seem to be multi-layered. While most experts agree that the main reason is dissatisfaction of the people, there seem to be more circumstances having an effect. One of them is, for example, the continuous attempt of the NPD to arrive, content-related, in the middle of the German society. In order to secretly slip through, they take over important aims of many other political parties. For example they build on classic topics such

as family, work and home country. They, however, fill these topics with a different ideology. Another reason might be the ongoing trend, that women are being more and more included in right-wing motions. So with this extension the total number of supporters grows for the formerly male-dominated right-wing parties.

Additional to that right-wing extremists have discovered new media for their purpose. With the internet's resources multiplying every day, it gets easier and easier for right-wing motivated web presences, forums and blogs to find their backing in the internet community. Also, the hundreds and thousands of possibilities made available through the web eases the whole political work for right-wing activists. They now can multiply their propaganda through platforms like YouTube and all kinds of forums.

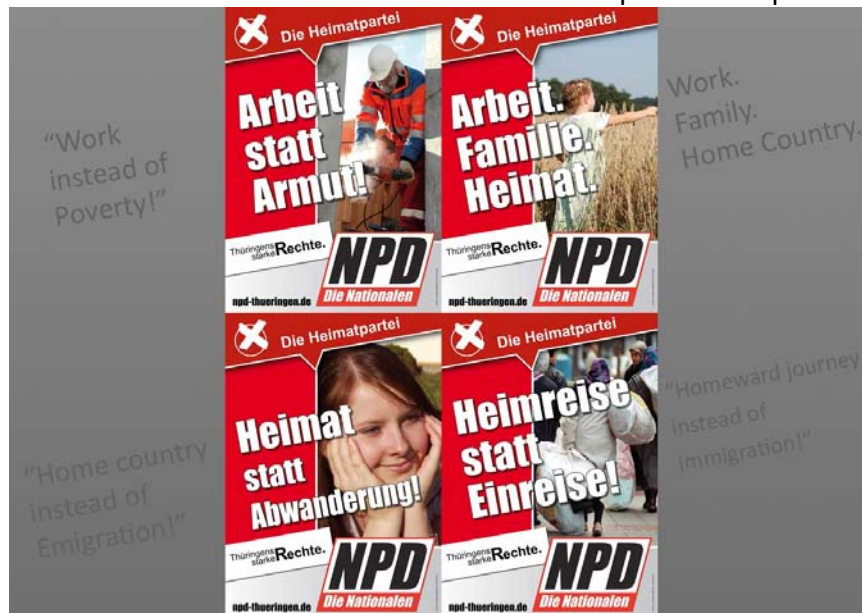
Another fact to mention is that violence with a left-wing background is nearly as high as violence from right-wing background. During harsh periods of increasing unemployment and people's discontentment, right-wing and also left-wing extremist groups win supporters.

When it comes to act against right-wing parties, opinions differ widely. Some are in favor of banning evidently racist parties once and for



„I think theres a left-wing conspiracy to promote the idea of a left-wing conspiracy.“

all. They say that when the German government shows its strength and its intolerance towards racism and extremism, it will become harder for right-wing parties to enlarge their support; consequently problems like politically motivated violence should decrease. Others say that banning right-wing parties would be insufficient and ineffective. A prohibition of the NPD would never lead to an end of right-wing ideology and racist offences. In Germany there is a law that allows the government to forbid parties which stand for ideologies which are against the fundamental basics of the German constitution. In 2001, Chancellor Gerhard Schröder initiated the first prohibition process to ban the NPD that was discontinued after two



years without having investigated how the party contravenes the German constitution. This failed attempt increased the popularity of the NPD. The Bavarian home secretary, Joachim Herrmann (CSU), suggested a second try in September 2009 and got strongly supported by the SPD-led state administrations. But up

until today no legal action has been taken.

Largely agreed on is that better education, cultural exchange and preventive actions are necessary. Even starting from kindergarten an atmosphere of acceptance and tolerance should be created. Because, if persons do not get the opportunities to experience a broad range of cultures, tastes, styles, languages, views and ways of life, they are more likely to adapt extremist or racist viewpoints. So Germany should improve its actions in this area. There are already many interesting and effective projects, but still there is a lot of place for enhancement.

To sum it up, unemployment, relative poverty and other effects can lead to the adoption of extremist and racist ideologies such as xenophobia or homophobia. Criminal actions based on these ideas may be called violations of the universal Human Rights. But the problem that needs to be tackled is not a general readiness to violate Human Rights, but the social background leading to this particular behaviour and leading to the social propagation of the ideologies of an extreme right-wing background. Every society has to offer its citizens, primarily the young people, peaceful alternatives to violence, especially when it is motivated by political misguidance. When the German – and of course every other – society is run with the principles of solidarity and cooperativeness completely independent from people’s social or cultural background, there should not be any need for extremist and racist violence.

Germany and "Security against Privacy"

Merged by the reports of Benjamin Eisert, Felix Kress

Germany has a worldwide leading role in the fight for human rights and personal freedom, however you may easily miss that in Germany too, personal freedom and privacy are more and more pushed back by new security laws.

Over the last few decades and especially since 9/11 governments all over the world measures have been taken to improve the security of countries' inhabitants. Biometrical passes with embedded fingerprints, surveillance in public places, large-scale collecting and analysis of internet and mobile phone data have been installed in many countries for the purpose of protection against terrorists, public attacks and rioters.

But apparently people seemed to be willing to sacrifice parts of their personal liberty in return.

Data preservation

From November 2007 on, within the so-called data preservation, the German internet access providers were forced by the federal government to store precautionary various data for half a year.

In doing so, all different types of connecting data (who, where, when and how) from the Internet, mobile phones and fixed network users are stored. Such data storage can absolutely be laid out as an intervention and offence to the right to private sphere.

The discussion concerning the enforcement of this law was the prevailing subject in the press for a long time. Data protectionists and opposition parties filed a constitutional complaint because of the fact that this law is in their opinion a contravention to the right to private sphere, and moreover does not achieve its objective of fighting terrorism. But it opens the doors to the creation of movement profiles and the illegal usage of collected data. After the decision of the constitutional court the access to the data is tied to a permission of judges.

BKA- Gesetz (Federal Criminal Police Office - law)

Another point is the enactment of the new Federal Criminal Police Office - law, which expands the power of the Federal Criminal Police Office concerning online search of personal computers. On





STASI 2.0

possible dangers by this law. Also harshly criticized by civil right NGOs as well as lawyers, journalists and doctors is the ability to spy out sensitive information. This not only contradicts their right to denial of evidence, but can also be misused by the government to eavesdrop on disliked journalists.

a technical level this is accomplished by the so-called "Federal Trojan Horse" (Bundestrojaner). The constitutional basis of this law is a disputed topic among lawyers. However, the federal law does not allow online search for prosecution, but only in case of specific threats and warrants. Previously there have been several bills by the federal states, e.g. online search was allowed by the end of 2006 in North- Rhine Westphalia for information procurement and repealed by the constitutional court in February 2008. Opponents of that law argued in their constitutional complaint with a, in their eyes, massive intervention into private sphere. They argue that this was also how the STASI in Eastern Germany began to exist, just to put out the

Website- blockage

For a considerable time, the topic concerning the enforcement of a law consisting in hardening the possibility to have access to child pornographic websites was discussed in politics and the press. The main content of that discussion was if internet access providers should be forced to block a list of websites with child pornographic content, made by the federal criminal police office.

Resistance was mainly offered by experts in this domain and opposition parties that complain once more about an intervention into personal liberties and consider this as some kind of pre-stage to state censorship. In their eyes, these measures do not fight the central problem being the abuse of children.

Taking all into account one has to realize that Germany is on the way of cutting back civil rights and privacy in order to protect their citizens against terrorism. One could also say that liberty and security do not exclude each other. But security should much more be a measure to secure and maintain liberty. In this context it is extremely important that new security-laws do not reduce more liberties than they pretend to guarantee. It is the society's duty to make sure that those kind of political measures do not overstate.

Italy and Freedom of Press

By Matteo Galati, Elisa Fardelli, Dario Feliciangeli, Flavia Pasquali, Filippo Ranalli, Emanuele Cecila Salvini, Francesco Savo Amodio, Giacomo Tudini

In 2004, according to the statistics on the Press Freedom, yearly published by the NGO “Freedom House”, Italy's rating moved downward from “Free” to “Partly Free”, for the first time in its history, as a result of high media concentration and increased political pressure on media outlets.

The country's free and independent media institutions were threatened by the government's interference. This trend was the result of a 20-year failure of political administration to reform the framework for independent journalism and access to information. This tendency had not changed until 2007, when Italy was rated, once again, as “Free”. The most recent ranking, released in May 2009, classifies Italy as “Partly Free”, coming 73rd out of 195



countries. According to the worldwide view, what majorly seems to be threatening the press freedom in the country is a combination of Berlusconi's media empire and his political power. Furthermore, organised crime and the great influence of economical and financial groups on media have also played a key role in restricting the Freedom of Press.

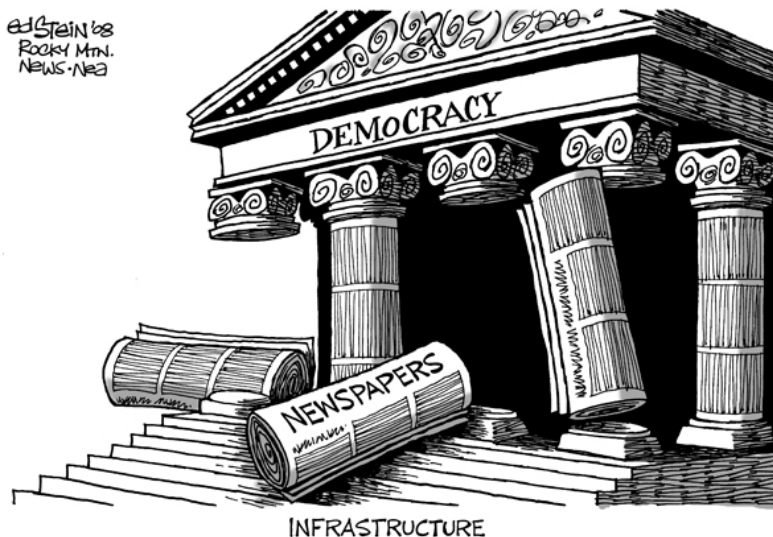
As far as the international public opinion is concerned, Italy has lost credibility; OSCE has for instance repeatedly condemned the concentration of so many Italian news media in the Prime Minister's hands, and has stated: “It is both a challenge to the European constitutional architecture and a bad example for the new democracies in transition”. Moreover, important foreigner newspapers such as “The New York Times”, “El Mundo”, “El Pais”, “Expansion” and “The Irish Times” have expressed their concern about the current situation in the country. Back in 2002, President Carlo Azeglio Ciampi already detected the relevance of the issue, saying “Without press pluralism and impartiality there is no democracy”. According to national public opinion polls, 63% of the sampled population believe that media is progressively becoming less free (poll taken by IPSOS).

The concern over the progressive threat to press pluralism, the growing power and interferences of the Prime Minister with Italy's state-owned television broadcaster (RAI), and his undeniable conflict of interest between his public role and his private ownership, have led to a demonstration in the centre of Rome on October 3rd, attended by 300,000 protestors, according to the organisers, and 60,000 according to the police. The Prime

Minister defined this demonstration “a real farce”, while joint demonstrations have taken place in Barcelona and Paris as well.

Having taken into consideration the report published by Reporters Without Borders, which is an international organisation represented on all five continents through its national branches, registered in France as a non-profit organisation and holds a consultant status at the United Nations, the current situation in Italy is as follows: Berlusconi is both the Prime Minister and the richest person in the country. The heart of his economic empire are the news media, as he owns Mondadori, one of Italy’s biggest press groups, and Mediaset, counting three commercial television stations. On the other hand, Fedele Confaloniere, chairman of the Fininvest group, has answered that the conflict of interest is more hypothetical than real. Fininvest is Berlusconi’s holding company, in which he is by far the biggest investor, furthermore the rest of its shares are held by his daughter Marina, Vice-President of the group and President of Mondadori, and his son Piersilvio, Vice-President of Mediaset. Moreover, Berlusconi’s indirect influence on the newspaper is determined by his brother’s ownership of Il Giornale, openly supporting the government, and the affiliation of Panorama, the greatest national weekly newspaper, to the Mondadori group. Nevertheless, the overall print media can be considered as pluralistic, even though they suffer economically from the broadcast media’s dominance, and this could ultimately pose a threat to their independence. An attempt to solve the matter was made by proposing the “Gasparri Law”, submitted by the Berlusconi government in 2003, lately condemned by the EU, which would have allowed companies to have interests in more than one news medium. In theory, the big print media groups would have benefited from this, but in practice, only Mediaset is in a position to take advantage of the proposed legislation.

The situation in television is much more problematic than in print media, in fact, since it was set up in 1965, RAI has been heavily politicised. Still, the political line of the main TV news programmes seems relatively balanced. The news programme with the most viewers is the one on RAI 1, which could be described as neutral, followed by RAI 2’s news programme, which is more liberal, and RAI 3, which leans noticeably to the left. On the other hand, Mediaset’s news programme with by far the highest ratings, is the one on Canale 5, considered neutral, followed by the one on Italia 1, which is targeted at a young audience with no set political views. Finally, Rete 4’s news programme openly supports Berlusconi.



One of the key problems in the public broadcasting service is the election procedure. The five members of RAI’s board are appointed by the Presidents of the Senate and Lower House, while the General Director is appointed jointly by the Chairmen of the Board and the Economy Minister. A parliamentary commission is responsible for monitoring

public television, hence the intermingling of politics and public television broadcasting did not start when Berlusconi became Prime Minister, but the fact that the Prime Minister, who has considerable political influence over RAI, is also the owner of three rival commercial TV channels, has had a substantial impact on the way RAI is run.

A clear and undeniable episode of the Prime Minister's interference within RAI's management took place in 2002, when two major journalists, Enzo Biagi and Michele Santoro, were laid off by RAI after they had been singled out for strong criticism by the Prime Minister. The board justified this measure arguing that Santoro's program "Sciuscià" had broken the public service rules on impartiality, propriety and objectivity, and that Biagi's "Il Fatto" had used the public television against the candidate Silvio Berlusconi on the eve of the elections, lambasting him without any possibility of responding.

Many observers think RAI's privatisation could help to solve the Prime Minister's conflict of interest and ensure more diversity, since Italy is the only European country to have three public service TV channels and could therefore privatise one or even two of them.

As a matter of fact, Italian journalists are restricted by the vigilance of the Parliament, the Communications Authority and the Privacy Guarantor. Whereas in the United States a journalist can be condemned only for a reckless disregard of truth, in Italy the law authorises the persecution of journalists even only for the usage of a possibly offensive language, or the publication of secret information. Furthermore, in Italy the authority's privacy must not be discussed, on the contrary, in the United States their privacy does not exist. Thus, the actual application of the Italian legislation might be considered as an ulterior limit to the press freedom.

Another major, but often neglected issue, are the limitations of the press, through intimidations towards journalists, by the strong organised crime (Mafia, Camorra, Sacra Corona and N'drangheta). The lack of a careful and exhaustive examination by media, has led to a wrong public perception of the real extent of these threats. In a relatively short period, from 2006 to 2008, over two hundred journalists have been intimidated, as published in the "Rapporto Ossigeno 2009" by the FNSI and stated by the Order of the Journalists. In fact, several journalists, among whom Roberto Saviano is the best known example, have been put under escort: they have put their lives in danger for the love of Freedom of Information.

At last, in accordance with Freedom House we can affirm that Italy is substantially a "Partly Free" country. Many combined threats bring about a dangerous situation for the Italian Press: economical interests, political powers, and criminal organisations.

The first step towards a better working democracy is to increase public awareness of the current situation, an awareness which we can achieve only through freely accessible information and the abolition of press limitations.

In our modern society, in our United Europe, in a time of great challenges and changes, it is intolerable to live in a not completely free country. Not at all, not anymore.

"Freedom of expression is the matrix, the indispensable condition, of nearly every other form of freedom"

Benjamin N. Cardozo (American lawyer and associate Supreme Court Justice)

Latvia and Stateless Persons

By Krisjanis Baidekalns, Didzis Dubovskis, Madara Irbe, Monta Ozolina

Following the end of World War II, major changes in the composition of the population occurred in Latvia. In order to compensate the sudden fall in workforce (one of the effects World War II had on Latvia) and to unleash the first stages of Russification, the Communist regime organized a mass influx of hundreds of thousands of Russian-speaking over the whole course of Soviet occupation of Latvia. Many of these immigrants from Russia during the Soviet period were connected with the Communist Party, the security services (KGB) or the Red Army, since the process was aimed at strengthening Moscow's control over Latvia. However, there were also large numbers of ordinary economic migrants, attracted by the relatively higher standard of living. During the years of Soviet occupation, a total of at least 1.5 million immigrants arrived in Latvia, half of whom stayed to live here. Latvia's Russian population increased fivefold, while at the same time the Latvian population did not even regain its pre-war level. For a nation with a population of 1.5 million, this was (and still is) an important issue, hence, the superficially xenophobic attitudes towards foreigners in the minds of many ethnic Latvians. It must be noted, however, that these fears are not groundless and must be taken into account when the question of stateless persons is discussed.

Stateless person, as defined by a Latvian law of 1995, is a status that was given mainly to ex-USSR citizens after the collapse of it. It was initially supposed to be temporary, hoping that all the receivers of this status would then move on to obtain either Latvian or other



A scene from the "Russian March" 08.09.2007: Roughly 50 attendants demonstrate their wishes for a more democratic society. The banner says – 'We are Russians, God is with us!'

citizenship. These hopes, however, proved to be false. Despite the favorable conditions of acquiring a citizenship set up by Latvian government, after 14 years (as of July, 2009) 15.54% or 351 435 of Latvia's population still retain their status of a stateless person. Because of the aim of the Latvian state, based on both national policy and international law, to reduce the number of stateless persons, policies of facilitating naturalization are legitimate. And, since the status of stateless persons is not a kind of Latvian citizenship, it can clearly be seen that the aim of Latvian state is not to merge Latvian citizenship and the status of

statelessness by giving people holding them equal rights, but to motivate persons to acquire Latvian citizenship. Therefore, since 1998, when the last restrictions for stateless persons to become Latvian citizens through the process of naturalization were lifted, there have been



One of the posters of Russian speaking non-citizens, protesting as 'aliens' against prohibition to vote in the local elections in 2005.

no obstacles in the way of stateless persons to the acquisition of Latvian citizenship, thus, making their imaginary plight inexistent in practice.

It must be said that the "question of stateless persons" has raised much more discussion outside Latvia, which is mainly due to a prevailing disbelief among Latvian citizens. This disbelief states that almost any question of ethnical, historical, or national nature, which is raised for discussion in public, is nothing more than a miserable attempt of obtaining political capital. This is also the case with the stateless persons. Conservative Latvian political powers

are actively preaching against facilitated naturalization and the need for supplying every stateless person with a citizenship, whereas the left-oriented Russian parties are doing the same thing with an antipodal opinion. The main discussions on this issue usually rise domestically with the elections when stateless persons "remember" to protest against deprivation of their rights to vote and when political parties use this emotionally tense question to gain the much-needed votes from both supporters (left-oriented parties) and opponents (right-oriented parties) of the changes in the status of statelessness. The views on the issue, submitted by the press, are just as diverse. The Russian-speaking press advocates the ostensible discrimination, while Latvian speaking press holds the opinion of no necessities of making the naturalization easier on the grounds of the imminent threats to Latvian language and identity, if such decisions ever came to life.

Despite several discussions raised on the issue of stateless persons on both national and international level, no changes in the situation of statelessness have recently occurred. While European and other international institutions (including the UN) have released several reports and announcements with recommendations for Latvian government to improve the situation, the authorities persist that the problem with the political rights for non-citizens can be solved by the process of naturalization and that granting voting rights to non-citizens would weaken their motivation for the naturalization and delay the process. This view is also favoured by the society as the majority of the population as well as the ruling parties of the Latvian Parliament (Saeima) do not support the idea of making the naturalization process easier or granting citizenship to some particular groups of stateless persons. Mainly only non-citizens (including their Russian speaking majority) who are not the majority and their views representing left-wing parties Harmony Centre and ForHRUL favour opposite viewpoint, asking for changes in naturalization process. Therefore no significant legislative steps have been taken by the Latvian authorities and are also not to be expected in the near future.

All that said, we hold the popular opinion among Latvians that is against the facilitated naturalization. We, as everyday life participants of Latvia, see that the issue is much smaller than the politicians would want it to be, therefore, we sense no need for improvements in this field. This is mainly due to the fact that there are no legal barriers for stateless persons in obtaining Latvian citizenship, if only they show respect and loyalty to this country by learning its language and rudimentary historical facts.

Norway and Mullah Krekar

The Case of Mullah Krekar - A challenge to the human rights?

By Marie Aakrann, Frida Helmström, Sara Lothe, Markus Weisser



Najmuddin Farah Ahmad, known as mulla Krekar, is an Iraqi Kurd born in 1956. He came to Norway as a refugee in 1991 together with his family. In 1992 he got residence and work permit, but already the same year he returned to northern Iraq and worked for the IMK (Islamic Movement for Kurdistan). He soon became an important figure in the organization and ran part of the IMK military wing. However, while his family became Norwegian citizens, the Norwegian authorities have still not approved Krekar's application because of his affiliation with radical religious and political organizations. During the 1990's, Krekar made many trips to Iraq, and became the leader of Ansar al – Islam. This organization has claimed the responsibility for several terror attacks and is found on the UN terror list.

During the years up to year 2000, between his trips to Iraq, Krekar began to work as a preacher in Norway. In 2001 IMK was split into four different factions, and Krekar became



Krekar with IMK comrades in 1998

the leader of one of them. The same year, the militant group Jund al- Islam joined Krekar's faction and the group Ansar al- Islam was formed. Krekar was elected leader of the group, whose aim was to establish an independent Islamic state in northern Iraq based on the Sharia law. Ansar al- Islam has carried out bombings in Iraq which have killed more than a hundred people. Krekar claims he did not have any knowledge of the bombings, and that he no longer has any influence over the group he allegedly is the leader of. In 2002 Krekar's activities were known in Norway, and because of his position in Ansar al – Islam, the Directorate of Immigration in Norway

decided to revoke his travel warrant, right of asylum, residence and work permit and his

permission to settle. In 2003 it was also decided that he should be expelled from the country because of national security. The same year, Krekar was released from jail because of lack of evidence. Krekar sued the Norwegian authorities because he said that it would not be safe for him to return to his home country, referring to article three and five in the European Convention on Human Rights which Norway is obliged to follow. His case was taken to the property law, the crown court and Supreme Court, but Krekar lost and was declared a threat to the safety of the nation.

Nevertheless, Krekar is still living with his family in Norway. The European Convention on Human Rights says that none of the member countries can send a person to a country where he/she can be in the danger of death penalty. Local Iraqi authorities have promised not to impose capital punishment on Krekar. However, the Directorate of Immigration in Norway says that a contract with the authorities cannot be trusted at this point because of the political instability in Iraq. Krekar has in later years been an object of great discussion in the media and between the different political parties in Norway.



Norway's minister of foreign affairs

Under the United Nations Convention Relating to the Status of Refugees, a refugee is a person who, owing to a well-founded fear of being persecuted on account of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of their nationality, and is unable to or, owing to such fear, is unwilling to avail him/herself of the protection of that country. This is the convention, under which Norway granted Krekar a permit for work and residence.

During his life in Norway, mullah Krekar has had great media coverage, and numerous journalists have through articles, news reports on TV and radio dedicated time and space for mullah Krekar. Among the Norwegian population, the most common view on this case is that the Norwegian authorities possess enough information to prove Krekar guilty and expel him from the country, considering that local Iraqi authorities actually have promised not to impose capital punishment on Krekar. The reason for this is probably the way Krekar is portrayed in the media; Krekar himself admits that he has had some unconventional statements in the media which may have contributed to his bad reputation. As an example; Krekar did utter in an interview that the USA needed to learn the lesson 9/11 was, and that Osama bin Laden is a good person. In addition, Krekar has several times talked about what he defines as a war between the western world and Islam. Still we must not forget that it is in his fullest right to say so, as he is protected by article 9:1-

On the other hand there are those who in light of international agreements, such as the Convention on Human Rights, would find it irresponsible of Norway to send mullah Krekar

back to Iraq, taking the political situation into consideration. There is also a third faction who bear in mind the importance of the Human Rights, but would consider the situation more secure if mullah Krekar was locked up, based on the prove that is found of Krekar having connections to terror organizations.

The case of Mulla Krekar is very complex, full of questions that still remain unanswered. Did Krekar know about the bombings Ansar al- Islam carried out in Iraq? Did he help organize and plan them, and to what extent? Does he still have influence over the group? Krekar has through many statements shown us his extremist views. But does he have an agenda to act out his extremist views? If so, does he have any influence over Ansar al- Islam? Should he be locked up? Or is he just a man with extremist views but with no power at all? It is hard to confirm the exact details of Krekar's history and hard to say whether or not he poses a security threat to Norway and the international community today. The root of the conflict is to what extent Norway should protect a person ,who is considered to be a danger for the society, when there are given promises by the country responsible for the trial, that no human rights will be violated. At the same time Norway, due to the European Convention on Human Rights, is bound to make sure these promises are guaranteed, which is not the current situation in this case.

Romania and discrimination against Roma

By Sinziana Badea, Marius Corut, Andreea Radulescu, Mihai Vasile

Considering Romania is a full member of the European Union since 2007, talking about racial discrimination may raise a number of questions regarding our society and our role in the European Community. Therefore it is important to bear in mind that the Romanian democracy is still very young, and it may take us many years on to reach comparable economic, cultural or social levels with the Western European countries.

The group of people named "Roma", "Romany", or "tiganii" - though there is no scientific proof for this theory - seems to originate from India. We know for sure that they are one of the last nomadic peoples, having no country of their own. Their migration to the West started in the middle of the first millennium, and by the 13th and 14th century they were established in Europe.

The Roma are also Romania's most socially and economically disadvantaged minority with high illiteracy levels. While officially there are no more than 0.5 million Roma, unofficial sources claim that there are between 0.7 and 2.5 million Roma in the country (approximately 3 to 11 % of the total population). This may be caused by the fact that many Roma do not declare their ethnicity in the census and therefore do not have an identity card or birth certificate. Since 2007, members of this ethnic group migrated in Spain, France and Italy.

In Romania, the Roma people were first attested in the 14th century and were slaves for more than six centuries. In 1862 they were officially declared free people for the first time. Because of Nazi pressures, while the Romas fought for Romania during the World War II, their families were deported in concentration camps in Transnistria. During the communist

regime, the Roma had the highest level of employment and access to education (over 95% either had a job or were in school). Taking this into consideration, we can say that those were the years with the lowest level of ethnic discrimination in our history.

The discrimination started to rise after the regime changed into a democratic one, which led to huge differences between social classes. Starting in 1990, most of the Roma lost their jobs and could not find a new workplace, which led to massive poverty and struggle with prejudices.

Stereotypes and use of discriminatory language against Roma are widespread; journalists and even high ranking officials frequently made discriminatory statements. According to the Amnesty International 2008 Human Rights Report, the Roma continued to be confronted by serious discrimination, including in employment, housing, health and education. UNICEF reported in March 2008 that up to 70% of Roma households had no direct water supply and that the segregation of Romany children into inferior schools and “Roma-only” classes continued to be a concern.

According to the February 2007 Roma Inclusion Barometer, 23% of Roma were illiterate and 95% did not complete high school. NGOs and the media reported that discrimination by teachers and other students served as an additional disincentive for Romany children to complete their studies. Nevertheless, the CNCD (National Committee against Discrimination) confirmed that discrimination did occur in Josika Miklos School in Atid, Harghita County, where Romany students were separated from other students in the 2nd grade. The CNCD recommended that the school authorities desegregate the classes.

In Romania, education is free, yet there is a high drop-out rate of Roma which is explained as a part of Romany tradition. The EU has launched a program entitled “Decade of Roma Inclusion” to combat this and other problems. There are also cases of segregation in schools, Roma children been isolated from Romanians in separated classes. However, other Roma are largely or fully integrated into society. Scholarships were created for Roma by the state leading to positive measures whose impact on improving integration in Romania remains to be seen.

With or without proper education, Roma have difficulties getting a job. Recent ERRC research conducted in Romania found that two out of every three working age Roma are likely to experience employment discrimination. Discrimination very often manifests itself in direct refusal of employers to recruit Roma explicitly on the basis of the ethnic origin of the job applicants.

Some Romanians claim that embarrassing media coverage of illegal activities in the



European Union conducted by immigrants from Romania were supposedly conducted by Ethnic Roma with Romanian citizenship. Some Romanians express concern regarding the possible confusion between the terms for ethnic Romanians (“Români”) and ethnic Roma/Romany (“Romi”). According to an article in Le Monde, Romanian Roma are not “desired” in the European Union. The article cited the

that the Romas do not have their own country and it should be considered as a European ethnic group.



Considering that the European Union is based on the concepts of tolerance and unity in diversity, we think that we should be more open-minded and accept the Roma community as part of our society and culture of today.

We consider that the acknowledgment of discrimination is the main problem in Romania. Our discriminatory actions are considered acts of normality, both by Romanians and by Roma. The first step to change is to bear in mind that

our behavior is not always fair. The Government has to invest more in development, to eliminate from the system those who discriminate and act without fear when Roma break the law.

Finally, all of us, as Romanians and European citizens need to accept and help the Roma integrate into our society, instead of showing them indifference and segregation, that will only aggravate the current situation we are facing.

Romania and Discrimination against LGBT Persons

By Corina Ricman

Lesbian, gay, bisexual, and transgender (LGBT) persons in Romania may face legal challenges not experienced by non-LGBT residents. Romania, like a number of other Eastern European countries, remains socially conservative with regard to the rights of gay, lesbian, bisexual, and transgender citizens. Despite this, the country has made significant progress in LGBT rights legislation since 2000. In the past decade, it has fully decriminalized homosexuality, introduced and enforced wide-ranging anti-discrimination laws equalized the age of consent and introduced laws against homophobic hate crimes. In 2006, Romania was named by Human Rights Watch as one of five countries in the world that had made "exemplary progress in combating rights abuses based on sexual orientation or gender identity."



There are currently no laws against gay citizens in Romania, aside from those that deny equality in marriage. Consensual acts between same-sex adults in private were legalized in 1996, although the last anti-gay law – Article 200 of the Penal Code, which criminalized public manifestations of homosexuality – was repealed only on June 28, 2000 due to

pressure from the European Council and shortly before the arrival of the openly gay U.S. Ambassador to Romania, Michael Guest.

In late 2007, the far-right Greater Romania Party proposed a law in the Senate that would ban the "propagation of ideas and manifestations by homosexuals and lesbians", designed primarily to prevent Bucharest's annual GayFest pride parade from taking place but the proposal was rejected by the Senate.

There is currently no recognition of same-sex couples in Romania. Since 2007, however, when Romania joined the EU, the country is obliged to "facilitate" and recognize same-sex relationships registered in other EU member states. It is also legal for single women, including lesbians, to access means of assisted insemination, such as IVF.^[5] And homosexuals are allowed to serve openly in the Romanian army. Nonetheless, many – if not most – gay and lesbian members of the military choose to remain closeted in the work place due to continued fear of discrimination.

In 2000, the Romanian Parliament enacted a law that explicitly outlawed discrimination on the basis of sexual orientation in a variety of fields, including employment, the provision of and access to goods and services, housing, education, health care, audiovisual programming, the justice system, other public services and social security. The law, which is among the most comprehensive in the European Union, has been successfully tested by the National Council for Combating Discrimination (CNCD), Romania's equality body, which has fined a number of individuals and firms for discriminating on the basis of sexual orientation. An example of this was when TAROM, the national air carrier, was fined for refusing to allow same-sex partners to take advantage of its discounts for couples on Valentine's Day 2005. Aside from imposing a fine, the CNCD obliged TAROM to rectify the situation.

Furthermore in January 2008 the Ministry of Health released a new law which removes the ban of homosexual men donating blood due to a presumed higher risk of infection with STDs. The law is currently in a stage of public debate.

Although the last anti-gay law, Article 200, was repealed in 2001, societal attitudes towards gay and lesbian citizens are still quite discriminatory, particularly in rural areas. GayFest pride marches in Bucharest have been met with significant and sometimes violent opposition from far-right groups (particularly Noua Dreaptă), even though police protected pride marchers from harm. Furthermore, Noua Dreaptă has organized "Marches for Normality" on the same day as the GayFest pride parade, with slogans against gay rights and the recognition of same-sex relationships.

Other opinion polls have shown Romanians to be more intolerant with regard to homosexuality, including a 2003 poll conducted by Gallup for the Institute for Public Policies. In the poll, 45% of respondents said homosexuals should not be treated the same as others in society; 37% thought homosexuality should be criminalized; and 40% thought homosexuals should not be allowed to live in Romania.



Bucharest's GayFest is the only annual gay pride festival in Romania, which first took place in 2004 and now occurs in May-June of each year, lasting for nearly a week. It is

organized by the non-profit organization ACCEPT, Romania's largest lesbian, gay, bisexual and transgender (LGBT) rights organization. GayFest features various LGBT cultural events,

such as film screenings, art exhibitions, theatre and parties, as well as seminars and debates concerning LGBT social issues; since 2005 the festival has also included a gay pride parade.



The Romanian gay rights movement began gaining ground in the mid-1990s, after homosexual sex between two consenting adults in private was decriminalized in 1996. In the same year, Romania's first gay rights organization, ACCEPT, was founded in Bucharest, with two core aims: creating a better society for LGBT people in Romania, and changing negative social attitudes towards LGBT people. In the late 1990s, the LGBT rights movement was

mainly concerned with lobbying for the repeal of Article 200, which continued to criminalize public displays and promotion of homosexuality.



ACCEPT had a big impact for the abolishment of the article at end of 2001, removing the last anti-gay law in Romania. Additionally, anti-discrimination legislation introduced in 2000 made it illegal to discriminate against people based on their sexual orientation. This permitted a greater social visibility of LGBT people and culture, with several gay clubs opening from 2002 onwards.

Romania and its struggle for judicial reform and combating corruption

By Lidia-Andra Lezza

“Progress has continued in the fight against corruption. [...] The quantity and quality of non-partisan investigations by the National Anti-Corruption Directorate (DNA) into allegations of high-level corruption have continued to increase [...] Overall, progress continues to be made in fighting corruption, particularly in launching criminal investigations and concluding indictments.” (September 2006 European Commission Comprehensive Monitoring Report)

The first years of transition in Romania were characterised by an escalation of corruption which remained largely unacknowledged at the social level, in a time of rapid economic and social deterioration. Only the late 90’s brought the problem of corruption onto public agenda, as the media began to reveal some cases of grand corruption, and in relation to the process of integration in European Union. The first important anticorruption efforts started in 1998 and continued as an ample process, beginning with the year 2000.



ANTI-CORRUPTION MEASURES

Over the past years, Romania has developed a broad legal framework and institutional structure to target corruption. Efforts began with a first protocol designed to facilitate coordination, cooperation, and information exchange on anticorruption strategies, which was finalised in 1998 between the relevant ministries and

executive bodies (Ministries of Justice, Interior and Finance, the Public Ministry, the Romanian Intelligence Service, and the External Intelligence Service). Other governmental bodies started to provide a watchdog function: the Peoples' Advocate, the Court of Accounts, the Prime Minister's Control Department, and Parliamentary committees.

1) Fight against high-level corruption

National Anti-Corruption Directorate (NAD) within the Prosecutor's Office attached to the High Court of Cassation and Justice (POHCCJ)

- The National Anti-Corruption Directorate (NAD) has exclusive and unrestricted competencies in fighting high-level corruption, including those involving members of parliament and of the government.
- NAD has financial autonomy, i.e. a distinct budget within the budget of POHCCJ, as well as functional autonomy, i.e. the judiciary police operate under the exclusive authority of NAD's Chief Prosecutor.
- Figures for the period 1 June - 10 November 2006:
 - NAD indicted 175 defendants in 52 files;
 - The courts rendered 37 initial conviction decisions regarding 77 defendants, in cases indicted by NAD;
 - 31 final decisions regarding 45 defendants were issued by the courts, in cases indicted by NAD.

2) Increasing integrity in public administration

Declarations of wealth and interests: New templates for declarations of wealth and interests were adopted by Law no. 158/2005. They are the most detailed in Europe and are published on the website of the employing institution.

Reviewing existing regulations on the financing of political parties: The Ministry of Justice, in co-operation with NGOs, drafted amendments to the law on funding of political parties. These amendments were adopted by a 2006 law. The amendments introduced more transparency and strengthened the control on party financing.

3) Awareness campaigns

- The Ministry of European Integration is developing a national awareness and information campaign called "I don't give a bribe – I don't take a bribe", focused on the effects of corruption. The campaign addresses both public servants and citizens and will consist of leaflets, a website, and TV and radio publicity.
- The Ministry of Justice has developed an awareness campaign as part of the fight against corruption. The campaign targets both the judiciary, including judges and clerks in the courts, and citizens who are addressing the courts. It is focused on increasing accountability within the judiciary and on improving the efficiency of the justice system as a public service. The campaign was launched on 21 November 2006.

4) Preventing corruption in the business environment

State subsidies: The practice of rescheduling debts to the state, or exempting companies from payment, was abolished by a 2005 law. This law ensures equal treatment of all taxpayers, creates the conditions for a competitive business environment, and raises the level of voluntary compliance to budgetary obligations.

Tax evasion: Criminal sanctions for tax evasion were increased by a 2005 law.

Bankruptcy: A new law on insolvency was adopted by parliament in March 2006. This law ensures the efficiency of judicial re-organization and establishes a simplified insolvency procedure.



Money-laundering: The law on preventing and combating money-laundering was aligned with the European directives on money-laundering regarding the obligation of notification of the reporting entities and the financing of terrorism, as well as to the FATF recommendations.

5) Eliminating immunities (obstacles to criminal investigation of high-level and medium-level corruption)

The immunity of former ministers, public notaries and bailiffs was eliminated in 2005.

Russia and the Freedom of Press

Part one by Inna Baskakova

“I disapprove of what you say, but I will fight to the death to defend your right to say it.” - Voltaire.



The right for free expression of opinion is a cornerstone which allows civil society to operate and guarantees protection of other principal Human Rights. According to article 19 of the Universal Declaration of Human Rights, “everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”. A freedom of mass media from government’s censorship is regarded as one of the components of democratic society. However, understanding

of these terms is determined by different cultural, historical and economic factors of a country. That is why it is nearly impossible to create a uniform legislative system even in the frame works of the European Union. Nevertheless, we cannot underestimate the role of legislation in ensuring freedom of speech and freedom of mass media.

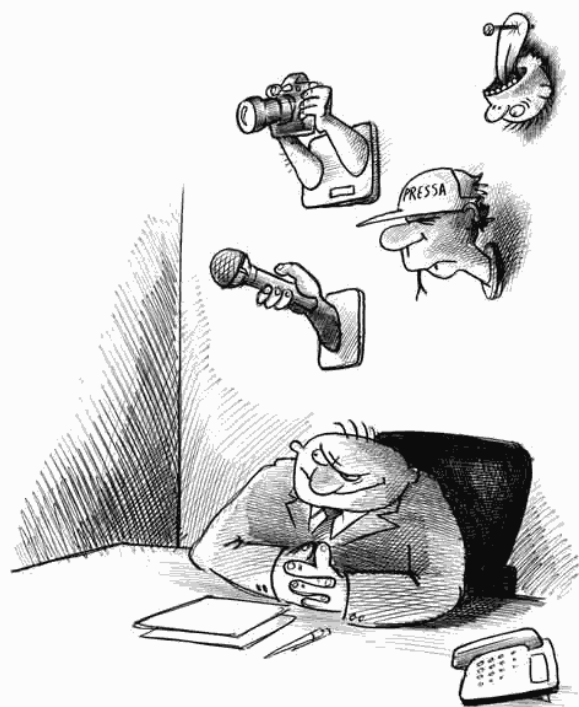
In the USSR period the freedom of the press was artificially declared in Stalin’s version of the Soviet Constitution (1936) as well as in Brezhnev’s (1977). At the same time there were institutions of censorship, all sorts of special bodies for controlling books, magazines and other writing.

The first experience of foundation of democratic law in the USSR (“On the press and mass media”) was undertaken in 1991. It was the first legislative effort to determine freedom of the press, which has declared inadmissibility of censorship. Since this law was made at the period when society just began to liberate from political censorship and ideological totalitarianism,– the message of the law includes the guarantee of mass media being independent from the government, cancellation of censorship, ensuring rights of journalists to obtain reliable information (especially from politicians). The freedom of mass media and ban of censorship are fixed in article 29 (paragraph 5) in the Constitution of Russian Federation (1993). According to this article everyone shall be guaranteed “the freedom of ideas and speech” (part 1), “the right to freely look for, receive, transmit, produce and distribute information by any legal means” (part 4), no one may be forced “to express his views and convictions or to reject them” (part 3). Among the constitutional guarantees of mass media the most important role is played by recognition (in article 13 of the Constitution of RF) of ideological diversity. The right for freedom of opinion, freedom of association and freedom of expression are guaranteed by the universally recognised principles and norms of international law and according to the present Constitution.

Being one of the signatories of agreements on human rights, Russia has a duty to strengthen and protect these rights so that everyone can use them to the fullest. The Russian Federation is a state which tends to base its system on democratic freedoms. However, it is a well-known fact that in every democratic society freedom of speech is regarded not only as the primary value, but also as a tool to ensure the existence and expansion of the society.

Freely expressed thought is easier to control than unvoiced one. In order to avoid coup d’etat assisted by mass media, political systems and civil society reached a tacit consensus towards two things:

1. Power can overlook the opinion of press
2. Power can influence the press and rule the society by the means of mass media



Having examined these two criteria concerning Russia, we suggest that the second one is dominating over the first one; nevertheless the same thing is related to the countries of Western Europe. The freedom of speech and mass media, pluralism of opinions and pronounced points of view lead to expression of the most exotic, marginal and extreme opinions. Social attention focuses on them and enhances its impact on current policy and society life in general. Thereby the freedom of speech and diversity of opinions might lead to the collapse of society and state. For example, we can see it during the collapse of the USSR in the period between 1987 and 1991. Russian authorities learnt this lesson very well. That is why our government tried progressively, slowly, but still clearly to increase the integration function of mass media.

Nowadays we need to answer the question whether the free expression of opinion and mass media of full value will be established in Russia one day or not? In replying to this we can say the following:

Firstly, at the moment there exists the free expression of opinion in the Russian Federation and it improves the democratic development of the politic system of our country.

Secondly, if the tendency of neo-authoritarianism does not appear in the modern world, the level of free expression of opinion will steadily increase.

In conclusion we would like to say that undoubtedly the situation with self-expression in Russian democratic society is not as perfect as it should be. However our government steps up to the improvement of implementation of the articles of the Constitution of the Russian Federation and the protection of Human Rights. We hope that in the near future we will be able to call our country a truly democratic and fair state.

Part two mainly by Venera Gilfanova

The Case of Natalia Estemirova

I begin this essay about threats to freedom of expression in Russia with this assumption: Americans and other Westerners are ill prepared to understand the Russian experience with freedom of expression or the absence thereof. My assumption may be incorrect, but I doubt that it will prove to be so. The Russian experience concerning freedom of expression is different from that of Westerners, who are raised to embrace naturally and comfortably ideas such as these expressed in the Universal Declaration of Human Rights.

Now, when Russia has entered the way of democracy it is directed by the international covenants in the field of Human Rights as the rest of the democratic countries in the world.



Despite its great economic, political, and social difficulties the fundamental rights of the people are guaranteed by the Russian government.

Not all human rights are equally put into life in our country so far, but we are moving along the way of democracy and the new generation will enjoy all the human rights which are set forth in the international covenants.

The right to freedom of opinion and expression is also guaranteed in Russia by constitution. But the real situation concerning this aspect still differs and doesn't correspond to the democratic state! As evidence could be given several incidences, one of them is that in the Chechen Republic a civil rights activist has been killed.

Natalia Estemirova was a Russian Human Rights activist and board member of the Russian Human Rights organisation Memorial. She was abducted on Wednesday morning (16.10.2009) in the capital of the Chechen Republic Grozny. Towards the evening her body was found in Ingushetia with gunshot wounds in her head and her breast. The murder investigation was taken on by the special control of the Russian State Office of Public Prosecutor.

The responses to this incident were ambiguous. The organization Memorial claimed that "state terror" was to blame, calling the killing an "extrajudicial execution" by government-backed death squads. Memorial's chairman Oleg Orlov said that the president of Chechnya Ramzan Kadyrov threatened Natalya and that Russian president Medvedev is content with Kadyrov being a murderer. Kadyrov denied any involvement and promised to investigate the killing personally. He condemned the killers, saying they "must be punished as the cruelest of criminals".

The BBC reported that Estemirova was engaged in "very important and dangerous work", investigating hundreds of cases of alleged kidnappings, torture and extrajudicial killings by Russian government troops or paramilitaries in Chechnya.

President Medvedev condemned the crime and promised that everything would be done to find the murderer.

Until now, no one has been accused.

Sweden and Right-Wing-Extremism

Merged by the reports of Sofia Gavafalk and Katarina Warg

The national Parliament election in Sweden is getting closer and consequently the race towards parliamentary seats is becoming rapidly apparent as well as the sneaky attempts to win support through media. And the right-wing nationalistic party Sverigedemokraterna "Swedish Democrats" (SD) is no exception. Until nowadays, the Swedish democracy rested tranquilly upon a few relatively stable parties, all accepted in our society and all respecting the human rights stated in the Convention for the Protection of Human Rights and Fundamental Freedoms. All the seven parties in the parliament, each more or less socialistic, have been challenged by this eighth party in the two past elections. This party avows that they represent democratic and nationalistic values; others assert that they embody racist or Nazi ideals.

Their slogan is "Trygghet och Tradition" (Safety and Tradition) and they often blurt out statements such as "Preserve Sweden Swedish!" and "Swedes first!". SD was not the only right-wing extremist party in Sweden but by far the largest one. They are dangerously close to enter the parliament after the next election in September 2010, and they have already mandates in most municipal councils. In the latest municipal election of Landskrona their support was alarmingly high – 22.6%! These results stunned the locals as well as the rest of

Sweden and despite the tremendous opposition, SD continuously increases their number of members, and consequently their popular support, every year and every month. The recent growth of most right-winged extremist parties in Sweden are likely explained by the movement of the larger and more established right-wing parties towards the middle. Sweden lacks a party that could be called 'conservative' or 'nationalistic'; parties that are common in other democratic countries. What's more is that the majority of the established parties do have a clear social democratic profile (except the communistic and environmental parties).



Sverigedemokraterna has repeatedly been accused of being xenophobic and they have outstanding results in areas densely populated by immigrants but with a majority of "native Swedes". In most electoral areas where they have extensive support people tend to feel insecure and discontented with the politics regarding immigration. The majority of the most radical right-wing extremist votes in favour of SD but they also gather conservatives and many other discontented voters, voters that might or might not support anti-immigrant values. Sweden lacks a party with truly conservative values and as a reaction to this necessity, parties of discontent pop up.

Continuously in public discourses and media, SD arouses the public with their racist attacks and statements, the most recent being a debate article written by its leader Jimmy Åkesson for a nationwide Swedish newspaper where he wrote what to most people were racist comments about Muslims.

"No, no we are democrats."

A caricature published on a communistic blog. The person is supposed to be a typical supporter of Sverigedemokraterna. A caricature published on a communistic blog. The person is supposed to be a typical supporter of SD

The article published in Aftonbladet was obviously attacking immigrants, in particular Muslims, and jurists are investigating whether or not incitements of racial hatred can be found in the article. The debate which was raised made people being concerned about the racist opinion expressed and the possibility of a party with such horrid values entering the parliament. Media has questioned the liability of the arguments presented in the article and many measures are taken in order to establish an opposition. All the big newspapers have opposed them and all the parties in the parliament have taken actions to avoid cooperation with Sverigedemokraterna. Moderaterna and their allied parties in the government have opened up for collaboration with Miljöpartiet, a party focusing upon environmental issues but with a more socialistic touch than the parties in the alliance of right-winged. Our prime minister, Fredrik Reinfeldt, declared that he will resign if active support from Sverigedemokraterna is necessary after the next election.

Sweden, an immigrant-friendly country, a role model for several nations due to their laws on human rights; how come a party like SD, often bespoken as a party of right-wing extremism, is receiving all the more support among the public?

Sweden is an extreme political deviant in the world. We have the world's largest tax incidence and moreover, the political parties are very standardized.

The trend of supporting these right wing organizations (like SD) is rooted in the long period of homogenous constitution of political parties. Supporting extremism is a way of reacting

and going against the many decades of very neutral mindedness, just like every époque is a reaction and contrary to the preceding.

Right wing extremists coalesce in their populist rhetoric with simple answers to difficult questions and by coherently trying to place groups and people against each other. In a time of unease it is easy to listen to them. It is another reason why the Swedish Democrats are slowly manipulating some citizens into their eerie political dogma.

When a party like Sweden Democrats arises to the public's notion it wins respect, despite people's better judging, because it represents something different, something new.



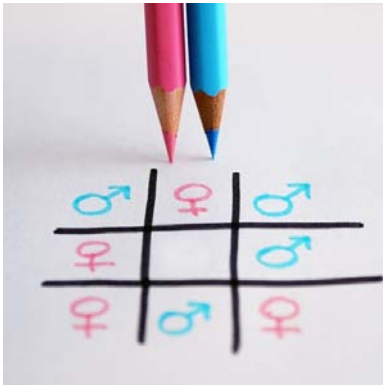
Placard with propaganda from Sverigedemokraterna, depicting a Viking holding a paper with the text "Preserve Sweden"

If Sverigedemokraterna enters the parliament the influence of racist beliefs in Swedish politics will increase and might even be accepted in our society; furthermore, this might cause a hostile society for believers of other religions than Christianity. In an extreme situation this might lead to the prohibition of certain cultures and religions, contradicting with the EU's vision of a multicultural society and article 9 – Freedom of thought, conscience and religion of the Convention for the Protection of Human Rights and Fundamental Freedoms. However, if we not allow the existence of Sverigedemokraterna or the expressions of such beliefs we yet again violate article 9, as well as article 10 – Freedom of expression. The Swedish people, politicians and media are facing this dilemma right know, hesitating, uncertain of how to respond while the right-wing extremist movement is continuously increasing in strength.

Ukraine and Gender Equality

Merged by the reports of Arutyunov Alexey, Katya Popovych, Olga Popovych, Darya Romanenk,

Introduction



Human rights are the core value of the Council of Europe. Gender equality is a big topic of human rights in different countries. Gender equality means an equal visibility, empowerment and participation of both sexes in all spheres of public and private life. It means that the rights of women have to be considered equally to the rights of men. Ukraine ranks 63rd out of 75 countries in the Gender Empowerment Measure with a value of 0.455.

Legal Basis

Ukraine's legislation upholds the rights of women and guarantees their protection. The Constitution of Ukraine upholds the principle of equality between men and women and the country's Penal Code specifically mentions the need to eradicate all forms of discrimination. A law providing for equal opportunities for men and women was passed in 2006. Women's civil liberties are well respected in Ukraine. There are no reported restrictions to their freedom of movement or freedom of dress. Furthermore, equal treatment of men and women, regarding education and vocational training and equal pay for equal work, are ensured through the Constitution, the Labour Code and the Act on the Payment of Wages. But there is no law explicitly prohibiting the discrimination of women or on gender equality.

Current Situation



In spite of the fact, that the law, guarantying equal social rights to men and women was passed in 2006, the income ratio female to male is 0.53 and the percentage of women in parliament is very low, from 5 to 7 %. That means that women are poorly represented in administrative bodies, in general they don't occupy high working positions and are not involved in politics.

If we talk about the employment problems we find out that about 60 per cent of people living below the poverty line in Ukraine are women. 80 per cent of officially recorded unemployed are women. If you want to find a job and you are a man, you will need about 16 months to get employed. If you're not as lucky and you were born as a woman, you'll need not less than 24 months. Frequently the employer stipulates a preferred sex and age of the employee and puts pressure on women in terms of their appearance.

Also the constant infringement of women's rights occurs in the public health services. Because of the economic crisis, the amount of money to be spent for public health services is only enough for the most essential services in hospitals and maternity wards. The consequences therefore are that more and more women prefer to have abortions or postpone pregnancy for better times.

Domestic Violation

According to the independent organisation, Amnesty International, 50 to 70 percent of Ukrainian women have been victims of domestic violence. According to the Ministry of Internal Affairs of Ukraine about 29 % of all murders are carried out within family homes. Such violence can also be defined in a broad sense as an expression of the historically unequal power relations between men and women. The roots of violence originate from the patriarchal relations and stereotypes about the roles of husbands and wives. According to which the role of wives is to give birth to children and raise them. Women should manage the household and look after their family and their husbands. Ukrainian law protects women relatively well within the family context, but gender stereotyping is still pervasive. The biggest stereotype about women seems that women have to be housewives and that they are not that smart as men and as a result can't make a good career and a lot of money.

So, in 2004, a United Nations report said that at the age of 15-19 years old 10 % of women in Ukraine are married, divorced or widowed.

Steps already taken



The steps being taken in the fight against gender discrimination seem to be doubtful in efforts and effects.

On the one hand it looks like the government and other organisations want to fight strictly against women's discrimination: There are measures against the discrimination stated in the Penal Code of Ukraine. There were also a lot of laws made: for example in 2001 the law about the violence against women and in 2005 the gender equality law. Furthermore the Presidential Decree on improving the work of central and local bodies of executive power to ensure equal rights and opportunities for men and women in June 2005 and there is also a State Programme on establishing general equality in Ukrainian society for 2007-10 and different consultations were held. There are also different cultural and educational events, for example male

involvement into prevention of gender-based violence and discrimination, the educational workshop in Odessa, held on 20-23 September 2009 and many other actions and activities are done and will follow. Some of these steps taken were successful, some did not have the impact hoped for, but still people raise our awareness and more and more people are being involved.

On the other hands people claim that the government does too little and the methods are ineffective. But not only government and politicians seem to disregard the problems, but the society itself stays ignorant and is not willing to change the situation.

How to improve the situation?

This question is not easy to answer.

Some claim that existing laws should be enforced and guarantee equal rights for women and men the way they are postulated by the Constitution.

Other express their hope that with the help of new created institutions to protect and support women e.g. shelters for women and their children when they are faced with the possibility of violence, and new stricter laws could push the country towards an improvement.

Again others state that trying to change this situation at the given stage of development of the Ukrainian society will not be successful. The best way to oppose gender discrimination is the education of a new generation, free from stereotypes and biases.

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