

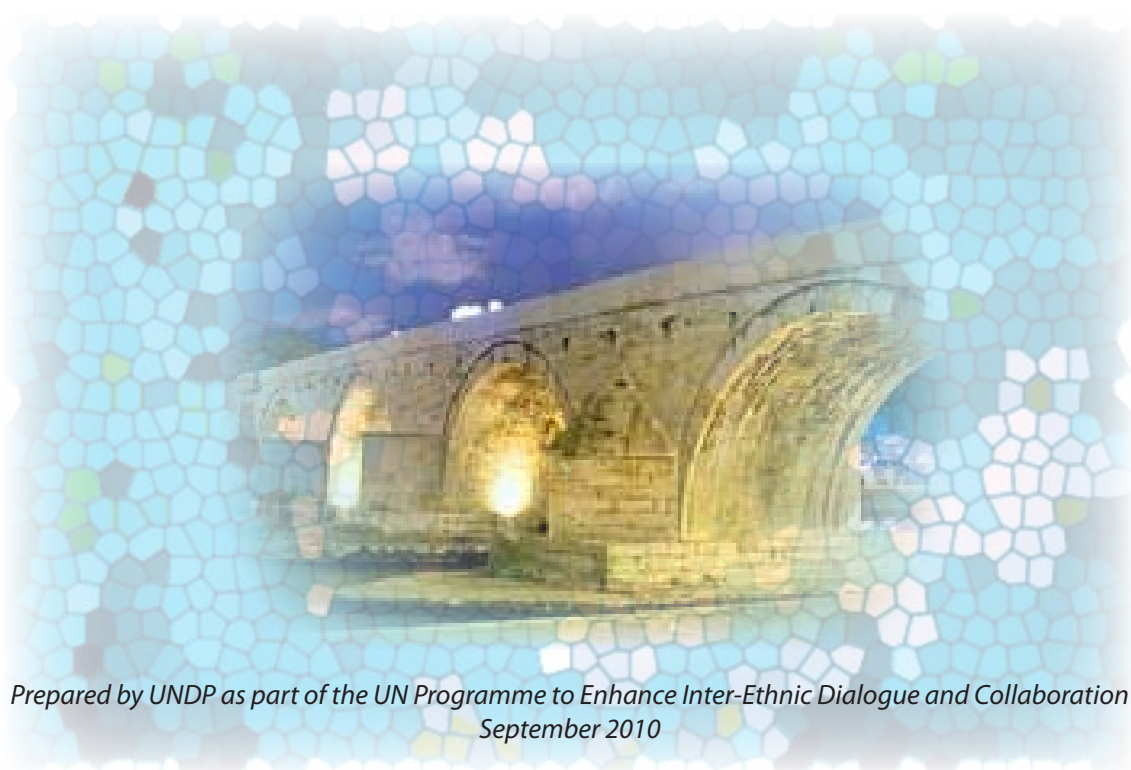


UN Programme to Enhance Inter - Ethnic Dialogue and Collaboration



Results of a Participatory Assessment

National and Local Capacities for Strengthening Inter-Ethnic Dialogue and Collaboration



*Prepared by UNDP as part of the UN Programme to Enhance Inter-Ethnic Dialogue and Collaboration
September 2010*

This Report was prepared by UNDP, in conjunction with the Secretariat for the Implementation of the Ohrid Framework Agreement, and under the leadership of Gregory Attila Connor, Chief Technical Specialist. It draws its findings and recommendations directly from a series of consultation sessions held at national and local levels. It presents the views of participants in these sessions, not of UNDP.

Skopje

September 2010

Executive Summary..... 1

Summary of Key Findings 3

National Level Findings..... 3

Municipal Level Findings..... 5

1 Introduction..... 8

2 Background Analysis 8

3 Participatory Capacity Assessment 11

3.1. Capacities and Competencies at National Level..... 11

3.1.1 Institutional Environment 11

3.1.2 Organizational Environment 12

3.1.3. Political Context and Political Party Competencies 14

3.1.4. The Social and Informal Sectors 15

3.2. Capacities and Competencies at Local Level 17

3.2.1 Institutional Environment 17

3.2.2. Organizational Environment 17

3.2.3 Political Context and Political Party Competencies 21

3.2.4 The Social and Informal Sectors 22

Recommendations by stakeholders..... 25

Recommendations at National Level..... 25

Recommendations at Local Level..... 27

Annex I 31

Annex II 32

Annex III 37

Annex IV..... 39

Annex V 43

Executive Summary

The discussions reflected in this Report confirm that a strong infrastructure is in place to support inter-ethnic dialogue and collaboration in the country. This infrastructure includes institutions and organizations at the central level that share a mandate to improve inter-community dialogue and collaboration—namely, the Secretariat for the Implementation of the Ohrid Framework Agreement, the Ministry of Local Self-Government, the Agency for Minority Rights Realization, and the Parliamentary Inter-Community Relations Committee. It also includes local government, civic, business and religious leaders and the media. Together, the latter groups help guide decisions on relevant inter-ethnic issues and are, therefore, a critical part of the overall infrastructure.

While this strong infrastructure is in place, stakeholders identified that certain gaps currently hinder the full realization of inter-ethnic dialogue and collaboration in the country. Representatives of national and local organizations agree that the capacity of organizations and institutions to promote inter-ethnic dialogue can be improved; this includes improving the skills and competencies of individuals within those organizations and institutions.

Stakeholders also confirmed that several challenges—at operational, human resource and financial levels—limit the full potential of local-level organizations to promote inter-ethnic dialogue and collaboration. Meanwhile, other mechanisms and resources at the community level are not fully developed or operational, including, instruments that, for example, assure representation, promotion and protection for non-majority communities in Kičevo, Kumanovo and Struga.¹

About this Report: The findings and recommendations in this Report are taken directly from a broad series of consultations with stakeholders at local and national levels. Organized by UNDP, in conjunction with the Secretariat for the Implementation of the Ohrid Framework Agreement, the consultations were undertaken between January and May 2010.

This Report presents the views of participants, not of UNDP. The process of assessing capacities included structured and informal meetings, focus group discussions, interviews and training sessions.

Those involved were stakeholders from local and national government, Parliament, political parties, professional agencies, international and non-governmental organizations, the media, youth and women's groups, the business community, as well as civic and religious leaders and academic and legal experts. The purpose of the discussions was to provide information on:

- The resources, practices, approaches and instruments available to national-level institutions as well as organizations in Kicevo, Kumanovo and Struga;
- The capacities of those institutions and organizations and the capabilities of those individuals to utilize such inputs; and
- recommendations by and for policy makers, administrators, and community members on ways to enhance or build new frameworks, practices and approaches to enhance inter-ethnic dialogue and collaboration in their communities.

¹ The UN Programme to Enhance Inter-Ethnic Dialogue and Collaboration supports national level institutions as well as local institutions in the municipalities of Kičevo, Kumanovo and Struga. At local level, this report reflects perspectives drawn from these municipalities.

To address these gaps, stakeholders identified a comprehensive set of recommendations aimed at:

- clarifying, implementing, amending or ratifying relevant legislation;
- utilizing existing mechanisms;
- initiating policy reform processes;
- improving inter-organizational relations;
- increasing capacities of organizations;
- and expanding the role for politics, media and civil society to enhance inter-ethnic dialogue and collaboration.

Summary of Key Findings

National Level Findings

While a strong national institutional framework is in place, capacities need to be strengthened—Much progress has been made at the national level towards advancing the country’s institutional environment. Capacity gaps remain in legal interpretation and enforcement: representatives of central government agree with representatives of civil society that an institutional gap exists in the area of law. They also agree that weak capacity exists, within organizations and among individuals, to understand and monitor laws relating to minority rights and EU integration.

At the same time, both formal and informal organizations face challenges in their development. These challenges include the capacity to implement the mechanisms of relevant frameworks into continuous and coherent practice. The Secretariat for the Implementation of the Ohrid Framework Agreement (SIOFA) identified the need to fill current capacity gaps in the following areas:

- quality human resource management (diversity management);
- organizational management (monitoring);
- and connecting local and national level functions related to the decentralization process (vertical integration).

The final gap listed above—related to connecting local and national level functions to the decentralization process—was also identified by the Ministry of Local Self-Government. Meanwhile, the Agency for Minority Rights Realization identified additional needs including: training and mentoring programmes for staff in areas such as grants and project cycle management, monitoring and evaluation. The Agency, which is committed to diversity management, was recognized by stakeholders for its ability to play a positive role in creating greater diversity in public bodies mandated to work on multi-ethnic issues.

Politicians can play a positive role—Stakeholders identified that politicians have the opportunity and capability to enhance inter-ethnic relations. They noted that one of the strongest points of consensus among voters from all ethnic communities is the desire for the country to accede to the European Union. For the country to accede, political criteria and norms that seek protection and respect for minorities are required. Therefore, a ripe opportunity

exists to strengthen and uphold a political platform for improving inter-ethnic relations. This could be done by linking improvements in inter-ethnic relations to voters' general interest in European Union accession.

The social and informal sector plays a key role—Stakeholders identified that the social and informal sector plays an important role in inter-ethnic relations. Civic leaders, including women's, youth, religious leaders, business and media are, however, generally not present in national debates or public oversight on inter-ethnic issues. One example put forward was that members of these groups are not invited to join the proceedings of the Parliamentary Inter-Community Relations Committee (whose meetings are public).

Overview:

National level capacities and gaps identified by stakeholders

Capacities	Gaps
Country-wide institutional framework in place, including legal and regulatory provisions	Weak interpretation and enforcement of laws and regulations
National governing institutions have mandates and staffing in place	<p>Low capacity to implement the mechanisms of relevant frameworks into continuous and coherent practice</p> <p>Disconnect between local and national level decentralization functions</p> <p>Low diversity management of public servants</p> <p>Lack of technical skills in grants and project cycle management, monitoring and evaluation</p>
Politicians have opportunity and capability to improve inter-ethnic relations	Politicization of ethnicity in everyday life
European integration process as positive driver of improved inter-ethnic relations	Weak understanding and monitoring of minority rights and EU integration laws
Social and informal sectors available to fill an important role in inter-ethnic relations	Civic sector, business and media not present in national debates and public oversight

Municipal Level Findings

Mechanisms that involve citizens are important and need to be strengthened—The proportionate local election system is not a guarantee for the representation of all ethnic communities. Therefore, mechanisms that involve ethnic communities in the decision-making process are important—as are efforts by political parties to reach out to citizens.

Commissions for Inter-Community Relations (CICRs) are an important mechanism for resolving and informing on inter-ethnic issues—most notable are the Commissions' ability to apply the *Badinter Principle* to the work of the municipal Councils. However, CICRs are generally found to convene for the sake of demonstrating that they have done so, and they rarely provide advisory, preventive or reactive recommendations. Moreover, inter-ethnic issues are often directed to local political leaders, usually Mayors, rather than to Commissions. Local administrations also tend to bypass the Commissions.

The efforts of local self-government are crucial and should be supported — The local governments of Kičevo, Kumanovo and Struga all reference positive cases (at the organizational level) of promoting inter-ethnic dialogue and collaboration. Despite these achievements, municipal administrators from the three municipalities identified capacity gaps in public administration, including: lack of technical expertise, planning tools, and appropriate places where CICRs can conduct meetings. Public officials also identified the need for training and mentoring programmes to help sensitize staff to inter-ethnic issues. At the institutional level, administrators also point to the need for improved inter-organizational relations, including better co-operation with NGOs during the organization of inter-ethnic events. They also called for better collaboration between the municipal administration and CICRs.

Civic leaders, media and the business community are vital to inter-community relations—Civic and religious leaders, as well as media and the business community, are key to unblocking issues local government may not be able to resolve. The positive role these groups can play has been demonstrated, for example, in affirmative cases of co-operation and communication between local religious leaders of different faiths, as well as between religious leaders and local government representatives. There are also examples of good inter-ethnic cooperation in the activities of youth and women's associations in the three municipalities, and positive cases of inter-ethnic collaboration and promotion by local NGOs. In light of these achievements, a need was identified by civic leaders for their deeper inclusion in planning, providing advisory support, and implementing inter-ethnic, inter-cultural and inter-faith initiatives with municipalities.

NGOs assessed that they knew little about, and had limited collaboration with, municipal councils and CICRs. Civic leaders pointed to a dearth of

inter-cultural opportunities for youth—who increasingly perceive themselves as living parallel lives despite residing in the same municipality. Civic leaders also identified that public initiatives often only promote one ethnic group’s culture. At the same time, they recognized that limited collaboration takes place between the private sector and civil society when it comes to promoting good inter-ethnic relations.

Local media can fulfill a positive role—Media inherently hold capacities to promote inter-ethnic tolerance and multiculturalism. Despite this, participants observed that the role of media in reporting on inter-ethnic issues is one of the main contributing factors to tensions between ethnic groups. Local media representatives identified and jointly concluded that undue political influence and biased media coverage based on “ethnic interests” has precluded the media from always displaying values of sensitivity and ethics in reporting on inter-ethnic issues. Media representatives also suggested a lack of outreach by NGOs and local government to media, including advancing positive examples of inter-ethnic co-habitation and other success stories. Media representatives also called for more proposals to support cross-sector co-operation in the field of inter-ethnic relations.

CICRs: Article 55 of the *Law on Local Self-Government* makes a provision for establishing Commissions for Inter-community Relations in municipalities where at least 20% of the population belongs to a certain ethnic community. CICRs are composed of an equal number of representatives from each community in the municipality. By law, CICRs review issues that refer to the relationships among the communities represented in the municipality. They provide opinions, and propose ways to resolve problems that arise between communities. The municipal council is obliged to review CICR opinions and proposals and make decisions.

Badinter Principle: A double majority voting procedure that: 1) requires a majority vote, and 2) requires a majority vote from non-majority communities.

Overview:

Capacities and gaps identified by stakeholders at local level

Capacities	Gaps
Local-level institutional framework in place	CICRs convene for the sake of demonstrating that they have done so and do not advise on or react to inter-ethnic issues
Local governing bodies, mandates, and staffing in place	Expertise not readily available, lack of planning tools in use, appropriate working conditions for CICRs lacking, staff not always sensitive to inter-ethnic and diversity issues
Local Self-Governments of Kičevo, Kumanovo and Struga promote inter-ethnic dialogue and collaboration	Inter-ethnic issues directed to local political leaders rather than Commissions
Affirmative cases of co-operation and regular communication by and with local leaders and representatives of Local-Self Government	Local administration bypasses Commissions. Civic and private sector leaders not included in planning, advisory support, and the implementation of inter-ethnic, inter-cultural and inter-faith initiatives led by municipalities
Inherent capacities of civil society and the business sector to serve interests of communities	Limited collaboration between the private sector and civil society in promoting inter-ethnic relations
Inherent capacities of media to promote inter-ethnic tolerance and multiculturalism	Undue political influence on the media and unbiased media coverage
Ability of the media to reach out to the community	Lack of outreach by NGOs and local government and lack of cross-sector cooperation and collaboration with CICRs

1. Introduction

Inter-ethnic dialogue and collaboration is crucial to sustaining healthy community relations, social trust and tolerance. The promotion of such dialogue and collaboration requires the encouragement and engagement of central and local government, as well as the participation of a broad and inclusive social spectrum, namely civil society, including religious, women's and youth leaders, as well as the media and the business sector. The inclusion and full engagement of these actors and their realization of inter-ethnic dialogue and collaboration can lead to important outcomes: it can resolve immediate problems or concerns between ethnic groups on vertical and horizontal, as well as local and national, levels; it can build medium-term trust and consensus between groups while strengthening democratic governance; and it can increase the ability of society to re-dress structural inequalities and to better understand and promote inter-ethnic, inter-religious and inter-cultural understanding, thereby reducing the prospect of conflict.

Nine years after the signing of the internationally-mediated Ohrid Framework Agreement (OFA) which brought the 2001 conflict to an end and laid a foundation for peace and stability in the country, the full implementation of all OFA provisions remains a government priority.² In this light, inter-ethnic dialogue remains high on the national agenda. Indeed, the OFA recognizes the decentralization process as crucial for inter-ethnic stability.

The experiences of multi-ethnic societies demonstrate that decentralized local self-government is often a key to fostering effective multiculturalism. Decentralization often aims to increase promotion, participation, protection, and representation of non-majority communities and monitoring by those communities while simultaneously helping to mitigate inter-ethnic tensions. Despite a recognized need for such interventions and ongoing government efforts, the full realization of inter-ethnic dialogue and collaboration remains protracted.

2. Background Analysis

Since independence, the Government has made significant steps in defining national policies that recognise cultural, ethnic and religious diversity in the country. As a result, positive advances have been made towards advancing a multi-ethnic state. Further, the European Union accession agenda, though not always recognized by political leaders as doing such, has served as a catalyst for pressing forward political and social processes that require consensus among different ethnic communities and political parties. Through the OFA and subsequent amendments to the Constitution, the Government has pledged to improve the rights of non-majority communities. This includes:

² The Secretariat for the Implementation of the Ohrid Framework Agreement stresses the importance of the OFA as a central document. As such, SIOFA considers that the OFA must be considering "as living matter that will be continuously upgraded". For further information, please refer to Annex II, consultations with SIOFA Representatives, 4-5 May 2010.

the recognition of the official use of a community language, along with Macedonian, in municipalities in which a non-majority community represents 20% or more of the population, as well as at national level³; increasing the participation of non-majority communities in public administration and state institutions, the police and the army; and strengthening the decentralization process in the country. In doing so, the OFA affirmed the country's peace and its multi-ethnic character, and identified decentralization as a major instrument for achieving these objectives.

At the same time, the decentralization process further embeds principles of inclusive democratic governance by improving citizen access to democratic institutions and increasing civic engagement in decision-making processes. In addition, the ongoing decentralization process has contributed to the improvement of public service delivery through local government units that aim to deliver efficient and quality services to their respective communities, which can indirectly improve inter-ethnic relations. Combined, these improvements can help reduce horizontal inequalities between different ethnic communities, which frequently lie behind the outbreak of conflict.⁴ Such efforts can also further strengthen the legitimacy of governance.

The positive effect of decentralization, including horizontal decentralization, on inter-ethnic relations will not be immediate. Challenges that arise during the decentralization process require ongoing review and assessment. The redrawing of municipal borders, for example, has led to a change in the demographic structure of municipalities, which has shifted the electoral base in several municipalities along ethnic lines.

If left unchecked, decentralization can run the risk of cementing local majority groups (ethnic, religious, linguistic) at the expense of minorities.⁵ It is important to reduce the causal linkage between decentralization and resurgent or latent conflict and to ensure that all necessary capacities are in place to enable a full and optimal process of decentralization. Since decentralization often involves the redistribution of power, it is critical to ensure that mechanisms for dialogue and dispute settlement are available to local communities. Decentralization can and has changed majority-minority population structures and relations between communities and local governments. In this context, mechanisms should be supported to ensure that non-majority communities are not and do not feel disenfranchised. Such assurances can also be fostered in the political realm, where local elites can support a decentralization process that promotes these ideas while delivering reliable public service, regional development and dialogue between local and regional units.⁶

These are important factors to consider given that general perceptions

³ According to Article 2 (Official Gazette # 07-3430/1) of 4 August 2008 a language spoken by at least 20% of citizens of the country may be used in the Parliament, in communication of citizens with Ministries, judicial procedures, execution of sanctions, the Ombudsman, the election process, the issue of personal documents, the application of police procedures, infrastructure objects, local self-government, finances, the economy, education and science, culture and other fields and institutions based on this Law.

⁴ *Governance in Conflict Prevention and Recovery*, UNDP, 2009.

⁵ *Decentralization and Conflicts: A Guideline*, GTZ, Germany, 2006.

⁶ *Ibid*

indicate an increased feeling of inequity and disparity in income that can easily be associated, if not reversed or corrected, to negative inter-ethnic relations. UNDP's 2010 *People Centred Analyses Report* has indicated that *"ethnic conflicts are more likely to happen in plural societies in which there is a great discrepancy between the needs of the citizens and the possibilities of the state to satisfy those needs"*. In 2009, four-fifths of the population polled in the country felt that their "situation" had worsened since 1989, which is *"a proportion higher than in any other transition country apart from Bosnia and Herzegovina."*⁷ This factor has likely contributed to a perception by the general public that inter-ethnic relations are tense. A national and regional representative sample conducted in 2008 indicated that 70% of respondents felt either some or a lot of tension.⁸ Since then, perceptions have not improved: the respondents of the national and regional representative sample conducted one year later, in 2009, who reported that inter-ethnic relations had worsened over the past 6 to 12 months doubled.⁹ Continuous measures are needed to build inter-community trust and understanding.

Recently, tensions have also risen between religious communities in the country, including frictions over religious sites and space allocated for the construction of religious buildings.¹⁰ Such concerns may best be addressed by informal or formal channels, civic or governmental channels, or a combination of these. Efforts are underway to address trends, challenges and perceptions, including recognition that inter-cultural, inter-ethnic and inter-religious initiatives should be promoted on a long-term basis and in a sustainable manner. There is recognition of the strong role that can be played by women, youth, religious and community leaders, who, together with governing institutions, can help promote and secure the country's diversity of cultural heritage and expressions.

⁷ *People Centred Analyses*, UNDP, April 2010.

⁸ *People Centred Analyses*, UNDP, March 2009.

⁹ *People Centred Analyses*, UNDP, March 2009; *People Centred Analyses*, UNDP, April 2010.

¹⁰ Confirmed during a meeting with the Mayor of Struga, Mr. Ramiz Merko, on 26 February 2010.

3. Participatory Capacity Assessment

3.1. Capacities and Competencies at National Level

3.1.1 Institutional Environment

The country is a member of organizations and a party to international conventions that also influence the capacity to enhance inter-ethnic community dialogue and collaboration. Among these are the United Nations' legally non-binding *Declaration on the Rights of Persons Belonging to National or Ethnic, Linguistic or Religious Minorities* as well as the legally-binding core treaties of the *International Covenant on Civil and Political Rights* and the *International Convention on the Elimination of Racial Discrimination*, which further elaborate the legally non-binding *Universal Declaration of Human Rights*. At the European level, the country is a member of the Council of Europe and party to its *Framework Convention for the Protection of National Minorities*, which enshrines rights to social, cultural, economic and public participation of non-majorities. Lastly, the country is a member of the Organization for Security and Co-operation in Europe, whose *Copenhagen Document* provides similar assurances as well as the *Lund Recommendations*, which outline the effective participation of national minorities in public life.

The amendments to the Constitution and some of the more than 80 laws that have been adopted or amended since 2001 comprise an institutional framework that has secured the peace and development of the country while respecting the rights of ethnic identity and the interests of all Macedonian citizens. The laws and amendments transpose the following basic principles into the regulatory and legal system:

- the development of decentralized government, the revision of municipal boundaries according to census, and the selection of law enforcement members by municipal councils to ensure responsiveness to local needs;
- non-discrimination in employment and equitable representation including with respect to employment in central and public bodies and the election of judiciary and an Ombudsman;
- special parliamentary procedures including at central level the need for a double-majority vote which includes a 2/3 majority of votes from non-majority community members on Constitutional amendments and at the local level the same principle applied to laws affecting culture, use of language, education, personal documentation, use of symbols, local finances, elections, the capital and the boundaries of municipalities;
- education and use of languages including recognition of Macedonian

as the official language of the Republic, as well as recognition of the official use of a community language for which the community represents at least 20% of the population, the right to receive primary and secondary school instruction in native languages, state funding for education in languages spoken by at least 20% of the population, the right to translation in civil and criminal court proceedings and the issuance of personal documents in native languages; and lastly,

- the expression of identity including the right of the majority of a municipality to place the emblem of the majority community next to the State emblem in accordance with international rules and usages.

While much progress has been made in advancing these principles, capacity gaps remain in their interpretation and enforcement. For example, representatives of central government agree with representatives of civil society that an institutional gap exists in the area of law. They also agree that weak capacity exists, within organizations and among individuals, to understand and monitor laws relating to minority rights and EU integration.¹¹

3.1.2 Organizational Environment

State bodies that provide consensual procedures and mechanisms to support good inter-ethnic relations include the Secretariat for the Implementation of the Ohrid Framework Agreement, the Ministry of Local Self-Government, the Agency for Minority Rights Realization, as well as specialized arms of the Ministry of Culture for the affirmation and promotion of culture for the members of the communities and the Ministry of Education for the development and promotion of education for the members of the communities.¹² However, these organizations face challenges in their development. These challenges include the capacity to implement the mechanisms of relevant frameworks into continuous and coherent practice.

The Secretariat for the Implementation of the Ohrid Framework Agreement, which succeeds the 2004-established Sector, was established by changes in the law,¹³ which enabled it to begin functioning in January 2008. The Secretariat has a mandate and task to fully implement the Ohrid Framework Agreement and ensure administrative and technical support to the Vice Prime Minister in charge for its implementation.¹⁴ The Secretariat also provides support to the Government in the implementation of the strategic priorities related to the tasks and obligations derived from the Framework Agreement, in particular to ensure equal representation of the citizens who belong to all communities

11 For further information, please refer to Annex II, consultations with Central Government Representatives, 4-5 May 2010.

12 The Ministry of Foreign Affairs and SIOFA also note the importance of the Ministry of Finance and SIOFA notes the importance of the Ministry of the Interior, which are not analyzed within the framework of this project, in the state institutional framework. The Ministry of Foreign Affairs further states that "the Ministry of Finance is a key to the implementation of the OFA, yet several legal gaps remain to reach the full implementation of the OFA in relation to the Ministry of Finance." SIOFA also states that the database on all new public sector employment that is housed within the Ministry of Finance is not operational at present. For further information, please refer to Annex II, consultations with Central Government Representatives, 4-5 May 2010.

13 *Official Gazette of the Republic of Macedonia* 115/2007.

14 The SIOFA "implements the 'practical' aspects of the implementation of the OFA and highlights the division between the political aspect of the Deputy Prime Minister's role and the technical role of the Secretariat". For further information, please refer to Annex II, consultations with SIOFA Representatives, 4-5 May 2010.

and other public institutions. The Secretariat also follows the process of decentralization and public administration, prepares methodologies for actions plans for the Government in relation to preparation of the projects of the OFA, co-ordinates and follows up on its implementation, and also provides communication with the public, media and other target groups in order to increase the level of transparency and public information.¹⁵

The Secretariat identified the need to fill current capacity gaps in the following areas:

- quality human resource management (diversity management¹⁶);
- organizational management (monitoring);
- and connecting local and national level functions related to the decentralization process (vertical integration).¹⁷

The final gap listed above—related to connecting local and national level functions to the decentralization process—was also identified by the Ministry of Local Self-Government.¹⁸

Meanwhile, the Agency for Minority Rights Realization, which was established in July 2008 according to the *Law for the Promotion and Protection of the Rights of the Communities who are Less than 20% of the Total Population of the Country*, identified additional needs including: training and mentoring programmes for staff in areas such as grants and project cycle management, monitoring and evaluation¹⁹. The Agency, which is committed to diversity management, was recognized by stakeholders for its ability to play a positive role in creating greater diversity in public bodies mandated to work on multi-ethnic issues.²⁰

Through the OFA's *Annex A*, Constitutional amendments were adopted by Parliament that defined the legal basis of the Parliamentary Inter-Community Relations Committee, which replaced the Interethnic Relations Council founded by the 1991 Constitution. The mandate of the new body, which was established and whose members are appointed by the Assembly, is to consider issues related to inter-community relations and to make assessments and propose solutions which the Assembly is obligated to take into consideration and decide upon. A special function of the Committee is to decide by majority vote in case of dispute at the Assembly if the double majority voting procedure shall be applied (Badinter Principle).

¹⁵ In the area of monitoring, SIOFA states that "the focus of the monitoring that the Secretariat performs relates solely to the decentralization process pertaining to the implementation of the OFA. The other aspects of decentralization and monitoring are the responsibility of the Ministry of Local Self-Government". For further information, please refer to Annex II, consultations with SIOFA Representatives, 4-5 May 2010.

¹⁶ Diversity management refers to a practice which is used for capturing and capitalizing upon the diversity of the workplace by managing differences within a workforce, capitalizing on the benefits of diversity, minimizing workplace challenges, promoting sustainable policy and optimizing human resources, including the recruitment, promotion and retention of staff.

¹⁷ Meeting with Ms. Meleka Elezi, Secretariat for the Implementation of the Ohrid Framework Agreement, 26 March 2010.

¹⁸ Confirmed during a meeting with Minister Musa Xhaferi, Ministry of Local Self-Government, 10 February 2010.

¹⁹ Meeting with Ms. Vesna Babic-Petrovski, Director, and Mr. Vladimir Stojanovic, Agency for Minority Rights Realization, Skopje, 26 March 2010.

²⁰ The agency, whose key mandate of promoting and protecting the rights of these communities, became operational in November 2009. It currently includes two Government-appointed positions and five secretariat staff administrators; a total of thirty-six staff positions are planned to be filled.

The Inter-Community Relations Committee consists of nineteen members. According to the *Law on the Inter-Community Relations Committee*, the Committee is elected by the Assembly and consists of seven Members of Parliament (MP) from the Albanian and Macedonian communities, and one MP each from the Turkish, Vlach, Roma, Serbian and Bosnian communities. If a representative from one of the communities is not a Member of Parliament, the Ombudsman, in consultation with relevant representatives of the respective community, may propose a member to the Committee. The Committee is the only parliamentary body regulated by special law.

3.1.3. Political Context and Political Party Competencies

One of the greatest challenges of a power sharing agreement is to reduce the inclination for society to divide itself politically along ethnic lines while ensuring, at the same time, the political participation of non-majority communities. Although party coalitions might help integrate multi-ethnic communities, political parties in the country are starkly ethnic. A review of the current MPs who constitute the Inter-Community Relations Committee (see Annex III) reveals only one case of a MP crossing ethnic party lines. If divisions in society become institutionalized, the political process is reduced to agreements between political elites.²¹

Data suggests that currently, ethnic political organization and voting prevails, with half (51%) of respondents of the country stating they would not vote for *“a political candidate from another [ethnic] party.”*²² On the other hand, when divisions are tangible, one of the only ways to resolve the ethnic divide may be to accommodate the division in the political power structure. The system will only work, however, when political elites are more moderate than supporters.²³ Respondents’ surveys indicate that parties are perceived to play a negative role in interethnic relations: in 2008, 44% of respondents perceived politicians at all national levels to worsen interethnic relations, whereas in 2009 the perception increased to 71%.²⁴ Compared to other factors such as the media, schools, family and local government, political parties are perceived to have the most damaging impact on interethnic relations.²⁵

Despite these challenges - and a possible platform for integrative political party dialogue - there is an opportunity and capacity for the role of politics to enhance inter-ethnic relations. One of the strongest points of consensus by voters of all ethnic communities is European Union accession. At the same time, the Copenhagen criteria, which serve as part of the foundation for the legal instruments that constitute the stabilization and association process for the country, contain references to strict political criteria and norms

21 Bieber, F. Power-Sharing and Implementation of the Ohrid Framework Agreement, Friedrich Ebert Stiftung, Skopje, 2008.

22 People Centred Analyses, UNDP, April 2010.

23 Ten Hoove, Lotte and Pinto Scholtbach, Alvaro, Democracy and Political Party Assistance in Post-Conflict Societies, Netherlands’ Institute for Multiparty Democracy, The Hague, Netherlands, 2008.

24 People Centred Analyses, UNDP, March 2009.

25 People Centred Analyses, UNDP, April 2010.

that seek protection and respect for minorities. More specifically, the 2006 European Union Partnership defines the need for equitable representation of non-majority communities as a medium-term national strategy. These opportunities provide a sound basis for building and upholding a platform of improving inter-ethnic relations by linking such improvements to voters' general interest in European Union accession.

3.1.4. The Social and Informal Sectors

Continuous measures are necessary to monitor progress and to uphold inter-communal trust and social capital at the national level. In addition to the normative framework and national level institutions herein described, civil society, comprised of a broad social base including non-governmental organizations (NGOs), faith-based groups and religious leaders, citizens' associations, business leaders, chambers of commerce, youth, educators, parents, women's associations and others have an important role in enhancing inter-ethnic dialogue and collaboration.

Stakeholders identified that the social and informal sector plays an important role in inter-ethnic relations. These groups play a vital role to ensure that interests are supported by the law, concerns are addressed by elected officials and that governing institutions respond to needs. Civic leaders are, however, generally not present in national debates or public oversight on inter-ethnic issues. One example put forward was that members of these groups are not invited to join the proceedings of the Parliamentary Inter-Community Relations Committee (whose meetings are public).

These important roles – as protector, promoter, and watchdog – of such groups can be opposing when group interests prevail over national interests, or when civic members respond to negative perceptions, discrimination or injustice by one ethnic group or several groups towards their own. Civil society, like political parties, can reflect the needs, values and concerns of one ethnic group, rather than several communities. This situation is noteworthy considering that many issues that are seen to impact one community – for example in areas of youth, education, gender, and employment – impact several communities.

The situation is also noteworthy considering that funding for civic initiatives is competitive, and that inter-community collaboration could provide access to resources that might otherwise be too restrictive for one group's efforts. Conversely, professional NGOs working on inter-ethnic and multicultural issues at the national level can lose sight of their mission in the struggle to 'stay in business' and adapt to a changing donor environment and shifting prioritization of strategies. In the drive to generate overheads, cover staff salaries and office costs, to develop new proposals and set new targets, NGOs can begin to resemble businesses focussed on the bottom-line rather than

the centres of community leadership, voice and accountability they are often expected to be by the communities they serve.

Similarly, the suitability of professional NGOs for donors, state institutions and other change agents can place such organizations at a comparative advantage over informal actors, religious leaders, institutions of faith, individuals, ad-hoc citizens' groups and other unregistered organizations that might possess a deep understanding of relevant issues or be held in high esteem by their respective communities, but who lack legal status, interest, or capacity to apply to grants schemes. It has been observed that civil society is sometimes divided along ethnic lines in the country and that a perceived risk is that 'professional' interventions pose a threat to the power and legitimacy of civic leaders to solve problems in their respective communities.

3.2 Capacities and Competencies at Local Level

3.2.1 Institutional Environment

In general terms, the decentralization process is meant to provide more decision-making to the local level, to bring government closer to citizens, to promote active citizen participation, and to provide consultation and representation mechanisms for issues connected with inter-ethnic relations. Underpinning this is the *Law on Local Self-Government*, which aims to provide a better response by local decision-makers to local needs, especially with respect to decisions that have a disproportionate effect on non-majority communities. Fiscal decentralization, strengthening municipal responsibilities, building consultative and representational bodies, and the principle of equitable representation and power-sharing are expected to bring different ethnic communities closer together.

Underpinning this process is a set of institutions that are vital to increasing the promotion, participation, and representation of ethnic groups while simultaneously helping to mitigate interethnic tensions. Local governments can play a key role in identifying and advancing effective and efficient ways to resolve and prevent negative inter-ethnic relations. Local governments are at times the most knowledgeable bodies on local-level issues and are able to consider and apply the balance of interests while advancing the institutional framework.

Article 55 of the *Law on Local Self-Government*²⁶ makes a provision for the establishment of Commissions for Inter-community Relations (CICRs) in municipalities where at least 20% of the population belongs to a certain ethnic community. The law does not preclude other municipalities from establishing CICRs, which are consultative bodies composed of an equal number of representatives of each community represented in the municipality. By law, CICRs are to review issues that refer to the relationships among the communities represented in the municipality, provide opinions and propose ways to resolve problems that arise between communities. According to the same article, the Municipal Council is obliged to review CICR opinions and proposals and make consequent decisions.

3.2.2. Organizational Environment

The local governments of Kičevo, Kumanovo and Struga have all referenced positive cases at the organizational level of promoting inter-ethnic dialogue and collaboration in their multi-ethnic municipalities – from the role of Mayors and Councils to the work of the municipal administration.²⁷ Positive examples are found in the municipalities in the cases of awards for civic members in Kumanovo, for public financing for NGOs active in the communities of

²⁶ "Official Gazette" No.5/2002.

²⁷ Meetings held with Mayors, Councillors and Municipal Administrators in Struga on 26 February 2010, Kumanovo on 23 February 2010 and Kičevo on 29 March 2010.

Kumanovo and Struga and for the CICRs' planning and advisory role related to inter-cultural festivals and events. However, care must be taken to ensure that such efforts do not duplicate or replace the role of local NGOs and cultural associations and that the CICRs grow into their mandate to work on a broader basis that provides greater advocacy, coordination and promotion of the communities they represent.

Because the *Law on Local Self-Government* is flexible, municipalities often regulate the details of the composition and manner of operation of bodies such as the CICR by applying municipal statutes, which provide discretion to municipalities. For example, according to certain statutes of the municipalities, CICRs are treated as one of the permanent bodies of the municipal council. This approach is adopted by the municipality of Kičevo. In other cases, CICRs are treated as special bodies of the council. However, as opposed to other commissions whose members must be municipal councillors, CICRs are municipal bodies, not council bodies.

The gap between the Law and the practice of CICRs has implications on other legal issues, including those that relate to the competencies and capacities of the CICRs. According to Article 41 of the *Law of Local Self-Government*, decisions related to culture, the use of language spoken by less than 20% of citizens in the municipality, the use of alphabets, and the determination of the coat of arms and flag of the municipality shall be adopted by the majority of votes of council members, within which there must be a majority of votes of council members belonging to the communities which are not in the majority of the population of the municipality.

Country-wide research indicates that the identification of solutions to challenges that emerge at local level can rarely be attributed to the work of the CICRs.²⁸ Research conducted across the country has identified that CICRs are generally found to be “dysfunctional with very little credibility or capacity to deal with inter-ethnic problems at the local level.”²⁹ CICRs that operate, display a divergent set of characteristics - from composition to procedures and frequency of meetings. Many CICRs share the characteristic of convening for the sake of demonstrating that they have done so, as opposed to meeting to discuss advisory, preventive or reactive issues of concern, or areas outside of their usual mandate such as conflict transformation or diversity management and mainstreaming. Inter-ethnic issues are often directed to local political leaders, usually to the Mayor's office, rather than to the Commissions.³⁰ On a practical level, local administration also tends to bypass the Commissions. Despite their institutional weaknesses, CICRs are critical for resolving and informing on inter-ethnic issues, most notably in their role to apply the

28 Development of a Council for Interethnic Relations in Bujanovac: Research Report, CSS Project for Integrative Mediation/Stability Pact for South Eastern Europe, Berlin, 2009.

29 Commissions for Inter-ethnic Relations in Municipalities of Macedonia (FYROM): Research Report, CSS Project for Integrative Mediation/Stability Pact for South Eastern Europe, Berlin, 2008.

30 This is the case reported for Struga by the Municipal Administration during a meeting in January 2010. This assertion may relate to the statement of the President of the Council of Kumanovo, and affirmed by a member of the Council of Kičevo, that the Councils in the country, in comparison to the region, have a low stature due to the bulk of executive powers vested with the Mayor. For further information, please refer to Annex II, consultations with Local Government Representatives, 27-28 April 2010.

Badinter principle to the work of the municipal Councils.

Due to the significance attached to these bodies and the double-majority democratic process, oversight and implementation mechanisms are crucial. At present, there are no consequences when a community is not represented or when representation is not equal.³¹ In addition, there is a lack of clarity, at national and local level, over who is in charge of enforcing the law³² and uncertainty over the consequences of violating the law. The lack of clarity is not necessarily an institutional weakness but a gap in the provision of implementation mechanisms in the law. Either way, the lack of clarity can lead to unfair decisions that result from perceptions of inconsequence or, in a worse case, impunity. To date, research has identified that in a majority of cases in which it should have been applied, the Badinter majority was not, for reasons ranging from the interpretation of what constitutes a “cultural” or “language” issue to the opposition of the use of the regulation.³³

Participatory assessments³⁴ of the three municipalities of Kičevo, Kumanovo and Struga revealed the following implementation and knowledge gaps:

Regulations on Establishment and Structure of CICRs According to Article 55 of the Law on Local Self-Government	CICR of Kičevo in Practice	CICR of Kumanovo in Practice	CICR of Struga in Practice
Obligated to Establish/Has Established CICR	Yes/Yes	Yes/Yes	Yes/Yes
Ethnic Groups Living in Municipality Equally Represented in CICR	Yes ³⁵	No	Yes ³⁶
Members of CICR Elected by Statute	Unknown	Unknown	Unknown
CICR Discusses Issues of Importance to Inter-ethnic Relations and Makes Proposals to Council	Once by Previous CICR in 2009	Unclear, Disputed between Members of CICR	Once by Previous CICR in 2009
Municipal Council Reviews Opinions and Proposals of CICRs and Makes Consequent Decision	Once by Previous CICR in 2009	Unclear, Disputed between Members of CICR and Council	No, Council made decision prior to receiving CICR recommendations

Figure 1: Discrepancy between Regulations According to the Law on Local Self-Government and CICRs in Practice

31 Commissions for Inter-ethnic Relations in Municipalities of Macedonia (FYROM): Research Report, CSS Project for Integrative Mediation/Stability Pact for South Eastern Europe, Berlin, 2008.

32 Confirmed during a meeting with Minister Musa Xhaferri, Ministry of Local Self-Government, 10 February 2010.

33 Musliu, Albert, et al, Power Sharing: A New Concept of the Decision Making Process in Multicultural Municipalities, Association for Democratic Initiatives, Skopje, 2006.

34 For information on the participants of the participatory assessments, please see Annex II.

35 The current composition of the CICR of Kičevo reflects the recent decision to replace two Macedonians by one Egyptian and one Serb. In addition to the CICR President – an ethnic Macedonian, other members include one Albanian, Vlach, Rom, and Turk.

36 The current composition of the CICR of Struga equally includes 8 communities. However, only the President is an active member at present according to the Municipality and the CICR President.

Despite these weaknesses,³⁷ observers and local communities generally agree that CICRs could be improved to better serve their intended purpose. During the course of this assessment, the municipality of Kičevo demonstrated significant progress in the development of its CICR, including more equitable membership. This development is in contrast to other municipalities, where institutions are not as developed. Municipal administrators from the municipalities of Kičevo, Kumanovo and Struga identified a set of capacity gaps in their municipality administration. This included the lack of young staff in the administrations of Kičevo and Struga, the lack of expertise available within the municipalities for dealing with appropriate language translation in local government proceedings, the lack of planning tools, the lack of appropriate working conditions for CICRs to conduct meetings, and the need for training and educational programmes to sensitize staff to inter-ethnic issues, especially in the municipalities of Kičevo and Struga. Administrators also pointed to the need for input from NGOs to municipalities related to the organization of inter-ethnic and inter-cultural activities as well as a call for a more collaborative process between the municipal administration and CICRs.³⁸

At the local level, the Office of the Ombudsman, which maintains presence in six regions of the country, is also an important institution in the legal realm, that, after examining the factual basis of complaints and confirming that an alleged violation has infringed a citizen's rights, submits recommendations, suggestions, implications, proposals, opinions, requests and other similar interventions to competent bodies in order to eliminate the irregularities and illegal aspects of the case. As such, the Ombudsman protects the constitutional and legal rights of citizens and all other persons when these are infringed by acts, actions and omissions by the state administration bodies and by other bodies and organizations that have public authority, and undertakes actions and measures, according to the 2003 *Law on the Ombudsman*, to promote equitable representation in public bodies and the principle of non-discrimination and adequate and equitable representation of community members in state administration bodies, local self-government units and public institutions and agencies.

³⁷ For a comprehensive overview of capacity gaps identified by stakeholders, please refer to Annex IV.

³⁸ For further information, please refer to Annex II, consultations with Municipal Administrators, 27-28 April 2010.

3.2.3 Political Context and Political Party Competencies

The proportionate local election system is not a guarantee for the representation of all ethnic communities. Therefore, mechanisms that involve ethnic communities in the decision-making process and efforts by political parties to reach out to citizens are important.

In performing the function of monitoring the status of adequate and equitable representation of all communities and gender equality, the Ombudsman reported that while a certain level of improvement occurred, the legally guaranteed principle of adequate and equitable representation has not been sufficiently promoted in all institutions of the legal and political system.³⁹ One possible contributing factor is the 'winner takes all' position of political parties and its impact on government administration at local level.⁴⁰ There is a widespread perception that political leaders appoint administration as a form of "payback". In local administration, it is often observed that "personnel changes are given top priority in order to secure positions for those who earned them in the party."⁴¹ While this process is endemic to many political systems, it can be harmful when successive personnel changes occur and when one ethnic community is or is seen to be promoted by a party within the administration. There is a strong belief that this political factor leads to a low-capacity within the government to deliver services and equitably and efficiently represent citizens' interests and a perception that those selected hold low performance capabilities and standards. An organized vetting process of public officials to increase confidence in the integrity of the state and suitability for public office is currently not undertaken in the three target municipalities.

In addition, political factors are seen to unduly influence bodies within local government. Observation by the NGO Common Values suggests a significant political role that parties fill in the nomination and selection of CICR members, including new members of the CICRs being informed of their nomination and election to CICRs post-factum.⁴² Where Nomination Committees exist, it is widely observed, as in the case in Struga, that the Mayor may make CICR appointments.⁴³

Initiatives exist that can partially play a role in inter-ethnic community dialogue and collaboration in the political context. These include Civic Forums and Parliamentary representation at local level through special, citizen-oriented offices. In the case of the former, activities have ceased in the municipalities of Kičevo, Kumanovo and Struga,⁴⁴ while in the latter, activities are expected

39 Ombudsman's Report: Information on Equitable Representation in the State Administration in 2009.

40 For example, the President of the Council of Kumanovo states that CICRs are politicized, and points to the case of CICR members previously serving as publically elected local government officials represented on the municipal council. Conversely, the President of the Council of Struga states that CICRs are not politicized, at least in the municipality of Struga. Media representatives from Struga disagree and claim that the CICR of Struga is politicized and not open to co-operation. For further information, please refer to Annex II, consultations with Local Government Representatives, 27-28 April 2010 and consultations with Media Representatives, 22-23 April 2010.

41 A Guide to Minorities and Political Participation in South-Eastern Europe, King Baudouin Foundation, Brussels, 2009.

42 Commissions for Inter-ethnic Relations in Municipalities of Macedonia (FYROM): Research Report, CSS Project for Integrative Mediation/Stability Pact for South Eastern Europe, Berlin, 2008.

43 Ibid.

44 Confirmed during a meeting on 30 March 2010, with the donor of the initiative, the Swiss Agency for Development Cooperation.

to continue in these municipalities.⁴⁵

3.2.4 The Social and Informal Sectors

To date, decentralization has improved citizen access to democratic institutions and increased civic engagement in the decision-making process. The role of the social and informal sector in the decentralization process and, more specifically, in enhancing inter-ethnic community dialogue and collaboration at local level is not only important for advancing democratic principles of civic representation. Civic and religious leaders, as well as media and the business community, are also a key to unblocking problems that local government may not be able to resolve. The 'soft skills' of such leaders can greatly complement local political leadership and jointly resolve seemingly intractable dilemmas. These civic 'insider partials',⁴⁶ who have trust and respect within their communities based on their aptitude rather than political credentials, should help lead local government on important community-level issues.

In the informal sphere, there are assenting cases of people bridging divides. In religious life, local Muslim and Christian religious leaders point out that both Islam and Christianity instil the same values and morals, which are of special importance to youth. There are positive examples of shared spaces in the country, especially during holidays and festivities, like Easter and Bayram. There are affirmative cases of co-operation and regular communication between local religious leaders, as well as between religious leaders and local government. For example, in Kičevo, when the Islamic Community was indebted over an unpaid electricity bill, it joined forces with the local Orthodox Community, which faced the same problem, and presented the issue to the local government, whose councillors agreed to cover the bills, as well as to cover monthly expenses thereafter. In Kumanovo, there are positive examples of the Islamic community working together with the multi-ethnic community and the local government to resolve the lack of space for 35,000 Muslims in the municipality through the provision of additional religious facilities.⁴⁷

In the formal sphere, there are also many examples of inter-ethnic cooperation, for example by youth associations and women's associations in the three municipalities, especially in the promotion of inter-cultural relations through retreats, camps, trainings, and joint activities. There are also positive cases of the promotion of inter-ethnic collaboration in the country at local level by NGOs, as well as with governing institutions, particularly in the fields of gender, youth and non-formal education. These are areas in which civil society can, and sometimes does, play an advisory role. This occurs, to a limited extent, in the municipalities of Kičevo, Kumanovo and Struga in relation to schools and local government, where inter-ethnic activities within the NGO sector are

45 Confirmed during a meeting on 6 April 2010 with the National Democratic Institute.

46 Odendall, Andries. Local Peacebuilding and National Peace Architectures: Lessons Learned from Local Peace Forums (Working Paper), UNDP, January 2010.

47 Confirmed during meetings with religious leaders 22-23 April 2010. For further information, please refer to Annex II, consultations with Local Religious Leaders, 22-23 April 2010.

underway in all three municipalities. There are also positive examples of inter-religious collaboration and co-operation.⁴⁸

In light of these achievements, a need remains for deeper inclusion of civic members, the media, the religious community and the private sector in planning, advisory support, and the implementation of joint inter-ethnic, inter-cultural and inter-faith initiatives at the local level. Currently, very few civic leaders are formally or informally involved with local government, including observing or working with local government institutions. NGOs assessed that they knew little about the proceedings of municipal councils and CICRs.⁴⁹ In certain contexts, civic associations might fulfil roles in the community vis-à-vis local government such as playing a 'watchdog' function or undertaking service provision or grantee functions on behalf of the municipality. Neither is common in the municipalities of Kičevo, Kumanovo and Struga. Out of a group of NGO leaders representing seven prominent organizations in the municipality of Kumanovo, only one worked directly with the local municipality and none monitored the activities of the municipality.⁵⁰

Consultations with civic leaders pointed to the lack of inter-cultural opportunities for youth, who often live parallel lives despite living in the same municipality.⁵¹ Many NGOs focus on the promotion of their ethnic group's culture, while there is very little long-term "inter-cultural dialogue" in the non-formal and formal spheres. As one civic leader explained in agreement with other representatives, "We need to have influence in families where young people are raised and where stereotypes and prejudices take shape."⁵²

There is also little collaboration between the private sector and civil society in promoting good inter-ethnic relations, which is interesting given that the market in the country often captures the financial interest of all ethnic communities, that marketing can be and inherently is aimed at multiple ethnic communities, and that corporate social responsibility has widened as a national and local practice in recent years. From assessments conducted in Kičevo, Kumanovo and Struga,⁵³ no private-sector led activities such as inter-cultural awards or prizes were identified, though civic members, including business leaders agreed that the private sector could play a very positive role in enhancing inter-ethnic issues in the communities.

Despite the inherent capacities of the media to promote inter-ethnic tolerance and multi-culturalism in communities, the media and its role in reporting on inter-ethnic issues is often identified as one of the main contributing factors to inter-ethnic tension in the country. Data of nation-wide representative survey conducted in 2006 indicated that over 80% of respondents felt that

48 For example, the Macedonian Centre for International Cooperation has led and continues to lead inter-faith dialogue initiatives.

49 In all three municipalities, NGOs reported to not receive information about the work of CICRs, to not know the members or invited to meet them, do not interact or take part in CICRs and their meetings, and sometimes receive inaccurate responses from municipalities as to why they did not receive invitations to meetings. Further, the work of national-based NGOs that have tried to resolve these issues directly with local government has been reported to be lost due to turn-over and changes within the CICRs and municipalities more broadly. For further information, please refer to Annex II, consultations with Local Civil Society Representatives, 22-23 April 2010.

50 For a list of the NGOs consulted in Kumanovo on 23 February 2010 please refer to Annex II.

51 For a full list of meetings held with NGOs in Struga on 26 February 2010 and Kumanovo on 23 February 2010 please see Annex II.

52 Meeting with NGOs in Kumanovo on 23 February 2010.

53 For a full list of meetings please see Annex II.

the media contributed to ethnic tensions.⁵⁴ A similar survey conducted one year earlier identified the media as the second highest contributor to ethnic tension, after politicians, amongst respondents.⁵⁵ Local media in Kičevo, Kumanovo and Struga conclude that undue political influence and biased media coverage based on the media's "own ethnic interests" preclude the media from displaying values of sensitivity and ethics in reporting on inter-ethnic issues.⁵⁶ Media representatives also suggest a lack of outreach by NGOs and local government to the media (e.g. press releases), including positive examples and success stories, as well as proposals for cross-sector co-operation on inter-ethnic activities and collaboration with CICRs.⁵⁷

As in the case of the private sector, assessments conducted in Kičevo, Kumanovo and Struga, identified no current media-led activities underway such as inter-cultural awards or prizes, though a now-ceased award by the media to a "person of the year" from civil society was cited by a former recipient of the award as a great motivation to continue an often challenging and usually non-remunerated role as a community leader.⁵⁸ There are similarly no identified activities promoting inter-ethnic tolerance and understanding such as public service announcements, campaigns, social programming or other communications initiatives currently being led by the media.

54 Early Warning Report: Survey Results, UNDP, Skopje, December 2006.

55 Early Warning Report, UNDP, Skopje, June 2005.

56 Meetings held with media representatives in Struga on 26 February 2010, Kumanovo on 23 February 2010 and Kičevo on 29 March 2010 as well as 22-23 April 2010.

57 Meetings held with media representatives in Struga on 26 February 2010, Kumanovo on 23 February 2010 and Kičevo on 29 March 2010 as well as 22-23 April 2010.

58 Meeting with civic leaders, Kumanovo, 23 February 2010.

Recommendations by Stakeholders

Stakeholders at national and local levels proposed and endorsed the following recommendations.

Recommendations at national level

<p>Assurance that relevant legislation and mechanisms are understood and utilized</p>	<p>Assurance that the Badinter Principle is implemented in Parliament through the Parliamentary Committee for Inter-Community Relations.</p> <p>Increased capacity of organizations to understand laws that relate to minority rights and monitoring new laws related to EU integration.</p>
<p>Amendment or ratification of laws</p>	<p>To enable a decision-making role for, and increased collaboration with, Committees for Inter-Community Relations, assessment by the Parliamentary Committee for Inter-Community Relations on possible amendments to the <i>Law of the Local Self-Government</i>.</p> <p>Assessment by the Parliamentary Committee on possible amendment of the law to establish Commissions for Inter-Community Relations in all municipalities.</p> <p>Assessment by the Parliamentary Committee on the official use of minority languages and ratification of international agreements.</p> <p>Assessment on whether an amendment to the law might strengthen the Parliamentary Committee on Inter-Community Relations.</p>
<p>Improved co-ordination between relevant central government agencies and between central and local government</p>	<p>Understanding within the government and between agencies about whether or not the Agency for Minority Rights Realization by law <i>protects</i> or <i>promotes</i> smaller communities. A review on the legal gaps regarding the Agency's work, including analysis on possible legislative amendments to ensure full protection of minority rights.</p> <p>Improved linkages between line ministries, secretariats, agencies, ZELS and international organizations in order to share information on a timely basis.</p>

<p>Improved co-ordination between relevant central government agencies and between central and local government</p>	<p>Establish mechanisms to foster improved co-operation, decision-making and funding between inter-governmental institutions related to inter-ethnic relations.</p> <p>Establish direct links between the central government and the Commissions for Inter-Community Relations. Also, increased communication between the Parliamentarian Committee for Inter-Community Relations and Commissions.</p> <p>Increased visibility of, and better cooperation with, the Agency for Minority Rights Realization. Assist the Agency to improve its awareness-raising potential, including at the local level and with clubs that represent smaller communities.</p> <p>Enable the Agency for Minority Rights Realization to participate in the decision-making process when matters concern smaller communities who number less than 20% of the population. Also enable the Agency to perform an advisory role, providing analysis and proposals to the government on matters concerning smaller communities.</p> <p>Increase the involvement of the Office of the Ombudsman in the work of the local municipalities with respect to minority rights and inter-ethnic relations. This would include working more closely with the Commissions for Inter-Community Relations.</p>
<p>Improved capacities of the public sector in effectively dealing with inter-ethnic issues</p>	<p>In line with EU recommendations, improve human resource management. This includes diversity management training, as well as increasing the recruitment of Roma and Turkish community members in the public sector.</p>
<p>Expanded role for politics, media and civil society to improve inter-ethnic dialogue and collaboration</p>	<p>Political parties to play a more positive role in enhancing inter-ethnic relations in the country.</p> <p>To make the politics of ethnicity less present in everyday life, diverse groups – including electorates and civic leaders – to put pressure on political elites.</p>

<p>Expanded role for politics, media and civil society to improve inter-ethnic dialogue and collaboration</p>	<p>Parliamentary Committee for Inter-Community Relations to enhance its collaboration with civil society. This includes consulting with civil society on relevant issues and involving the civil society sector in the proceedings of the Committee.</p> <p>Parliamentary Committee for Inter-Community Relations to examine the media of smaller ethnic communities and find ways to improve this group's situation.</p> <p>Increase the number of inter-ethnic, inter-religious and media projects through improved and more transparent government funding.</p> <p>As SIOFA implements the strategy for <i>equal representation of the non-majority communities</i>, greater monitoring by civil society should be encouraged.</p> <p>Create multiethnic, non-profit media at the national level, in accordance with the <i>Law on Broadcasting</i> that covers inter-ethnic issues.</p>
---	---

Recommendations at local level

<p>Amendment or ratification of relevant statutes, charters or mandates</p>	<p>Possible amendment to the <i>Law on Local Self-Government</i> to ensure equal representation of all communities by and for respective constituencies by enabling members of ethnic communities to nominate representatives through local electoral processes.</p> <p>Municipal charters to state that civil society may take part in the work of Commissions for Inter-Community Relations.</p>
<p>Improved co-ordination between relevant local government agencies and communities⁵⁹</p>	<p>To promote inter-ethnic relations, local self-government to play a co-ordinating role in enhancing the relation between civil society organizations and the business sector.</p> <p>Local self-government to launch initiatives that motivate and support businesses to employ representatives of different ethnic groups. Activities could include launching local awards.</p> <p>To strengthen collaboration between different sectors in multi-ethnic communities.</p>

⁵⁹ Outside of the three municipalities, SIOFA and the Agency for Minority Rights Realization also recommend to establish Advisers on Inter-Ethnic Relations in municipalities in which Commissions for Inter-Community Relations do not exist or do not reflect the diversity of the municipality.

Increased capacities of public and private institutions and improved skills of individuals to advance inter-ethnic dialogue and collaboration

Training for newly employed staff in local self-government to increase their capacities in performance, technology and communications that support inter-ethnic relations.

To improve the use of languages in the municipalities by providing relevant training to translators and interpreters.

To make training on visibility, communication and awareness-raising available to municipal structures, to better understand and communicate the work of Commissions for Inter-Community Relations and inter-ethnic relations more broadly.

Information related to the work of the Commissions for Inter-Community Relations made available on Municipality websites.

Experiences with similar bodies and structures that promote inter-ethnic community dialogue and collaboration gained and strengthened.

Commissions for Inter-Community Relations to report on their activities to municipal Councils as a means to strengthen organizational and operational capacities.

Strengthened financial competencies of the Commissions for Inter-Community Relations, including possible remuneration of Commission members.

Improved working conditions of the Commissions for Inter-Community Relations to bring them closer to standards of other commissions within the municipalities.

Councillors, as multi-ethnic and publically-elected representatives of their municipalities, to strengthen mediation skills. This would strengthen their roles as problem-solvers in their communities, while complementing the role of Commission members.

Councillors to manage time, resources and planning processes so that information pertaining to inter-ethnic relations from Commissions for Inter-community Relations is gathered before proceeding with Council sessions.

<p>Increased capacities of public and private institutions and improved skills of individuals to advance inter-ethnic dialogue and collaboration</p>	<p>Local businesses to organize prizes, awards, and competitions that promote inter-ethnic relations in collaboration with NGOs and local self-government.</p> <p>Local businesses to co-operate with local NGOs to socially market their work and products through joint activities that promote inter-ethnic community collaboration.</p> <p>Local businesses to work with local self-government and NGOs to promote a multicultural workforce through diversity management training, career days, job fairs, and research on the needs of employers.</p>
<p>Expanded role for politics, media and civil society to improve inter-ethnic dialogue and collaboration</p>	<p>Civic groups to play a greater public oversight role vis-à-vis local government including publishing reports, which provide greater openness on the work of CICRs.</p> <p>Civic groups and business leaders to encourage Commissions to include civic leaders as observers, with seats at official CICR meetings.</p> <p>Civic groups to provide advisory, logistical and operational support to CICRs.</p> <p>NGOs to share experiences and resources on the work of CICRs.</p> <p>Support media to cover multi-ethnic issues in different languages. Also, create joint opportunities for media to share and broadcast inter-ethnic reports.</p> <p>Skills development provided to media professionals, journalists and editors on ethics in reporting and impartial approaches to information dissemination.</p> <p>Exchange programmes for Macedonian journalists to visit different ethnic communities and vice versa and for journalists to jointly prepare and share different stories.</p> <p>Increased capacity of companies on standards, advocacy, and implementation of corporate social responsibility activities that enhance inter-ethnic collaboration.</p>

Expanded role for politics, media and civil society to improve inter-ethnic dialogue and collaboration

Publically-elected officials at Council level to play a positive role in promoting the inter-ethnic work of NGOs including inter-ethnic sports, children's and cultural events.

Political parties to play a positive role in supporting inter-ethnic relations at municipal level by honouring the independence of Commissions for Inter-Community Relations.

The Islamic and Orthodox Christian Communities to continue to jointly work together to ensure that interests are met with local self-government.

Civic leaders to encourage political parties to "stay out of schoolyards" and to identify ways to send more positive messages to youth in divided settings.

Civic groups to encourage multi-ethnic, as opposed to bi-national, people-to-people contact through inter-generational and multi-ethnic events.

To build a strong media campaign to enhance inter-ethnic community dialogue and collaboration and to "help people get over their differences".

Civic leaders to encourage members of society to work together more often and to understand each other on an individual and personal level.

NGOs and religious institutions to deepen collaboration to provide, together, "a positive example to the community on the way to resolve an issue."

NGOs to establish equal partnerships in working with local government on the implementation of inter-ethnic, inter-cultural and inter-faith initiatives.

The Broadcasting Council to monitor the content of local media programmes.

The media to monitor and follow the work and mandate of the Commissions for Inter-community Relations.

Annex I

Methodology

This study was conducted through an inclusive and participatory process that involved stakeholders at national and local level, which generated both qualitative and quantitative information for analysis and inclusion into the report.

The consultations that were conducted between January and May 2010 as part of this methodology included structured and informal meetings, focus groups, interviews and training sessions with key stakeholders from local and national government, Parliament, political parties, professional agencies, international and non-governmental organizations, the media, youth and women's groups, the business community, civic and religious leaders, and academic and legal experts.

Secondary data were also gathered from local and national government as well as nongovernmental organizations. These data included legislation, documents, reports, statistics, case studies and applied research.

A series of three Workshops were convened to provide an occasion for stakeholders to provide further insight into the report and to support its findings as well as to identify a set of recommendations.

The methodology of the Workshops balanced the need to synthesize a great diversity of inputs – interviews, research reports, policies, experiences – to enable the production of a report that provides a vision and recommendations for enhancing inter-ethnic community dialogue and collaboration.

The process takes into account the need to gather many forms of knowledge (local, traditional, technical) and to include subjective knowledge in the field of inter-ethnic relations and the decentralization process more broadly.

Annex II

List of Stakeholder Meetings

National Level – Government		
Date	Organization visited	Position
9 February 2010	Ministry of Local Self Government	Minister Chief of Cabinet
18 February 2010 4-5 May 2010	Parliament	Member of Parliament and President of the National Committee for Inter-Community Relations Member of Parliament and Vice-President the National Committee for Inter-Community Relations
As of August 2009 - regular meetings 4-5 May 2010	Secretariat for Implementation of the Ohrid Framework Agreement	State Secretary State Adviser Assistant Head of the Sector for General Affairs Leader of the Sector for International Co-operation and Co-operation with Non-governmental Organizations
23 March 2010 4-5 May 2010	Agency for Minority Rights Realization	Director Deputy Director Manager
4-5 May 2010	Ministry of Foreign Affairs	Assistant Head of Sector
4-5 May 2010	Secretariat for European Affairs	Junior Associate for Legal and Internal Affairs
29 April 2010 4-5 May 2010	Office of the Ombudsman	The Ombudsperson Deputy Ombudsperson State Advisor for International and Public Relations

National Level		
Date	Organization visited	Position
28 December 2009	Association of Units of Local Self-government	Executive Director
14 January 2010		Deputy Director
2 March 2010		
4-5 May 2010		Head of Legal Department
26 December 2008	Community Development Institute	Executive Director
2 March 2010	CSSP Project for Integrative Mediation	Project Coordinator
4-5 May 2010		
16 February 2010	Macedonian Center for International Cooperation	Executive Director
4-5 May 2010		Project Officer
4-5 May 2010	Association for Democratic Initiatives	Program Director

Local Level – Government		
Date	Organization visited	Position
29 March 2010 27-28 April 2010	Municipality of Kičevo	Mayor of Kičevo Mayor of Zajas Municipal Administration
29 March 2010 27-28 April 2010	Municipality of Kičevo	President of the Council Council Members
29 March 2010 27-28 April 2010	Municipality of Kičevo	President of the CICR Commission Members (all)
23 February 2010 27-28 April 2010	Municipality of Kumanovo	Mayor of Kumanovo Chief of Cabinet Municipal Administration
23 February 2010 27-28 April 2010 5 May 2010	Municipality of Kumanovo	President of the Council Council Members
23 February 2010 27-28 April 2010	Municipality of Kumanovo	President of the CICR Commission Members
26 February 2010 27-28 April 2010	Municipality of Struga	Mayor of Struga Municipal Administration
26 February 2010 27-28 April 2010 4-5 May 2010	Municipality of Struga	President of the Council Council Members
26 February 2010 27-28 April 2010	Municipality of Struga	President of the CICR

Local Level		
Date	Organization visited	Organization
23 February 2010	NGOS in Kičevo, Kumanovo, Struga	Kičevo:
26 February 2010		Association of Albanian Women in Macedonia
29 March 2010		Civic Association Dituria
22-23 April 2010		Active of Roma Women Prerodba DEA
27-28 April 2010		ORT Gajret Association of Visually Impaired Persons Women's Association "Integra" Center for Rural Development Center for the Support of NGOs in Kičevo Delta
		Kumanovo:
		Kolo Srpskih Sestara Vior Women's Multiethnic Center Majka Center Youth Organization Sirma Roma Information Center DROM CID
		Struga:
		Women's Association Struga Association of Egyptian Esnafot Struga Uranija Ezerka Aureola Punkte Vlach Organization AKVA

29 March 2010	Local media from Kičevo, Kumanovo and Struga	MIA, Kičevo
22-23 April 2010		TV NOVA, Kumanovo Patriot Lumani “KOHA” Daily Newspaper National Newspaper” 24 Hours” TV FESTA, Kumanovo TV KRT, Kumanovo Independent Journalists ALSAT, Struga
22-23 April 2010	Business Sector Representatives from Kičevo and Struga	Business leaders
22-23 April 2010	Religious Leaders from Kumanovo, Kičevo and Struga	MPC Protoerej-stafrovor, Kičevo MPC Protoerej, Struga Mufti, Islamic Religious Community, Kičevo Mufti, Islamic Religious Community, Kumanovo Mufti, Islamic Religious Community, Struga
16 February 2010	Municipality of Centar	Head of Office of the Mayor
18 February 2010	Municipality of Cair	Mayor
25 February 2010		Representatives of CICR

Annex III

Profile: Parliamentary Inter-Community Relations Committee

The composition of the Parliamentary Inter-Community Relations Committee reflects not only the ethnic structure of the country, but also the political party structure of the Parliament. The Parliamentary Commission on election and appointment issues meets to propose members of the Committee, and, in doing so, ensures the criteria of equitable and proportional representation of the parliamentary political parties. Further, the President and Vice-President of the Committee are elected among and by the members of the Committee for a one year term. The meetings of the Committee are called upon and presided by its President. The President is obliged to call a meeting if at least 1/3 of all members of the Committee propose that. However, for a meeting to proceed, a quorum of 2/3 of the members is required.

Parliamentary Inter-Community Relations Committee	# of MPs	DUI	DPA	ND	VMRO-DPMNE	SDSM	DPTM	RAM	PDA	DPSM
Macedonian	7				5	2				
Albanian	7	4	1	2						
Turkish	1						1			
Romani	1							1		
Vlach	1				1					
Other (Serbian & Bosniak)	2								1	1
Total	19	4	1	2	6	2	1	1	1	1

Figure 2 Composition of Parliamentary Inter-Community Relations Committee by Ethnic Community & Party (2008-2012)

Apart of this general provisions, the Law on Inter-Community Relations Committee also contains the list of laws that should be adopted with double majority, which is also known as the Badinter majority, that requires a majority vote of all the MPs and a majority vote of the MPs belonging to non-majority communities.

The Committee is often viewed as a place of political bout rather than as a forum to represent inter-ethnic issues on behalf of parliamentary constituencies. During 2009-2010, the Committee often did not function due to the abstention of members, based on political party affiliation as a means to block discussion and voting. The most recent blockage in 2010 marked the third consecutive instance of the 2/3 quorum not being reached (the ethnic Roma, Bosniak, Serb, Macedonian, and one Albanian member did not attend) and the session, as a result, did not move forward.

Although the Committee has since met, the recent impasse is notable for the

reason that the country's parliamentary process and use of formal dialogue mechanisms have long been viewed as good practice. It has been noted that during the country's course of post-conflict reconciliation, regular, mediated retreats of senior politicians and majority and minority parties offered a forum for open dialogue.⁵⁹ Similarly, there are, at present, no long-term inter-party dialogue and co-operation initiatives underway. In addition, discussions are not presently being undertaken within the country's political elites to move from group-based identity politics and power-sharing towards a more integrative form of multi-ethnic co-operation that focuses on aggregate interests rather than the articulation of ethnic group and identity-based interests.

Legal Competencies of the Parliamentary Committee on Inter-community Relations

- Monitor implementation of the rights of non-majority communities;
- Consider issues in the field of inter-community relations and the implementation of the laws and other general acts which regulate inter-community relations;
- Point to the need for adoption of laws, other regulations and general acts which regulate relations between the communities;
- Consider implementation of the right of the languages use and alphabets of non-majority communities;
- Consider the implementation of the right to education in the language of the non-majority communities;
- Consider implementation of the right to expression of identity and characteristics of the non-majority communities in the field of culture, information, publishing and other areas, determined by the law and constitution;
- Consider implementation of the principle of just and equitable representation of the citizens who belong to all communities in the state bodies and other public institutions at all levels;
- Decide in the dispute among members of the Parliament regarding the application of the voting procedure for the laws which regulate issues in the area of culture, usage of languages, education, personal documents and usage of symbols. The Committee decides this dispute by majority vote of total number of its members. The Parliament is obliged to follow the decision of the Committee in regard of the voting procedure for the law in question.

Annex IV

Identified Capacity Gaps of CICRs through Participatory Assessment

Regarding the appointment of members, in the majority of cases, statutes of the municipalities determine the term of the members of the CICRs' office, which generally corresponds with the mandate of the municipal council term of four years. The correspondence between these two areas is noted as a source of undue political influence. Most of the statutes of the municipalities replicate the provision from the *Law on Local Self-Government* that the CICR must consist of an equal number of representatives of all communities in the municipality. The Council should decide which communities should be represented on the CICR on the basis of the results from the most recent census. The number of the members of the CICRs depends on the number of the communities that should be represented. In most cases the Council is expected to determine the number of CICR members that is optimal for open and effective debate and representation of different views within each community.

In terms of the total number of CICR members, some statutes determine the number of the members of the CICR. For example, the Statute of the Municipality of Kičevo regulates that the CICR must consist of seven members, from which two must be members of the Council and five must be external members. The 2003 Statute of Kumanovo regulated that the CICR must consist of eleven members, from which three must be members of the Council. This composition changed in the 2007 Statute of Kumanovo, which determines that the CICR must consist of two representatives from each community represented in the municipality for the term of 4 years. Outside these municipalities, if a statute does not determine the number of CICR members, a decision is left to the Council of the municipality.

Some statutes of the municipalities contain rules on compatibility or incompatibility relating to membership of the CICR and the municipal Council. Other statutes do not contain such provisions and leave liberty to the municipal Council to select the members of the CICR without restrictions on the incompatibility of the office. The aforementioned changes to the Statute of Kumanovo introduce incompatibility between members of the CICR and members of the municipal Council. In Kičevo, a part of CICR's members belong to the municipal Council, while another part of the members do not belong to the Council.

The municipality can elect members of the Council to the CICR for the reason that CICRs must sometimes include members of ethnic communities who are not members of the municipal Council. In such cases, evidence suggests a tendency of CICR members who are members of the municipal Council to yield greater influence in the work of the Commission. Such influence is not necessarily negative: CICRs that include members from the municipal Council

might experience better representation and advocacy of their interests and better capacity to deliver CICR recommendations to the municipal Council. Another possible advantage of this method for nomination is that members of the Council might propose persons with whom they can cooperate well. On the other hand, this approach is often criticized because it allows political influence in the process of nomination, does not always ensure adequate representation by and for communities not represented on the Council, and may generate a negative sense in the community that decisions are imposed by politicians rather than citizens.

For these reasons, in some municipalities this procedure is supplemented with a public call for candidates for membership in the Commission. In this case, the process is more transparent and provides an opportunity for interested persons and NGOs to submit applications for membership in the CICR. This procedure is not without difficulties, but it generally provides the Council with the opportunity to select appropriate and experienced candidates for membership on the CICR.

Variations in the Composition of Commissions

	Municipal Councillors	External Representatives	Councillors and External Representatives
Kičevo			√
Kumanovo		√	
Struga		√	

Figure 3 Variations in the Composition of Commissions in Three Municipalities

While statutes conform to the *Law on Local Self-Government* and provide a certain level of regulation in the work of the CICRs, there is no legal guidance when it comes to the establishment and operation of these bodies. At a minimum, it is generally agreed that *Rules of Procedure* specific to the work of the Commissions can navigate these and other issues such as: the procedure for constituting the Commission, the procedure for the election of the president of the Commission if he/she is elected by the members of the Commission⁶⁰, the mandate of the president of the Commission, the rights and obligations of the members and of the president of the CICR, procedures for work, calling regular and irregular meetings, deadlines for informing members and distributing materials, guidelines for ensuring transparency of the work of the Commission and the manner of publishing its acts, the manner of communication and cooperation of the Commission with NGOs, the language to be used in CICR meetings and translation issues, and, finally, the application of majority principles for adoption of conclusions and recommendations. Currently, most Commissions have not adopted such an act and, rather, conduct their work on the basis of the *Rules of Procedure* of the Council of the municipality, which is generally devoted to the work of

⁶⁰ In Kumanovo the President of the CICR is elected by the Commission

the permanent bodies of the Council and not sui generis bodies, such as the Commissions.

Regulatory Framework of the Commissions

	Municipal Statute	Municipal Rules of Procedure	Commission Rules of Procedure
Kičevo	By Law	N/A	None
Kumanovo	By Law	Drafted by Municipal Council	None
Struga	By Law	N/A	None

Figure 4 Regulatory Framework of the Commissions in Three Municipalities

Given the different approaches to the CICRs and their general capacity gap to operate, the Association of Local Self-Government Units (ZELS) began to provide technical assistance to its members, the municipalities. On the procedural level, ZELS created a *Handbook for CICRs*, which contained a set of clear recommendations followed by trainings on ways to improve CICRs.⁶¹ For example, in order to assist municipalities in preparation of *Rules of Procedure for the Commissions on Inter-community Relations*, ZELS created a model of this act.⁶² Through a series of consultations, trainings, workshops and studies, other recommendations have been made by ZELS, the OSCE and local and international NGOs for the improvement of CICRs. Despite local government support and the membership-driven approach of ZELS, very few of these recommendations have been adopted by Commissions, as detailed below:

Status of Adoption of Recommendations of the Association of Local Self-Government Units by the Commissions

	Kičevo	Kumanovo	Struga
Legal Mandate Secured	N/A	N/A	N/A
Regulatory Document (i.e. Rules of Procedure)	N/A	N/A	N/A
Legally Determined Criteria for Selection of Members	No	No	No
President from Non-Majority Community	No	No	No
Principle of Rotation Applied, Vice-President	No	No	No
Mandate of CICR different than Council (3 or 5 years)	No	No	No
Equal Number of Members of all Communities	Yes ⁶⁴	No ⁶⁵	Partially (Elected but not Active) ⁶⁶

⁶¹ Practical Guide for the Work of the Commissions for Inter-Community Relations, Association of Local Self-Government Units of the Republic of Macedonia, 2009.

⁶² The model is not currently followed in the municipalities of Kičevo, Kumanovo and Struga.

⁶³ The current composition of the CICR of Kičevo reflects the recent decision to replace two Macedonians by one Egyptian and one Serb. In addition to the CICR President – an ethnic Macedonian, other members include one Albanian, Vlach, Rom, and Turk.

⁶⁴ In the current composition of the CICR of Kumanovo, Roma outnumber all other communities by 3:1.

⁶⁵ The current composition of the CICR of Struga equally includes eight communities. However, only the President is an active member at present, according to the Municipality and the CICR President.

Twice the Number of CICR Members, 50% Women	No	No	No
All CICR Members Compensated Equally	No	No	No
CICR Budget for Project Implementation	No	No	No
Awareness Raising Campaigns on CICR's Contributions to Good Inter-ethnic Relations	No	No	No
Participation of Citizens, Civic Organizations, Media	No	No	Partially
Public Calls of Interest	Yes	No	Yes

Figure 5 Status of Adoption of Recommendations of the Association of Local Self-Government Units by the Commissions based on Consultations with Municipalities and Community Members

Annex V

Case Study – Mechanisms to Promote Inter-ethnic Relations in Serbia

The manner in which members of national minorities participate in the public and political life of Serbia at national, regional and local levels is a case that has been examined during the assessment.

At national level, the election of members of parliament by national minorities has been undertaken since 2005 according to the then revised *Law on the Election of Members of Parliament*. Political parties of national minorities and the coalitions of political parties of national minorities participate in the allocation of terms when they win less than 5% of the total number of votes.

In addition, 15 minority communities in Serbia formed councils in 2002 based on national law to enable these communities to independently decide on issues regarding the use of minority language, education, culture and public information of a national minority as well as to enhance communication between minority communities and governmental institutions. In 2009, the *Law on National Minority Councils* significantly changed the 2002 law by providing national minorities with the opportunity to directly elect National Minority Councils, as well as increasing the competencies of the Councils in the area of education.

At local level, the 2009 *Law on Local Elections* institutionalized measures of affirmative action in the political life of local governments. Until then, the political parties of national minorities only participated at local levels in local-self government in which they had a relative or absolute majority in terms of population. Now, the political parties or coalitions of political parties of national minorities take part in the allocation of terms when they win less than 5% of the total number of votes.

In addition, Councils for Interethnic Relations also exist in multi-ethnic municipalities. While these Councils have similar functions to the Commissions on Inter-Community Relations that are described in this report, the Councils have the additional ability to “initiate the procedure before the Constitutional Court for the assessment of the constitutionality and legality of a decision or other general act of the assembly if it considers that it directly violates the rights of national and ethnic communities represented in the Council for Interethnic Relations.”⁶⁶ Councils also help ensure the protection of rights in public services, education, languages, media and other areas. Additional legal provisions are available, including anti-discrimination councils and legal advice.

⁶⁶ Development of a Council for Interethnic Relations in Bujanovac: Research Report, CSS Project for Integrative Mediation/Stability Pact for South Eastern Europe, 2009.

About the UN Programme to Enhance Inter-Ethnic Dialogue and Collaboration

Good inter-ethnic relations are central to the development of the country as a productive and vibrant society and future European Union member state. To further advance the successes that the country has achieved in inter-ethnic relations – one of the five key Government priorities – the United Nations is supporting the efforts of the central Government, relevant local bodies and civil society, to advance inter-ethnic dialogue and collaboration through a United Nations Joint Programme.

The *Enhancing Inter-Ethnic Dialogue and Collaboration* programme aims to promote a tolerant, trustful and confident society that values its own diversity. The focus is on enhancing national and local-level capacities to effectively maintain and bolster cohesion in multi-ethnic communities. Further, the programme develops the capacities of the national educational system to ensure that ethnic and cultural diversity is systemically furthered through national education policy, teachers' professional development, and curricular and extracurricular activities. The programme also strengthens and promotes society's capacity to engage in a process of continuous and constructive inter-cultural and inter-faith dialogue to increase civic awareness and cultural sensitivity. The Programme is funded by the Spanish Government through the Millennium Development Goals Achievement Fund. It is executed by the Secretariat for the Implementation of the Ohrid Framework Agreement, the Ministries of Education and Science, Culture, and Local Self-Government, the Association of Local Self-Government Units, the surrounding micro-regions and municipalities of Kičevo, Kumanovo and Struga, and members of civil society, with the support of UNDP, UNICEF, and UNESCO.

