

Legal Information Centre for Human Rights

**Media against Intolerance and Discrimination:
Estonian Situation and International Experience**

Selected materials

Tallinn 2006

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Legal Information Centre for Human Rights
Центр информации по правам человека



**Media against Intolerance and Discrimination:
Estonian Situation and International Experience**

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Project
**“Promotion of Non-discrimination and Tolerance in the Estonian Society
through Mass Media”**

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Media against Intolerance and Discrimination: Estonian Situation and International Experience

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Foreword

Media plays a very important role in shaping public opinion and believe, but also reflects the interest of the public in its selection of subjects to be covered, and identifies the general dimensions of the public – political discourse.

In Estonia media traditionally has been a credible source of information, maintained the role of social integrator and played an active role of a mobilization around national values.¹ Journalism, in most of the cases is understood not as “news”, but as “views”. It is also a massive source and tool of propaganda.

Although recently the number of regular media customers decreased slightly, Estonia still retains the leading position among Nordic countries with regards to media use. Old and modern technologies i.e. Radio, TV, printed media and online media occupies an important place in the everyday life of the citizens.

In Estonian situation, it is natural that the media can be of two kinds: the Estonian-speaking and the Russian-speaking. However, there is a reason to presume that they are acting differently in covering rather sensitive society issues and especially the relationship between the Estonian- and Russian-speaking communities residing in Estonia. Lately several different research have been conducted in order to identify how these medias reflect upon the issue and process related to integration taking place in the society.

In the current brochure we present the results of the study, which focused only on printed media, and aimed not to address just the issues concerning the integration, but to look at coverage of the questions related to European values and especially the issues of non-discrimination in Estonian media and comparing Estonian-speaking and Russian-speaking medias.

The research is one of the several activities carried out in the framework of a project “Promoting tolerance and non-discrimination in Estonia through Media” supported by the European Commission, Directorate-General for Education and Culture. The supplementary support received from the Open Society Institute within the frames of the project: “Combating Racism & Xenophobia & Discrimination: Implementation of European Anti-Discrimination Law Standards into Estonian Society“; from Embassy of the Russian Federation in Estonia under the project “Building non-discrimination hotline”; from Promotion Foundation “Euroregion Livonia” under the project ”Monitoring: national minorities: Russians in Estonia”; and from ENAR-Estonia.

The activities carried out within the mentioned projects included provision of legal aid to the victims of discrimination, strategic litigation, providing advice through the hotline, research on how the EU values are being implemented into Estonian legislation and real life, and improvement of awareness about discrimination and relevant EU mechanisms.

The current brochure is also a compilation of materials on the project’s activity and presentations made by the local and foreign experts in the field of discrimination, EU values and policies, and leading Estonian journalists at the seminar: “European experience and challenges for Estonia: Gender and ethnic discrimination in media” carried out within the framework of the same project.

¹ Media Use in Estonia: Trends and Paterns, by P. Vihalemm, in *Nordicom review 27 (2006) 1*, pp. 17-29

The case-study of Estonia with regards to some European values respect

Estonia has joined the EU in May 2004, having done an enormous step towards democracy building and providing full participation of its citizens in the public life.

The EU, indeed, brought in a lot of legislative and policy changes, ideas and tendencies. However, there is a reason to assume that despite the various public campaigns aimed at promotion of information about EU values and policies, the Estonian society is still not sure about those.

Estonia is a multiethnic society where most of the ethnic groups reside on its territory permanently and due to the historical background of the state. As of January 2005 ethnic non-Estonians made up 31,5 % of the total population of Estonia. Majority of them, appr. 81,6, 6% (or about 26% of the total population) were of Russian ethnic origin.² In some areas ethnic non-Estonians constituted the absolute majority (Ida-Virumaa county some 71% of the total population)³. Most of them (and their descendants) have settled in Estonia after the World War II due to natural and, sometimes, purposeful migration system of the Soviet time. In many cases the representatives of ethnic minorities have been residing in Estonia for several generations and in some cases even for several centuries.

In 2000 80% of the total population are Estonian citizens, 12,4% are stateless former Soviet citizens, who due to a number of reasons did not want or could not obtain the Estonian or any other citizenship, and 6,3% are Russian citizens⁴. In 2005 the percentage of stateless decreased to appr. 10%.

In the course of the 2005 sociological survey in Tallinn, 17,1 % of ethnic non-Estonians alleged that they had experienced limitations to their rights or degrading treatment in the workplace during the past 3 years because of their ethnic origin, 22.7% - because of their mother tongue. They also claimed to be unequally treated due to their ethnicity at the educational institutions – 11.2%, service providers – 28.8%, restaurants – 9.9%, in housing – 12.5%, and public transport – 21.3%⁵.

There is limited information about instances of discrimination or relevant court cases, however. Thus, in 1999 – 2005, the National Labour Inspectorate did not uncover any violations of non-discrimination principle at work on the ground of ethnic origin, and in 2005 claimed that they do not gather such statistics⁶. Also, to the best of our knowledge, no such cases have been identified by the Labour dispute commissions (pre-judicial body). Neither the Office of Chancellor of Justice who has jurisdiction to deal with discrimination cases has decided any case between the private parties. In 2005 they reported to receive 1 (one) complaint on ethnic discrimination in access to services, which had to be stopped because the second part of the conflict refused to participate.

² [Statistical](http://www.stat.ee) Office of Estonia; public database at <http://www.stat.ee> (05.10.2005)

³ Population figure and composition, Statistics Estonia , http://pub.stat.ee/px-web.2001/I_Databas/Population_Census/Population_Census.asp

⁴ Population figure and composition, Statistics Estonia , http://pub.stat.ee/px-web.2001/I_Databas/Population_Census/Population_Census.asp

⁵ LICHR and Saar Pool; Sociological study in Tallinn, September 2005. Database of the study

⁶ Labour Inspectorate; written communication no. 1-05/1\3815v of 28 July 2005 and 1-05/13815-3 of 19 august 2005

This is indeed a very interesting trend, since theoretically the unequal treatment obviously exists in the country, however practically no cases are identified. Thus this situation needed to be studied, and for that in May 2005 the Legal Information Centre for Human Rights launched a hotline for the victims of discrimination aimed at both identifying the concrete cases to be taken to the court and finding out why on practice there is a lack of the cases, as well as identifying the main problems in the society and indeed rising the awareness of the issue.

During the operational time of the hotline, May –November 2005, the total number of calls was 927 from 857 persons. The majority of phone-calls were related to presumed discrimination on various grounds, however not all the problems and cases could be identified as the case of discrimination. Some of the callers wanted to receive more information about the EU and specific provisions of its legislation and possibility to apply it in national courts. The majority of the customers have been Russian-speakers, who were complaining about intolerant behaviour they have come across. Among all, discrimination on the grounds of ethnic belonging was reported by 183 callers, on linguistic ground – 214 cases, discrimination in employment – 106 cases.

All phone calls received by the Hotline are registered in details in a database, which is used and will be used for analysing the situation with regards discrimination in Estonia.

During the operation of the hotline the following pattern cases were identified and dealt with.

Case 1:

Russian-speaking citizen of Estonia with perfect knowledge of the Estonian language applies for a position, e.g. as accountant. During the telephone interview, the potential employer notices a slight accent of the applicant and asks whether s/he is Russian-speaking. By receiving the confirmation, the interviewer immediately stops the interview and refuses the applicant the position, verbally motivating the decision that the company does not employ Russians.

It is indeed hard to assume that the slight accent of the applicant can prevent him/her from fulfilling accountancy duties appropriately. The Estonian legislation, in particular Art 10 of the Employment Contract Act, prohibits unequal treatment on any grounds, including nationality. It is also in contrary to the Race Directive requirements.

Such practise is a very common one in the Estonian society. However, the refuse has been done in a verbal form and therefore, although this case introduces a discriminatory practice, it is hard to deal it.

Case 2:

Two Russian-speaking women entered a bar in the evening, made an order and occupied a table. At the same time they were approached by two guards who demanded them in Estonian to leave the place. Women asked to repeat it in Russian, but the guards refused motivating it that in Estonia they are not going to speak this language. One of the ladies asked why they should leave and assumed, whether it because they were Russians. The guard replied in Russian that it were the reason. The women had to leave.

This case regards discrimination on the ground of ethnical belonging in access to services and goods. It is again in breach of provisions of Race Directive. However, Estonia has not yet transposed this requirement of EU into its national legislation, and therefore has no other legal provision to tackle the case than The Constitution of the Estonian Republic, art. 12 that prohibits unequal treatment with regards to ethnic belonging, language etc.

Such case can be filed either to the Chancellor of Justice who is mandated to deal with the cases of discrimination as of 01.01.2004. However, the mandate is limited to special conciliation procedure, and we tend to doubt the case will be solved. The other option is to submit the complaint to the court where the Constitution article will be mentioned and hope for the State to express a good will to fulfil the Directive will be highlighted.

This case can also be regarded as a typical one, as there were a number of complaints concerning refusal of providing services and in some cases goods to the people speaking Russian language.

Case 3:

The medical assistant at the hospital has a certificate of language proficiency for the beginners and therefore the Language Inspectorate fined her for 360 EEK. The real language knowledge of the person is sufficient enough for communicating with the patients, and the person never had had complaints from the latter. Moreover, it came out that the Language Inspectorate fined only those persons, who had citizenship of the Russian Federation, whereas the citizens of Ukraine and stateless persons having no language proficiency certificate at all have not been punished by the inspectorate.

At the same time, the Language Inspectorate has fined also those, who had an old type language certificates on D-category, which are now equal to the new level of medium proficiency, which is the sufficient level for the medical assistant, established by law.

This case is a rather bright example of the discrimination on the grounds of ethnic belonging and citizenship in employment. The present case violates the Language Act, according to which the language proficiency of an employee should be enough for qualitative fulfillment of her work duties. In addition, the principles of Race Directive and Estonian Constitution are being violated. Moreover, the Language Inspectorate abused the principle of equal treatment by having punished only the citizens of Russia.

Numerous other cases can indeed be brought to illustrate the situation of ethnic and other forms of discrimination in Estonia⁷.

In most of the cases registered through the hotline the victims were not sure what rights they have and had no knowledge of European legislation and possibility of its application in Estonia.

They have also mentioned that they would like to learn more about their rights and values of EU and expressed concern that media is not very active in addressing those issues.

⁷ More information about hotline case studying: [Мстислав Русаков, “Дискриминация в законе”](http://www.lichr.ee/new/index.php?page=3020102), <http://www.lichr.ee/new/index.php?page=3020102>;

Estonian- and Russian-speaking media in Estonia about European values

Conclusions

Starting from May 2005 and until January 2006 Legal Information Centre for Human Rights has been following the media discourse in both Estonian and Russian-speaking sources, especially the printed ones, about such issues as interethnic relations, discrimination on the grounds of ethnic belonging and language proficiency, migration, which can be considered to be the subjects of the European values. An attention has been paid also to informing the society about EU legislation and policies, as they are quite new issues for Estonia and the awareness about them in the society is rather low.

The choice of the issues to which attention is to be paid at, has been motivated by the results retrieved from the work of the hotline on anti-discrimination together with long practice of legal aid providing and dealing with the issues of European values by the LICHR and our contacts with media.

During the study a total number of 178 articles have been analyzed, among which 87 were from Estonian-speaking media and 93 from Russian-speaking media. The main source of information for the study has been the major national newspapers "*Postimees*", "*Eesti Päevaleht*" and "*SL Õhtuleht*" (in Estonian), and "*Molodjezh Estonii*", "*Vesti dnja*" and "*Den za dnem*" (in Russian).

During the research, the attention has been paid on to the choice of the topics to be covered in both Russian- and Estonian-speaking media, contents and attitudes transferred, as well as the language used.

Special attention was paid to language, as it not only expresses what is happening, but also signifies events. Besides being shaped by the society, it also shapes the society. Therefore, the kind of words, sentence structures, and narrative constructions that the journalist chooses for each story are crucial, as well as design and picture choice. The language is being constructed of various parts, all of which have been chosen from a variety of alternatives. Therefore, there is always something that has to be left out.

The result of the monitoring identified that if to compare Estonian- and Russian-speaking media then it is possible to say that the majority of the articles on tolerance, ethnic minorities, non-discrimination, and migration issues have been published in the Russian media.

It is also very important to note that in Estonian media, there is a regular practice to re-print the articles published in one newspaper in the other ones. It could be taken as a whole or partly. In most of the cases the article flow takes place from one Estonian-speaking newspaper to another, or from Estonian-speaking to Russian-speaking newspaper, and only in few cases otherwise.

The second interesting aspect is the selection of key issues to be addressed in both language Medias. The language proficiency among non-Estonians and transformation of the Russian-speaking schools into Estonian as the language of instruction have been the most popular topics to address by the Estonian media, then follows refugee related articles and the issues related to Russian-speakers and Russia. Very modest attention has been paid to the EU Directives and policies regarding the issues of our concern.

Whereas the Russian media has been focused on the following issues: discrimination on the ground of ethnic belonging and language in the framework of the EU legislative provisions, concrete cases that can be identified in Estonia, and the relevant local political discourse,

transformation of the school education into Estonian language and problems related to this process.

Another interesting trend that was identified is that the Estonian-speaking media mostly ignore ethnic minorities or migrants as authoritative sources of information and opinion. Instead of using minorities as a source, they prefer authorities to speak on their behalf. Additionally, the majority perspective is affirmed by the media's emphasis on the attitudes of the Estonians towards ethnic minorities.

Ethnic minorities in most of the cases appear as the "source of problems". The most common theme is lack of language knowledge, high number of persons without citizenship, former military servants that are not entitled for the residence permit, refugees etc, those issues are very often presented in a negative way and in most of the cases with regards to a court-case, report or recommendations by the international human rights protecting organizations, such as UN Committees, UNHCR or EU requirements. For example, publication of the ECRI or EUMC reports where the problem of significant number of stateless persons is highlighted. Or the case of a person with regards to whom after several years of refusals and court procedures the decision was made that he should not be identifies as a former military servant who is not entitled for the resident permit. Another usual trend is to describe minority problems together with addressing the issues concerning to relations with the Russian Federation and its authorities. For example, the long-pending case with celebrating the 9 of May as the Victory in Second World War Day, celebrated by the Russian-speakers in Estonia, and last year 60-year anniversary widely celebrated by the Russian Federation.

Several issues arose and became a key topic for the discussion during some weeks due to concrete actions. The example may be the case when the citizen of Russian Federation applied for the asylum in Estonia. The Estonian-speaking newspapers have been actively reporting about the case until the person was rejected asylum, and then presented short overview about the problem with asylum seekers in Estonia. Whereas the Russian-speaking media was not so active in this regard, and tended to pay more attention to the issue of residents permits and reunification of families for those already residing in Estonia.

It can be concluded that the main themes associated with ethnic minorities are the authoritative context and the problem context.

Ethnic stereotyping in media

It is not possible to say that Estonian media is very stereotypical, although some of the publish houses seem to be more aggressive. Most of the stereotypes are created in online journalism and mainly in the space for opinion of the readers or comments to the published articles. And this finding is true both for Russian- and Estonian-speaking media. This fact is also being recognized by the authorities and possible steps, including the legislative ones are being planned.

This fact can be also proved by the recent cases brought in front of the court that relate to hatred speech in internet. And also by the initiative of the Ministry of Justice on so called "*Delfi* law" that is being discussed and which aims at introducing some kind of censorship for the comments being submit online.

However news and current affairs sections do not normally produce material with obviously racist or discriminatory attitudes in the Estonian-speaking media. Its main problem is probably easy labelling by journalist himself without consultation and research. At the same time the Russian-speaking media is more eager to seek for the opinion and expertise from the official

sources. An example of such attitude appearing in both media might be relevant. One of the districts of Tallinn is being named by the media as Russian-speaking, or even Russian ghetto, although statistics shows that such labelling is irrelevant. Often, it is the activities of ethnic-minorities being paid attention only in this area. As a result, one can have a general believe that this district is predominately “Russian”, and it often brings negative attitudes to the area.

It is also possible to note that media is rather marginalized. Ethnic minorities are rarely selected to be the source. The perspective of the minorities is rarely reported. The exception is the political discourse, whereas the cultural events and events of a societal value are often omitted from the Estonian-speaking media and more actively present in Russian-speaking one. Altogether, ignoring, and not explicit racism, is the problem of the local media.

However, it is important to note here that although the contents of the articles in most cases are not so stereotyping, the general layout the latter can be rather prejudiced. For instance, when the information about a politically neutral visit of a high-level authority from Russia was announced, the picture accompanying the article was more talkative than the article itself, as it displayed Russian military aircrafts in front of the Kremlin.

Another example can be brought of an article telling about the director of a Russian school who was suspected of not being proficient enough in Estonian language as it was required by law, when the photo showed just the back of his head.

Ethnic origin and the content

Whereas in many countries some themes covered by media are assigned to certain group of minorities or migrants, this can not be argued to be an absolute truth with regards to Estonia in any language media.

Even several years ago it was still common to see the ethnic background of the criminal in the criminal news columns in both of the medias. The current research has not identify it to be a widely used practice, although it is not possible to argue that it is completely absent and is relevant to be mentioned.

What is more, a pattern exist identifying Russia as the guilty side for any kind of problems or difficulties with regards to bilateral relations of these two countries. The best example, which took place during the research period, related to inability of two Parties to ratify the signed Border agreement in 2005.

The language used and its role

The role of language used in the media, both in headings and in context, play a crucial role in marginalizing, stereotyping and intolerant views.

Heading is one of the most important media routines through which it is recontextualised. Some aspects are highlighted while others left out. Moreover, headlines direct the way in which the main text is perceived.

Headlines can be presenting or stereotyping the contents in various ways. First of all, by simplifying the problem. For example: “Estonian citizenship is in price” in *Eesti Päevaleht*, or „Estonian language classes should be free. And they will be free!” in *Molodjezh Estonii* (although the article focuses on the problem of studying the language and reasons why there are not so many people interested in learning the language).

Secondly, the media “factualises” events through the headlines, although in reality it can be far from certain. For instance, the headline claims that “New EU Directive will live the former military officers in Estonia for ever!” in *Eesti Päevaleht*. The text and essence of the Directive are not so exact. It only says that the Directive requires to be transposed into the national legislation and the state might be required to simplify some procedures. Or the headline in *SL Õhtuleht* „Russian retired military officer lied to US”, however the article is more focused on the issues that the person preferred to stay in Estonia and was even granted residence permit for some years although was not entitled by law, however had to finally leave, and that there are many person like he still in Estonia and they all must leave. Or „Being silent about discrimination is a sign of being immature” in *Molodjezh Estonii*, whereas the contents of the article is about various directives and cases on discrimination and trends. Rather threatening would be the headline and general contents of the article from *Eesti Päevaleht* „Hurricane Katrina – the secret weather-weapon of Russia”. The article addresses some unproven and ungrounded gossips about the reason the hurricane appeared. This article, is possibly to say, helps to create the negative and scary image of Russia being an enemy of Estonia. Which in overall contributes to intolerance towards Russian-speakers in Estonia.

It is quite widespread that the local media tend to generalize through the headline. The Estonian-speaking media usually calls all the non-Estonians as “Russians” and makes no difference toward any particular ethnic group. For example, the title from *Eesti Päevaleht* „Savisaar will solve the problems of Russian miners”, or „The need to have a visa invitation is getting off the way of Russians”. It is indeed clear that it is not just one ethnic group that is being affected and mentioned, but various. Whereas Russian-speaking media is more open to write about and mention various ethnic groups residing in Estonia.

It is, indeed, worthwhile to highlight that in some cases the overall language used in media is inappropriate and in some cases offensive. In most of the cases it applies to Estonian media. It is lately rather usual to read the word „*tibla*” in the newspapers. This word is being an offensive word used with regards to Russians from Estonia, and on its strength can be compared to the word „nigger”. An article „*Tibla* as negro” had appeared in *Eesti Päevaleht* 25.11 and regarded the publication of the EUMC report where the problem of non-Estonians has been identified. The author addressed the issue with some kind of surprise that the problems of this category of people are being considered as racism, and that these problems in general are taking into consideration by EU.

Of course, it is also a rather big difference between the language of the articles published in the newspapers and the one used in online media. As already mentioned above, there exist internet news-portals and homepages of the newspapers where it is possible to read the article online and leave the commentary. The language of the commentaries in both language Medias is rather strong, often prejudiced and racist.

Media and human rights projects

There is a rather big difference on the coverage of various human rights related projects by media in Estonia.

The Estonian-speaking media tend to concentrate mostly on reporting about the projects carried out by public institutions such as ministries and foundations, i.e., Open Estonia Foundation, or Non-Estonians integration Foundation. It is almost impossible to find reports about the projects carried out by NGOs and especially NGOs being led by, or focusing on the problems of ethnic minorities, and especially in discrimination field.

The Russian-speaking media, at the same time, provides a synergy of the projects run by authorities and foundations, but also is more active to bring the attention of its readers to the activities run by NGOs and to outcomes of their work.

Amount of research provided in articles

The amount of research on the issue addressed in the article is very often insufficient. The journalists tend to write about the issues they are not familiar with, without experts' consultations, and thus often provide very one-sided information. For example, it refers to the article, already mentioned above, about a former military officer who has been sent out of the country. The opinion about the problem has been taken only from the representative of the authorities; however neither the position of the "hero" of the article, nor the opinion of the human rights organisations or lawyers has been presented.

This problem of a lack of research applies to both Medias and about various issues, not just the issue of our concern. However, lately the media shows interest to provide a multi-sided opinion, which is very positive. However not all the publishes and not always.

Citizenship and perspectives of equal political participation in Estonia

Klara Hallik

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1. *About nationality in general*

Nationality generally means that an individual belongs to a society and this fact has been officially recognised and the individual identifies himself or herself with the society. The intensity of an individual's connection with a country/society through nationality may vary. In the first case we have a model of relations between the state and an individual where the state guarantees a stable social and political environment and the individual meets his or her minimal obligations to the state, i.e. is law-abiding, pays taxes and does his military service if this liability is set by law. Such relations mostly come down to the *legal dimension of citizenship*. The other meaning of nationality involves a more diverse relationship between an individual and the state based on mutual dependence and the *balance* of mutual rights and obligations. This relationship is a precondition for the multifaceted functioning of a person as a social being. Along with the legal dimension of nationality, there is equipollent *social and cultural "nationality"* and the identification of an individual with society. Nationality in this sense is the normal state of the whole social life of an individual. This is the "right to rights" and the right to equal treatment in the whole public sphere.

Estonia's permanent population is still in the situation where the "equal right to rights" derived from citizenship does not cover everyone. Moreover, we can say that the institution of nationality has in a way "eroded". Some nationals have equal rights and the rights of others are confined to the possibility to elect "real citizens" to local government. In addition, some also have the right to participate in the politics of the neighbouring country. These are mostly Russian citizens and here we have some kind of segmented dual nationality.

A weird situation is arising due to the European Commission's recent directive expanding the freedom of movement of all permanent residents of member states and their related rights within the EU regardless of nationality and the type of residence permit. Does it mean that Estonia's protracted problem of "permanent residents with temporary permits" will be solved by the EU? The primary outcome of the citizenship policy shaped in the early 1990s was the guarantee of political stability for the restoration of a national state and the separation of Estonia from the residues of the Soviet empire. The fact that the new residents who came during the Soviet period (90% of all non-Estonians at the time) did not become Estonian citizens meant a more favourable regime for the ethnic political and economic elite. The political system that developed in the 1990s can be considered as an ethnic control regime. The name of the project as we know was the restoration of the national state on the basis of legal succession and the protection of the Estonian nation, language and culture.

Currently the citizenship status of non-Estonians is roughly as follows: 40% Estonian, less than 40% none and 20% Russian or the citizenship of other countries that used to be part of the Soviet Union. Research has shown that there are significant social differences between groups with different nationality. This is particularly true for people who have no citizenship. In other words, nationality determines people's status in the labour market and wider in society. We are concerned about the still numerous group of people without citizenship. There are 140,000 of them and the normalisation of their legal status under existing conditions is impossible in the near future.

The data of integration monitoring (2005) have shown that 16% of respondents without citizenship and 43% of young respondents are planning to apply for Estonian citizenship within a year (negative answers were provided by respectively 58% and 33%). A quarter of either group has not yet decided whether they should or should not apply for citizenship in the near future.

This result also adequately reflects the naturalisation process. On the one hand, people do want to become Estonian nationals (75% of respondents without citizenship, 73% of spouses of respondents without citizenship and 92% of their children) but in reality they cannot achieve it for several reasons, mostly because they do not speak Estonian. All those who are going to apply for citizenship within a year speak Estonian, 60% of them well or reasonably well. On the contrary, 70% of those who are not planning to apply for citizenship within a year, do not speak Estonian at all or have some basic knowledge of the language. However, the language barrier is not a separate factor that stands apart from others. Young people do not speak Estonian because their education is lower than average and their overall social status is less favourable. Also if the government contributes to adult language learning as it is planning to do, these people's chances of passing the constitution, citizenship act and Estonian language exams will still remain poor. As a result, this group will increasingly cumulate characteristics typical of a social risk group. The state's citizenship policy is one of the "common values", the assessments of which by different ethnic groups are polar opposites:

- 1) 60% of Estonians sees it as normal and compliant with international standards (47% in 1994);
- 2) The most significant change in Estonians' attitudes over the ten years is the remarkable decrease of the number of people who think that the citizenship policy is lenient and undermines Estonia's national interests (36% in 1994 and 17% in 2005). On the one hand, this shift in attitudes shows that Estonians have become more confident and the "Russian danger" has decreased. On the other hand, it reflects the fact that the issue of citizenship has not recently been discussed publicly in political life and the Estonian public does not know what kinds of problems non-citizens actually encounter. The only thing that everybody knows is that "they should learn Estonian!"
- 3) Most Estonian Russians (70%) still think that the citizenship policy is too austere and infringing on the human rights of non-Estonians. The judgments to some extent depend on how far the person is from becoming an Estonian citizen. One third of Estonian citizens, less than one fourth of people without citizenship and only one tenth of Russian citizens see this policy as reasonable and meeting international standards.

Table 1: The attitudes of Estonians towards granting citizenship using simplified procedure in 2000-2005 (%)

Which of the following groups of non-Estonians you think could get Estonian citizenship with simplified procedure (easier language requirements)?	2000	2005
Born in Estonia	36	53
Families of citizens by birth	39	39
All family members of Estonian citizens	28	25
Pensioners	17	14
All young people when they reach the age of 16	8	7
Holders of permanent residence permits	7	5
None	18	10
Respondents total	633	667

* Since each respondent could provide several answers, the sum of percentage points may be more than 100

The attitude to granting citizenship to those who are born in Estonia has undergone the most significant change: currently more than half of Estonians would support their becoming citizens. This circumstance is essential as it signals the weakening of the ethnic and cultural dimension of the notion of citizen.

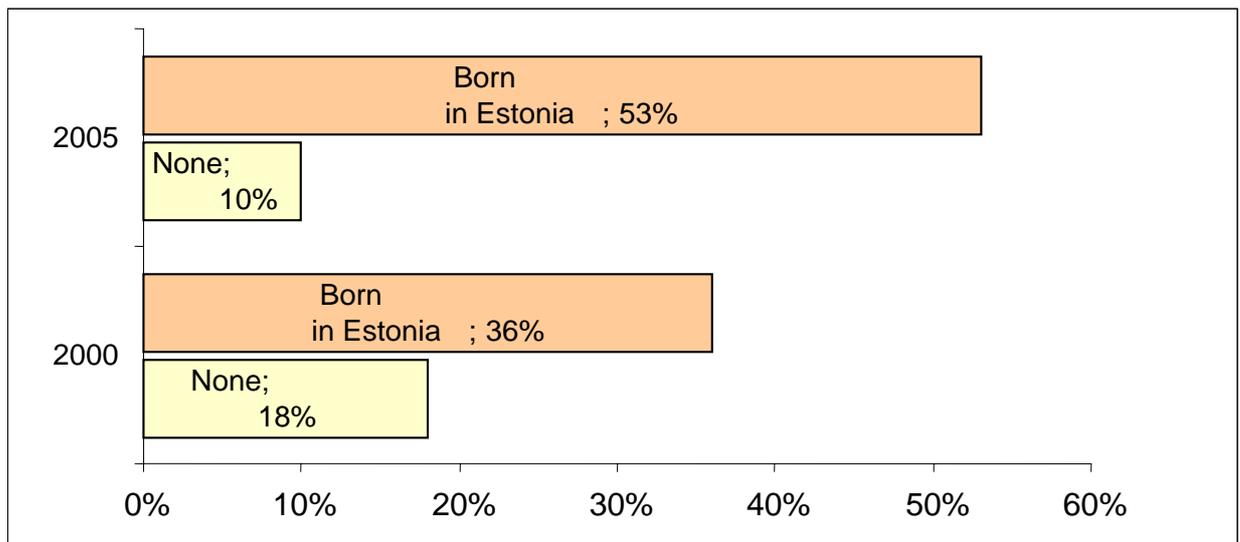


Fig. 1: The attitudes of Estonians towards granting citizenship to those who were born in Estonia using simplified procedure in 2000-2005 (%)

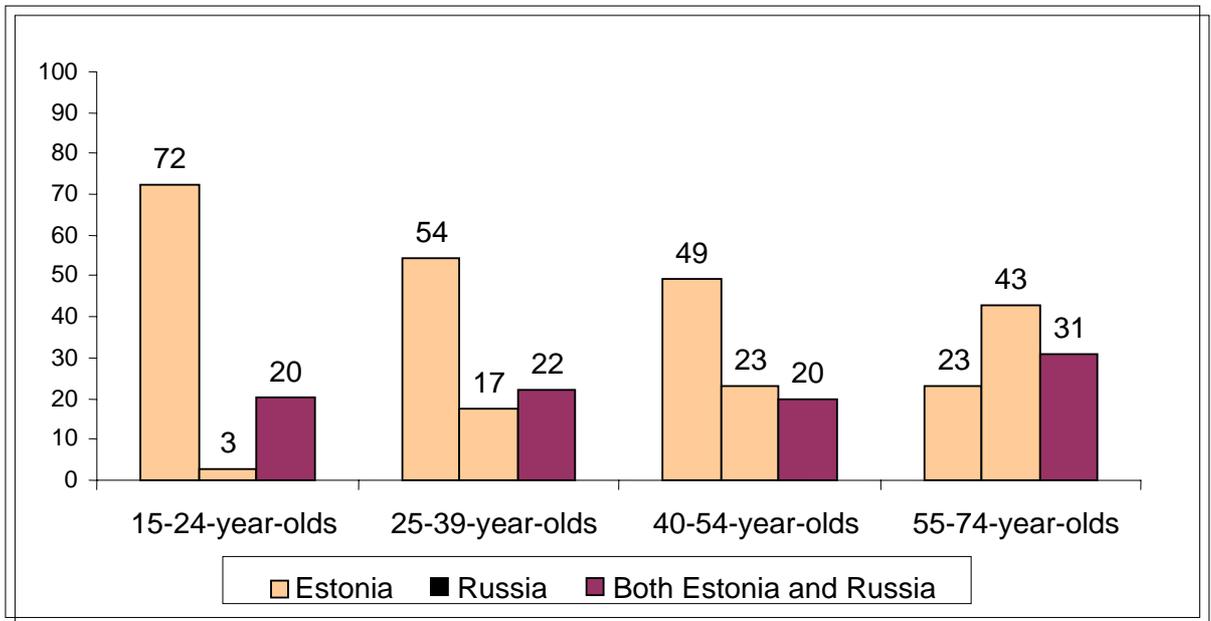
2. Nationality and native country

In people's common understanding the meaning of nationality is most closely related to the notion of native country. In the Estonian situation the concepts of nationality and native country do not coincide both for historical reasons as nearly half of all non-Estonians were born outside Estonia and because the institution of nationality as such is diverse. What is the joint effect of the two factors marginalising the collective identity and homeland perception of non-Estonians on the Estonian identity?

The question is to what extent the greater association of nationality with the national territory by Estonians is justified in the context of the identification of non-citizens and generally Estonian Russians with Estonia?

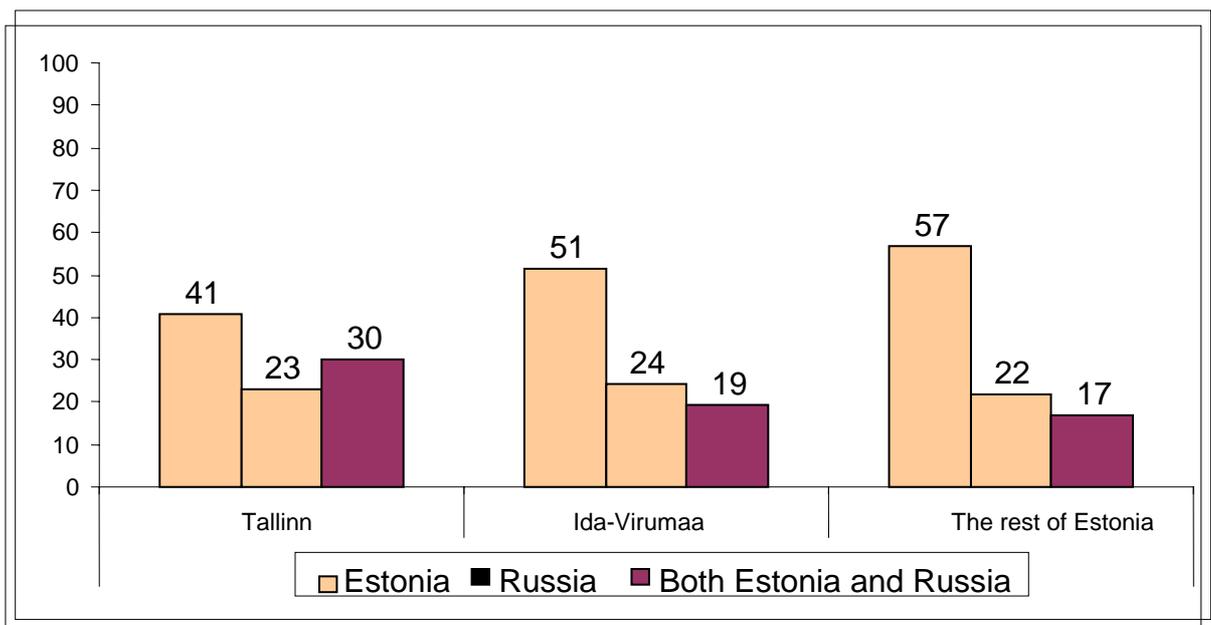
Comment:

- Half of non-Estonians think that Estonia is their home country. If we add dual home perception, the number will be 70%.
- Estonian citizens and non-Estonians without citizenship equally consider Estonia as their home country, including 2/3 of young people (with dual assessment as many as 87%). Russian citizens are an exception as more than half of them see Russia as their homeland. However, young Russian citizens do not seem to associate their legal nationality with Russia as a home country.



* Answers to the question “What country do you see as your homeland?”

Fig. 2: Estonia and Russia as homeland. By age group (%)



* Answers to the question “What country do you see as your homeland?”

Fig. 3: Estonia and Russia as homeland. By region (%)

I would dare to draw two conclusions from this information.

The first conclusion is *political*: the more people for whom Estonia is a home country rather than a temporary and alien place to live, the greater demand that this country and its authorities treat them in the appropriate way and that Estonians do not see love for their homeland as their monopoly. This is the important basis of the common citizenship culture.

The second conclusion concerns people’s *emotional* well-being. I make this conclusion knowing that politics does not normally take such things into account but journalists should do. (SLIDE from Eva-Maria Asar’s interviews).

I could see myself as Estonian but Estonia does not see me as Estonian. This [home country] is the place where your home and family are. It is the place where your soul is. It is a hard feeling when people see you as a stranger or a temporary resident. I have been asked: “How is it going for you there in Armenia?” Why do they ask this? I feel I should be asked how things are going for us here in Estonia. Here we are all divided based on our ethnic background.[...]
(Armen, 61, Tartu).

[Estonians are] all people who live in Estonia. I am an Estonian citizen. I am Estonian in terms of how I see the world. I understand them [Estonians] and act in the best interest of this country.
(Andrei, 58, Tallinn).

Russians who were born and grew up here are different from Russians who live in Russia. Their mentality and way of thinking are different. They speak with a Baltic accent. We are meeker. We have grown up in this tolerant environment... In minor things we behave as people do in the culture where we live [...]
(Oleg, 39, Tallinn).

I have a Russian passport. But they think I am different. They see me as Estonian. They do not treat me as Russian but as a stranger, a foreigner or a person who has a grey or even blue passport. I am seen as Estonian as well as they.
(Oleg, 40, Tallinn).

I am Estonian but whatever I do they say I am Ruskie! They still see me as Russian here.
(Tamara, 77, Tartu).

3. *About participation in politics*

In Estonia interest in politics is still in. Interest in political events in our country and abroad should provide the whole society with a diverse and quite objective picture of the world where we live. I think this is the advantage of Estonia’s geopolitical position that favours our openness, rational choices and democratic thinking. The problem is how this knowledge can be made a common asset for the whole of society.

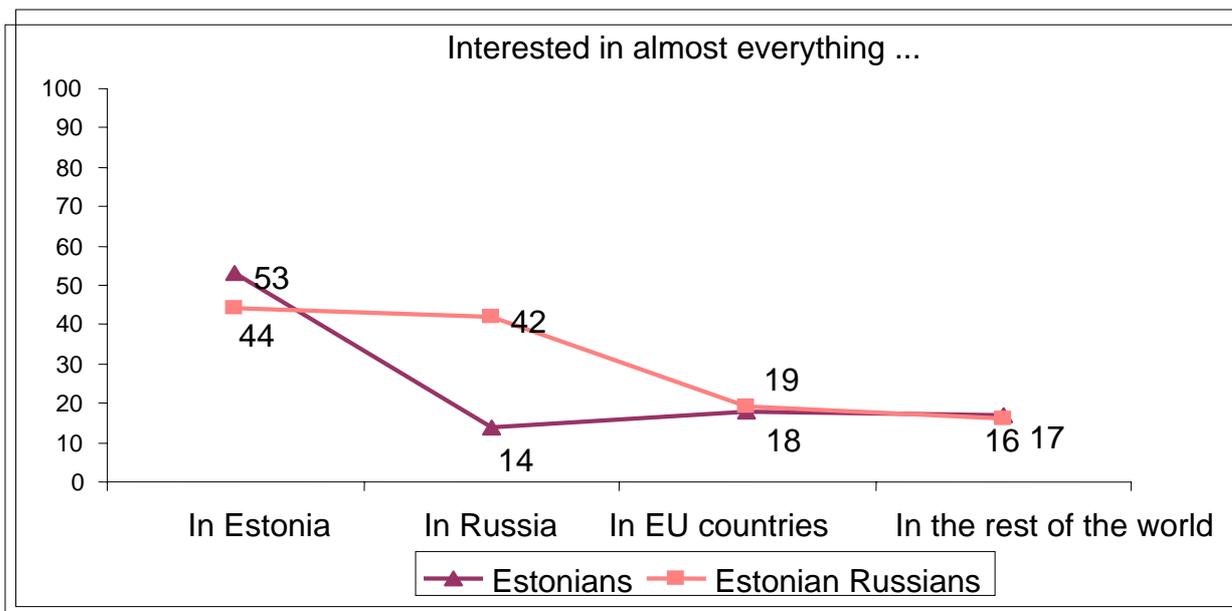


Fig. 4: The interest of Estonians and Estonian Russians in political events taking place in Estonia, Russia, the EU and the rest of the world (%)

In integration monitoring we measured people's involvement in political activities considering the following:

- Voting in elections
- Participation in political meetings
- Collection of signatures
- Preparation of joint addresses to the press or authorities
- Participations in protest demonstrations or strikes.

Respondents were divided into three groups in terms of their political involvement:

Type 1: uninvolved in politics or those have not participated in any of the five aforementioned activities for the past three years – 45%,

Type 2: minimally involved or those who have only participated in one activity – 41% *Type 3:* politically active group that has been involved in two to five political activities – 14%.

Table 2: Distribution of political involvement index by citizenship (%)

Involvement type	Estonian citizen / ethnic Estonian	Estonian citizen / ethnic Russian	No citizenship	Russian citizen	Total
Uninvolved	38	35	77	81	45
Minimally involved	47	48	22	10	41
Active	15	17	(...)	9	14
Total	100	100	100	100	100
	665	150	103	75	993

Table 3: Political involvement by ethnicity and region (%)

Involvement type	Tallinn		Ida-Virumaa		Rest of Estonia	
	Estonians	Russians	Estonians	Russians	Estonians	Russians
Uninvolved	35	66	23	57	41	46
Minimally involved	50	26	64	33	44	40
Active	15	8	13	10	15	14
Total	100	100	100	100	100	100
	150	148	30	103	487	83

Integration monitoring 2005

Conclusions from the above data are obvious:

- The level of political involvement of Estonian *citizens* with different ethnic background is similar, largely due to the involvement of non-Estonians living outside Tallinn and Ida-Virumaa;
- If we compare the proportion of people involved and uninvolved in political processes in different ethnic groups, we can see that the share of polar groups (active and outsiders) is most different in Tallinn. There are three times as many uninvolved Estonians as involved and eight times as many uninvolved Russians as involved. In Ida-Virumaa the respective numbers are two and six. The *ethnic differentiation* of political involvement is no doubt a source of unbalanced political development and potential conflicts;
- The group of people without citizenship has so far been almost completely excluded from political processes. Considering that the other characteristics of the social position of this group include more risk factors than on average, there is a real danger that this group of Russians will become the core of the ethnic lower class with its typical instability and destructiveness (which is confirmed by the high level of unemployment, crime and exclusion from stable social structures).

Do we exercise power together?

Monitoring carried out in 2002 and 2005 tested attitudes towards the participation of non-Estonians in public institutions. It showed that Estonians and non-Estonians had rather different opinions. Estonians' attitudes have not changed during the three years. Still, there are slightly less people who exclude the participation of non-Estonians in Parliament (- 5%), the Government (- 9%) and the military (- 5%). Thus, support for so-called limited participation has increased.

Russians' ideas of their place in power structures have undergone remarkable changes. The main trend is the reduction of proportional representation claims (from 38% to 26%) and of liberal (not depending on the number of non-Estonians) representation claims (from 26% to 19%). Instead, support for limited participation has grown (from 7% to 19%). In the context of integration these attitudes can be interpreted as the approximation of the two communities where Russians seem to be faster adjusting to the Estonian-dominated power distribution model. Russians' goal is to ensure guaranteed, although not completely equal participation in government. Further research should show whether this is a stable tendency.

Appendix Table 4: Distribution of answers to the question: “The proportion of non-Estonians is one-third of the population. How large do you think the proportion of non-Estonians should be in the following state institutions and authorities? (%)”

	Estonians		Russians	
	2002 N=662	2005 N= 667	2002 N=342	2005 N= 334
Riigikogu (Parliament)				
One-third and more	5	3	51	38
One-fourth	7	6	8	23
One-tenth or less	36	35	5	7
None	19	14	0	1
Should not depend on the number of non-Estonians	25	28	27	24
Not sure	8	14	9	7
National Government				
One-third and more	3	3	45	29
One-fourth	5	3	8	28
One-tenth or less	26	27	6	11
None	33	24	1	1
Should not depend on the number of non-Estonians	24	28	31	24
Not sure	9	15	9	7
Local government				
One-third and more	4	3	48	43
One-fourth	8	4	9	17
One-tenth or less	28	24	3	9
None	23	25	1	1
Should not depend on the number of non-Estonians	28	28	31	24
Not sure	9	16	8	6
Police				
One-third and more	7	4	36	29
One-fourth	13	12	9	23
One-tenth or less	28	26	5	8
None	15	13	1	1
Should not depend on the number of non-Estonians	28	31	43	33
Not sure	9	14	6	6
Military				
One-third and more	8	5	31	24
One-fourth	10	10	8	17
One-tenth or less	23	23	6	11
None	19	14	3	5
Should not depend on the number of non-Estonians	30	32	43	34
Not sure	10	16	9	9
Public company management				
One-third and more	5	3	34	28
One-fourth	7	4	8	23
One-tenth or less	28	25	4	8
None	19	15	1	1
Should not depend on the number of non-Estonians	29	33	44	33
Not sure	12	20	9	7

Tolerance towards minorities in Estonia

Iris Pettai

Estonian Institute of Open Society

Tolerance is the ability to accept differences. The more tolerance in the society, the less rejection of foreignness. The more tolerant the person is, the more he can abide by certain rules and requirements based on the equality and non-aggressiveness. The more primitive the person is, the less he tolerates differences, other cultures, being different and the more cautious he is in relation to other nationalities. Tolerance development is a crucial issue of coexistence all over the globe.

Amongst 200 states the number of homogeneous states, where the share of other nationalities is not exceeding 5% is only 20. Only in a society with an atmosphere of tolerance, it is possible to prevent sharp inter-ethnic conflicts and ensure safe coexistence. Thus, majority of the states have to work hard to enhance tolerance.

The Ethnic Relations Monitoring, conducted in 2005, shows, that the people of Estonia do not see any particular problem in the influx of people belonging to a different race or culture to Estonia. Only 10% of Estonians and 15% of Estonian Russians regarded the influx of foreigners as a danger. The people of Estonia perceive more danger in alcoholism, drug abuse, poverty, unemployment, AIDS etc. As yet they do not speculate upon the prospect, that one day there might be a lot of Moslems, Asians, black men – people representing a foreign culture – working in Estonia, and getting accustomed to their specific nature is not an easy matter. They are more concerned about the emigration of good professionals, 43% of Estonians and 25% of Estonian Russians consider it a serious menace to the future.

Unlike the Estonians, most of the EU countries, facing a low birth rate and depopulation, are quite concerned about the growing influx of immigrants.

The birth rate of the native population in the EU countries is considerably lower, than the 2.1 children per woman, necessary for reproduction. Without immigrants by 2075, the EU population can decrease by 100 mln. In addition to numerical depopulation, the EU population is aging, which means, that there are less and less workers to support the EU pension and welfare services.

Thus, the EU states are forced to increase the inflow of foreign labour into their countries, which is accompanied by many problems, since even after decades they are not able to adjust to a new culture and environment. This dilemma is quite similar to the adjustment problem of the Estonian Russians living in Estonia. In both cases, the major problem is that there are two isolated from each other communities – native population and immigrants. Until the immigrants are completely merged, (assimilated) in the native population, they are inevitably rejected and discriminated in the access to the education, labour market, professional advancement etc. It is largely due to a worse language command, educational background, different mode of behaviour etc.

Almost all EU countries are confronting similar immigrants-related problems: unemployment, dropout from school, drug abuse, crime etc. So on the one hand the immigrants play an important role in the labour market, but on the other hand they are an immediate source of danger. 58% of the EU population regard immigrants as unsafe persons, who are endangering their jobs and culture, exacerbate crime-related problems and make the country a worse place to live. (The EUMC Survey, 2003).

The Estonians` tolerance is superficial.

Changes that have taken place over the last 12 years in the inter-ethnic relations in Estonia are quite positive. In 1993 2/3 of Estonians and 3/4 of Estonian Russians regarded the inter-ethnic relations as tense. By 2005, ethnicity-related conflicts had practically abated. It is noteworthy, that the fears and sense of danger among Estonians are decreasing. Yet in 1999, more than 2/3 of Estonians regarded Estonian Russians as threat for their national survival. In 2005, only 16% of Estonians subscribed to the same opinion.

A significant share of Estonians have quite accustomed to non-Estonians. Almost half of them (44%) are ready to live with Russians in the same house or spend time together with Russians in some club. 40% are ready to work under direction of a Russian employer and be a patient of Russian physician.

On the other hand, surveys, conducted lately, show quite a high level of concern, related to the Estonian Russians. The results of the monitoring, conducted in 2005, show, that 80% of Estonians are disturbed by the fact, that Estonian Russians can't speak the Estonian language, 78% consider their mode of life and way of thinking to be different from that of Estonian Russians` and 59% of Estonians are disturbed by a different behaviour and mode of life of Estonian Russians. Thus, the ignorance of the Estonian language being the major concern, every third Estonian feels strongly disturbed and 46% - a little disturbed.

Based on the tolerance criteria the Estonian community can be broadly divided into two major subgroups:

“Tolerant” -53% and “Exclusionary” – 47%

There two types of tolerant Estonians”

Empathic Estonians (20%)

Pragmatic Estonians (33%)

Tolerant Estonians

- have managed to overcome the rejection barrier in their relations with non-Estonians
- regard the citizenship policy as predominantly fair and do not want to make it more stringent
- compared with exclusionary Estonians, support more strongly the granting of fundamental economic, social and political rights to all living in Estonia.

Empathic Estonian has the least of stereotypes and prejudice in relation to other nationalities.

This type treats other people as equals, tries to respect them, regardless of their ethnicity, citizenship, language proficiency etc. The tolerance is often based on a personal experience (work in a multiethnic labour-collective and active communication with non-Estonians).

Although the Pragmatic Estonian displays a positive attitude in relation to non-Estonians, this type, unlike the Empathic Estonian, is not ready to treat non-Estonians as equals, but without any major problems is ready to work in a multiethnic collective on favourable conditions.

Although this type displays more tolerance than exclusionary Estonians, negative attitudes and apprehension are still so strong, that openness to other nationalities is superficial. This type is

cautious toward non-Estonians and is ready to interact only upon rational and beneficial conditions.

Both types, displaying tolerant attitude, represent younger people, whose educational background is by far above the average in Estonia.

Tõrjuvad eestlased jaotuvad kahte tüüpi :

Exclusionary Estonians can be divided into two subcategories:

Radical nationalists (19%)

Less-tolerant Estonians (28%)

Both types:

- perceive non-Estonians as a threat to the survival of the Estonian language, culture and the development of the state as a whole
- try to keep a clear distance from other nationalities, to stay away from them as far as possible
- favour a rigorous and strict treatment of non-Estonians in Estonia
- support the idea that Estonians should have more rights and opportunities than non-Estonians in Estonia

Radical nationalists are notable for their intolerance in relation to other nationalities. At no cost will they agree to work together with non-Estonians in the same team. Most of them will never agree to live in the same town (municipality), where the majority of the residents are non-Estonians and by no means will agree to live in the same house with non-Estonians. Representatives of this type would prefer to treat non-Estonians harsh and hard and even deprive the latter of many fundamental rights while living in Estonia.

Less tolerant Estonians are unable to appreciate the value of other nationalities and over dramatize the threat emanating from non-Estonians, being concerned about the survival of the Estonian nation and the quality of the living environment. Although they prefer to keep a clear distance from non-Estonians, in certain cases they do not exclude the possibility of working and living close together with other ethnic groups. They nevertheless think that too much tolerance is dangerous and Estonians should maintain their dominance in Estonia.

Both types represent older people with mediocre educational background. The share of pensioners and blue-collars is high.

By the opinion of experts, the current situation in Estonia is indicative of passive tolerance, where sharp ethnicity-related conflicts are precluded, but there is no unanimity and mutual support in a crisis (e.g. war-like situation), that may result in a confrontation between the native population and national minorities.

The tolerance of Estonians can be regarded as rather superficial. They will more like put up with non-Estonians rather than try to understand and consider them, since only 20% of Estonians are able to treat non-Estonians as equals. The rest 80% (including Pragmatic Estonians), try to a greater or lesser extent to keep a distance from them and reject them in some or other way.

Estonian Russians are more open than Estonians

In the course of time, **Estonian Russians** have also adjusted to Estonians. In no way one can agree with those, who rank all the Estonian Russians as the fifth column, presuming, that they hate Estonians, cherish the Soviet-time ideology and are not willing to make an effort to adjust to Estonians and the Estonian state. There are numerous facts to prove the opposite. One of the examples is the knowledge of Estonian. 48% of Estonian Russians consider their Estonian is good enough to live and manage in Estonia (in 1994 24% of respondents gave the same answer). Estonian Russians are far less disturbed by Estonians. Only 3% of them are strongly and 23% a bit disturbed by a different behaviour and mode of life of Estonians.

As a whole, the Estonian Russians are more open than Estonians. 76% of them would readily live in the same house with Estonians. 68% would readily work under a direction of an Estonian employer, 69% have nothing against being a patient of an Estonian physician. 65% of them are ready to spend their leisure time together with Estonians.

Tolerance Typology of Estonian Russians makes it possible to estimate, how they accommodate, on the one hand, to the requirements of the Estonian state and, on the other hand, to the culture and mode of life of Estonians. The tolerance level of Estonian Russians is quite high. The tolerant type (emphatic and pragmatic) comprises 2/3 of the Estonian Russians. This type has quite successfully managed in the Estonian society and is open to interaction with Estonians. Tolerant Estonian Russians know what state they are living in and what the rules and requirements of this state are. They support development priorities of Estonia and their world-view is becoming Estonia-centered.

Characteristic features of tolerant Estonian Russians:

- Good knowledge of Estonian
- Their way of life and thinking is similar to that of Estonians`
- A good many of Estonian citizens
- Close contacts with Estonians
- They support Estonia`s development priorities
- Strong western orientation

Tolerant Estonian Russians can be divided into two categories:

- **Emphatic type (46%)**
- **Pragmatic type (19%)**

The **Emphatic type** is open to interaction with Estonians. They are on the look-out for Estonian friends, acquaintances, business and work partners. This type is well integrated into the Estonian society, has a positive attitude to life and is only marginally influenced by the Russian ideology. Unlike strongly assimilated Estonian Russians, representatives of this type are more interested in the preservation of their ethnic identity and are less open to Estonians.

About half of them were born in Estonia; 37% have lived in Estonia for over 20 years; the young type, 58% are under 40.

Above the average educational level. Persons with basic education are in minority (17%); 68% have secondary or secondary vocational education.

Few pensioners (9%); employees account for 46%, white collars – 46% and blue-collars - 50%.

This type is distinguished by a high ratio of unemployed and economically inactive persons (25%).

More or less equally distributed between Tallinn (43%) and towns in North-East Estonia.

The **Pragmatic type** is rational and prefers to interact with Estonians only if it is useful or profitable.

More than half of them were born in Estonia (57%), 16% have lived in Estonia for over 20 years.

This type is represented predominantly by middle-aged and older non-Estonians, 55% are older than 40.

Average educational level, one-fourth has basic education; 61% - secondary or secondary vocational education.

Few pensioners (10%). Employees (56%) and students (18%) prevail. 2/3 are blue-collars and 1/3 – white-collars. Prevalent in towns of North-East Estonia (50%) and in Tallinn (38%).

The Less-tolerant type accounts for 1/3 of Estonian Russians and includes the less-tolerant and exclusionary types who experiences great difficulties in the adaptation process in the Estonian society. They have not been able (or wanted) to learn Estonian and to obtain the Estonian citizenship and have few acquaintances among Estonians. They are cautious, distrust many developments in Estonia, idealizing Soviet Estonia. They are under strong Russian ideology, because they are continuously watching Russian TV programmes.

great difficulties in the adaptation process in the Estonian society

have not been able (or wanted) to learn the Estonian language and obtain the Estonian citizenship

they have few Estonians in their social circle

they are cautious and distrust developments in Estonia, idealising Soviet Estonia

The Less-tolerant Estonian Russians -21%

This type is considerably less adjusted to the Estonian society and Estonians. Representatives of this type distrust Estonians and try to keep distance from them. If absolutely necessary they are capable to work and live in the same house with Estonians etc. This type is represented by predominantly older people, 58% are older than 40. Every fifth is beyond the age of 60.

Exclusionary non-Estonian – 14%

The adjustment of these people to the independent Estonian state and Estonians has been the worst. This type idealises the kind of Estonia that was subjected to the rules of the Soviet Empire, where it was possible to live anywhere in the Soviet Union without the knowledge of the local language, culture and way of life. This type is mistrustful and defensive and tries to avoid any closer contacts with Estonians. This type is represented by mostly older people, 3/4 are over 50 years of age.

With the development of tolerance risk-groups have grown less.

It may seem, that there are no problems with tolerance, but it is not the case. In Estonia we have reached the state of peaceful coexistence between different ethnic groups, but the existing tolerance is quite far from neighbourliness and consideration. The existing situation can be denominated as a state of **indifference**, that is regarded as passive tolerance. Passive tolerance looks more like endurance and could mean implicit superiority. The distance, kept from other nationality, is great. In observable behaviour it means an interaction within the bounds of politeness. The contacts are marginal, only if absolutely necessary. There is no immediate apprehension, but at the same time there is lack of desire and need to ponder over the problems of other ethnic groups. The desire to live in isolation is great due to existing mutual distrust.

The experience of most of the states shows, that lasting intolerance and rejection are dangerous and may often result in conflicts or a disaster, whereas the development of tolerance is rewarding.

In a tolerant society, the nationality of the person is not fateful to him. Not depending on their ethnic belonging, people have an access to good education, interesting work, professional development and ultimate self-actualization. In a tolerant society there less risk groups: poor people, drug addicts, alcoholics, AIDS-patients, prostitutes etc. However, in an intolerant society, where there is little trust and other nationalities are regarded as a source of danger, newcomers are very likely to become rejected and develop into a risk group.

The ethnic studies conducted in Estonia indicate that the existing superficial tolerance of Estonians is likely to last long. Tolerance is slow to develop. To a person, who is tolerant at all, other nationalities do not imply menace and mistrust.

The current Estonian integration policy has been mainly aimed at national minorities. Has not the time come to develop an integration policy for Estonians - the policy that would help to diminish the fears of Estonians and enhance trust and tolerance towards national minorities?

Whom does the Estonian Press Council protect? Media self-regulation and the coverage of ethnic minorities in Estonia

Tarmu Tammerk,
Estonian Press Council

I will give an overview how the media self-regulating is working as the questions that we are discussing today and tomorrow very much relate to it. Press Council is the institution of media self-regulation in Estonia. We do not deal with the media monitoring, therefore we can not give a data how many articles are being published on this or that topic. What we deal with are concrete complaints from our clients with regards to what has been said or depicted in media. The Press Council is created to enable ordinary people to apply to it seeking justice. Once again, I would like to stress that we do not provide self-analysis; we act only in the frames of the complaint. Therefore the thesis and data that I am providing here now are coming from the situation study during the complaint study procedure.

The media self-regulation body can be compared with the internal-control body in the commercial structure and aims at internal control. Currently there are 10 members in the council, among them 6 are media representatives and 4 are from universities or other structures/institutions. So we speak not only about what is important for the journalists but also for the audience/readers.

In the statutes of the Press Council, for example, it is not provided that Estonian- and Russian-media representatives should be represented, however for us it is rather logical that they both should be present. I consider it to be rather positive that we have one general self-regulation for media, and not separated one for the Russian-speaking media and one for the Estonian-speaking.

What regards to the trends then 80% of the complaints relate to the Estonian-speaking media and only 20% Russian-speaking. You could argue that this is probably because Russian-speaking media is more correct, follows the ethics code better. In fact, this is not so, the reason of such a difference is that the Russian-audience is less aware about their rights.

During the last year the Press Council solved 45-46 complaints with regards to the contents of the media, both with regards to Russian and Estonian-speaking ones. But what I am very glad about is that during the previous year there have been not a single complaint with regards to purely the topic we are discussing right now.

In its work the Press Council is using the Media Code of Ethics and which journalists try to follow. The paragraph 4.3 reads as follows: "It is not recommended to emphasize nationality, race, religious or political persuasion and gender, unless it has news value".

As you can see, this clearly and purely is the topic of our seminar today. During the last year (2005) we have not received any complaint with regards to the breach of this paragraph of the Code. Does it mean that media covers the topic we are discussing with responsibility and according to the Code paragraph? I would not be so sure. The debate goes on, it is most probable that people do not know that they can complaint and protect their rights, they do not know that there exists such an institution that aims at improving the situation and resolving the conflict that arises in media. Or the other reason could be that the conflicts have not been so bad and people can survive without complaining and just do not want to raise a debate, considering it to be petty and not worth paying attention to.

If we compare the situation in Estonia nowadays and the one of 15 years ago, then I should say that the attitudes and overall situation has improved significantly. At the time when big political changes have started in Estonia, this is in the years 1988, 89, 90, it is possible to say that both

Russian and Estonian media were very active in demonizing the other side. The best visual example of this can be seen in one of the reports by *Aktuaalne Kaamera* (news programme at State TV) of that period, where the meeting by Inter-movement in front of the Tallinn City Hall has been shown, and a view of an old man, war veteran, made. He was standing there hysterically applauding. The comments above were: We will not allow Estonians to restore fascism! We will not enable them to deport us! And he was applauding and screaming again and again with the scary face. And this image has been always brought back when any of the Inter-movement activities even the peaceful ones were plotted. Further on this man appeared on TV when the plot was about launching of a new Russian-speaking party. This would have become a stereotype.

What applies to the Russian-speaking media it has not been tolerant either. For example, if some nationalist radical has made some statement which would be news worthy and noted in the article, then in 5 years mentioning the same person in the other context would still bring the media to remind about his statements done 5 years ago, within some special context or situation. Thus, again a very negative stereotype was created.

I would say that nowadays there are much less stereotyping and stickers applying, which I would consider to be a positive trend. And this can be also the reason, to my mind, why there are no such complaints before the Press Council.

What applies to reporting about crimes mentioning the ethnic belonging of the criminals? It should always be considered carefully, whether mentioning the nationality of the criminal is worth mentioning and makes sense, or it is absolutely irrelevant. The decision should be made for any case pending with regards to the context. Sometimes it is indeed grounded to mention the nationality. For example, if it is done in the modern media which uses such a genre that enables to depict and explain a bit more about the traditional behaviour models of various ethnic groups. At the same time we should be aware that in case we will use an absolutely sterile pattern by not mentioning under any condition the ethnic background of the criminal we are talking about, we will act in breach with the Code of Ethics paragraph 1.2. that reads: "The press and other media shall serve the right of the public to receive true, fair and comprehensive information. The critical observation of the implementation of political and economic power is the main obligation of the press".

So in case we are talking about the statistics of the criminal cases in Estonia, if we will leave out the ethnic composition of the criminals we will brake the rule as we will not give an adequate data for the public. Therefore, in some case and context it would be grounded to mention the ethnic background of a criminal and in some not. And this is the hard point of using our Code of Ethics as there is no stable and absolute rule, unlike it is with the law.

The Code, in fact, gives a general frame, identifies a direction, but does not provide an absolute rule.

Some remarks with regards to what the previous speakers told us on the role of media. Klara Hallik's noted the inability of media to provide the same information, the same review for both Russian- and Estonian-speaking media customers. Klara says that according to the data they have retrieved from the sociological reviews, the media does not provide the same information. Estonians do not know what is happening in the Russian community of Estonia, what are the problems or threats among the Russian-speakers. Why does it happen? I would try to give some explanations, not excuses, but explanations. First of all, we should blame commercialization of the media. The journalists cover the issues that apply to the interest of their consumers. For example, covering endlessly the topic of the hardness of the citizenship exam, which is a big issue for the Russian-speakers, would may be interesting for the Estonian-speakers ones or twice, but in case they will have to endlessly read about it in a purely Estonian-newspaper addressed to

Estonians, they would just stop buying it. They do not want to endlessly read about what they are not quite interested about. The same as, if *Linnaleht* (City newspaper) would endlessly focus on provision of subsidies for the agriculture, which is clearly not that interesting for its audience, it would be absurd. The target group should be taken into consideration. But again, coming back to the Code of Ethics paragraph 1.2 that requires adequate information provision. In case the information about the issues related to the Russian-speakers residing in Estonia is not covered at all, we can not talk about adequate information provision. But indeed, nobody can complaint about that to the Press Council as it primarily deals with concrete false information, wrong wording etc. What applies to the inadequate information provision, such discussions as the one we are having now is the right place and occasion.

Nowadays the media is changing its attitudes. I do not have the percentage statistics, however I can bring examples that the Estonian-speaking media is recruiting also Russian-speaking journalists that are working for it, for example *Eesti Express*, *Postimees*. Russian-speaking journalists working for the Estonian-speaking media bring another overview; introduce other culture of expression and topics to cover. At the same time it is not a general policy, it is a decision of a concrete media company.

At the same time Press Council involve people never asking what nationality they belong to. We do not provide any quota, we just know that both sides should be equally represented in order to provide for different views.

To conclude, I would share my view that our modern media, both Russian- and Estonian-speaking, is rather correct when covering the issues related to various group of the Estonian society and covering topics sensitive to any of the group. They tend not to create stereotypes but provide for a multisided coverage of the issue and positions. Press Council would like to be the intermediate for Estonian and Russian media. We have published a small booklet in both languages about Journalist Code of Ethics and another one about how to solve the conflicts with media. The complaints are rather specific in different language media. For example, Estonian media most often makes mistakes with data and dates and names and missing out the second player's opinion, whereas Russian-speaking media mixes the facts and opinions and it makes people confused. But this is not the topic for discussion today.

Press Council ⁸

Margarita Kornysheva
Press Council

First of all I would like to express my gratitude for having a possibility to speak in Russian, especially because in Estonia it is becoming less and less possible. Especially I would like to highlight that normally, when we are talking about tolerance on such event as this one, we are usually speaking in Estonian and no simultaneous translation is provided despite a great number of Russian-speakers.

Secondly, despite this terrible cold weather today, the gossips about my “death” are exaggerated. What “death” do I mean? The previous speaker mister Tammerk is a representative of the Estonian Press Council⁹ (hereinafter EPC), on which homepage is said that their organization has replaced the Press Council (hereinafter ASN), where I am vice-chairwoman, as with regards to activities related to receiving and investigating the complaints on the contents of information published in the newspapers starting from the end of 2001. I would like to assure you that our Council is actively working, accepting and investigating the complaints as with regards to both the printed and electronic media.

It is all not very easy with the local media, and I would like to say that the Estonian media continues being very separated from the society, but I will come back to that later.

ASN is not a unique structure; it has been launched at the end of 1991 and has taken the shape and objectives of the similar Finnish Public Word Council. It consists of eleven members, where seven are women. The ASN consists of the representatives of the various organizations that nominate their representatives. What kind of organizations are those? It is the Union of Journalists of Estonia represented by four persons, the Union of professors of Journalism represented by two members, the Consumer Protection Union – one person, the Union of Churches – one person, the Union of Lawyers – one person and NGO “Media Seire” – two persons. At present, the chairwoman of the ASN is the head of the Chair of Journalism at the University of Tartu Ms. Epp Lauk.

How do we differ from the Estonian Press Council? First of all, we do not consider ourselves to be the institution of media self-regulation. My personal point of view is that it is an enormous hypocrisy to talk about media self-regulation in Estonia. Because this self-regulation is in such an embryonic, if not to say absent, shape that it is really not worth taking into account and talking about it. That is why the ASN considers itself to be an independent analytical centre that investigates the complaints, but also comes out with statements with regards to urgent and burning issues. These statements apply indeed to the ethical issues. We are not the institution of the court, we can not punish or chastise anyone, we provide decisions which can be taken into consideration by Media. The decisions can be non-approving when we find the violation of the Journalist Code of Ethics, and approving. However, the ASN grants a possibility to those media companies that are interested to provide self-regulation. I would also like to doubt the self-regulation ability in the EPC as three out of its ten members are editors-in-chief of the newspapers. If there is a complaint against the newspaper whose editor-in-chief is in the commission, it is hard not to be sceptical about the independence of his decision. Whereas four members out of eleven of the ASN are the representatives of the Journalist Union who provide a possibility for self-regulation for the journalists. The self-regulation in Estonia can be described

⁸ Avaliku Sõna Nõukogu (at home page www.asn.org.ee translated into English as Press Council), hereinafter ASN

⁹ Pressinõukogu (at home page www.eall.ee/pressinoukogu translated as estonian Press Council), hereinafter EPC

to be effective one only as long as, and as much as the newspapers, the TV, editors and journalists settle account with the practical activities of the ASN and its decisions.

Nowadays, to my great regret, the situation in Estonia is as follows. The Estonian Press Council and the Union of the Newspapers, which is the union of publishers that Mr. Tammerk also represents, they dictate their rules everywhere and for everyone. They, for example, prohibited the journalists and editors-in-chief to reply to the inquiries made by the ASN. The EPC tries to neglect and deny and ignore all the activities and decisions by the ASN without any reason or ground for that. We are a clear nothing for them. At the same time it is very often that people apply both to the ASN and EPC seeking for the justice, and we could have made a rather constructive and interesting cooperation which would make us both more effective and powerful. However, this cooperation does not take place. We are very ready for such cooperation and we would wish to come to the table of negotiation, but regretfully this doesn't happen so far.

Finally, how else are we different from the EPC. At our homepage www.asn.org.ee you can find a section Media Critics which has appeared recently. This is the only space in Estonia where you can find full-fledged materials on media critics. It is indeed very difficult to publish such materials, the Estonian media will never publish ones, but one can find them on our homepage.

Now about our concrete activities. Since 1991 we have brought the decisions on more than 300 complaints. The most frequent reasons why people apply to the ASN are the following: indeed, the first place is taken by slander, insult and causing moral damage; then goes publication of unbalanced information, acquisitions without provision of possibility to provide true information or comments, publication of erroneous facts, possibility to identify a child without a special reason for that. I should say that gender and ethnic discrimination related complaints are very rare, but I would not be so optimistic about possible explanation that our media is rather tolerant and correct. I would like to bring you several examples of complaints that we have received, two very striking examples.

The first one is the complaint submitted by the delegates (now already former delegates) to the Riigikogu (Parliament), Mr. V. Andreev, Mr. E. Tomberg and Ms. V. Vyssotskaja, with regards to the advertisements that appeared in 2002 in the national Estonian-speaking daily *Eesti Päevaleht*. The text of the advertisement was that if one does not read *Eesti Päevaleht* then he is probably “*tibla*” (this word is usually used with regards to Russians in Estonia and is considered to be insulting). One should be a real Estonian and in order to become such one you should read this newspaper. So, the parliamentarians have applied to the ASN seeking for the explanations how such kind of things could have appeared in the newspaper, could have been ever published, if it is an insult and if it violates the paragraph 4.3 of the Code of Ethics that prohibits mentioning and highlighting the racial or ethnical belonging of a person without any grounded reason for that. The ASN has studied the complaint and brought the decision that this advertisement is in breach of the Code of Ethics, is an insult and therefore is in breach of journalist's good practices and desires.

The second complaint concerns the TV programme *Pealtnägija* (Eyewitness), this is an Estonian-language programme, a very obvious leader of ratings, well watched, and this makes it even worse what they have plotted and broadcasted what was said. The complaint has been drawn by Ms. Pille Neider and regarded the plot of November 2005, where a conflict between ex-husband and wife about the tutorship over their child was described. The complainant was very shocked and considered such a plot taken during unfinished court procedure to be absolutely inadmissible. Mr. Tammerk had already mentioned previously that the journalists have to be extremely careful with regards to court cases, especially not decided ones. Moreover, the woman considered that the problem is a very delicate one, very personal and there were no reasons to bring it to public. I would like to tell you about the reply we have received from the

ETV with regards to our enquiry on this case. It was made by Ainass Russaar, the programme director, and please pay attention to the fact that it has been written in a democratic country. "In reply to your letter we would like to inform you that it is for the Press Council to deal with the cases of unethical behaviour of journalists and other related questions with regards to Estonian Television. So you should notify your client about it and advise her to turn to the Press Council." Such reply is self-evident, I guess.

Now, about what we saw in that plot. In the first minutes of the programme the presenter said that right now he is going to break the Code of Journalist Ethics and he does not care what it will bring! And after that he really showed a number of plots that have been clearly in breach with the Code. What concerns the topic of our present seminar then in the same programme at the very end the presenter accuses all female judges, social workers, feminists, and others for making awful and wrong decisions with regards to tutorship over the minors, and it is once again about the case that is not yet decided. No argument proving the statement that the judges and social workers in Estonia are awful, he simply accuses them. The worst of all in this case is that this is state TV either, and a very popular programme. What followed? In the best traditions and desires, it should have happened, as Mr. Tammerk said, that the journalist and the company who violated the Code of Ethics published a decision in this case by ASN. This, however, has been never done by any central, national newspaper or TV and Radio. May be sometimes, some small newspaper did, but never a central one. It is for the question of self-regulation, of course. You are being provided with explicit information, analysis of what has been done wrong, the situation is analysed, however, the media group never let it out of its office. It is very regretful that public is not being allowed to see what had happened, what had been wrong with this article or plot. However, there has been some positive action a couple of months ago, when we have received a letter from the chairman of the Council for TV and Radio Broadcasting with regards to the same programme, where it was said that it is indeed unacceptable to use children in a manner like that, although not a single word about gender grounded accusations were mentioned.

The final topic I would like to address concerns two concepts: the freedom of expression and the freedom of media. From the first sight, and very often, we are mixing them up. However, they are very different concepts. Freedom of expression is an unalienable freedom belonging to a person and the freedom of media is a right belonging to one concrete company, publisher, and broadcaster to do something. In modern Estonia I tend to see that the freedom of expression is dying out, drying, whereas the freedom of media is flourishing. The media being extremely closed from the public is deciding (and probably with the consultation with the power-holders) what and when and how to publish, to cover. In any case, there exists a central instance that decided how this or that topic will look like. Why do I think so? To illustrate, I would bring another example, which is probably rather known by local audience. Some time ago one of the politicians has been discredited. There has been not a single word about him the previous day, but in the morning after all the newspapers were full of articles about him and his actions. It felt quite like there had been a central hand, which provided the same information at the same time to all the media sources.

It is also the reason why the topics with regard to gender equality, ethnic problems are very hard to get into the media. But people, civil society can not understand why nobody is addressing those issues. The variety of topics and balance of topics covered in media is very limited in Estonia. According to the research conducted during 1999 and 2002 at Tartu University, 65 % of the sources of information used by media are coming from the politicians or government. It is incredible how much space is used daily for their needs.

Talking about tolerance in our media, indeed there is a clear lack of information especially with regard to interethnic problems. Slightly better situation is with gender issues, however, it is also

insufficient. We should finally stop talking just about culture and songs only and start informing about very serious problems existing in our society and among Russian-speakers.

I have been lately thinking about the issues with the EC Directive on long-time residence of EU. What prevented us to discuss this issue in media long before then we did? It is from the 23 of January the directive is entering into force, and before the mid-December we have never spoken about it. Right now the media is full of information about the directive, and Estonia being not ready for its transposition, and about what could happen with this regards. But why haven't we started working with this issue, talking how many people will be influenced by this directive, how and before, half a year, year ago or even more?!

Islam in the Western media

Bashy Quraishy

Chief Editor, Media Watch

President, European Network Against Racism

Stereotyped image of Islam has become a crutch on which the survival of the Western cultural identity depends

15th of September 2000 was the day of Olympic inauguration in Sydney, Australia. I was attending a conference in Brussels. In the lunchtime I went to my room to see the news on BBC. After few tries, I zapped on a German TV channel, which was covering the Olympics. Out of curiosity, I let myself hung on for few moments to see the opening. The commentator was introducing each country by its sporting achievements, history or just by passing pleasant remarks. I soon noticed that every time a delegation from a country with a Muslim background appeared on the screen, Islam, terrorism, fundamentalism or civil war was mentioned. Countries as diverse as Algeria, Indonesia, Sudan, Malaysia, Saudi Arabia and Pakistan were introduced in the similar fashion. I was astonished at this deliberate effort to mix religion and sports.

As a journalist with minority roots, I am aware of the discussions taking place about Islam in Europe and in my own country, Denmark. I am not a religious person, nor am I a practicing Muslim, but over the years I have learned to respect and admire all religions. I have become much more aware of the depth of a person's need to belong to a religion, an ideology, a certain philosophy, a trade union or just a sports club. Somehow after living in the Western world, one thing has become very clear to me that, no matter how secular and non-practicing I am, I would always be reminded by media, politicians and people around me, that I am a Muslim and thus not a part of the Danish, European and Western culture.

It is sad and it hurts to admit that all my efforts to be a normal law abiding, tax paying, peace loving and contributing citizen of Denmark has no value for the society. I am judged by the parameter of my religion. I know that I am not alone in this situation. There are millions of people sharing the same fate in the Western World. On the bright side of this sorry state of affairs, I can express my sincere thanks to Denmark, to Europe and to the entire Western World that they have given me back my original identity. Through this painful process, it has dawned on me that my own religion - Islam - has played an important part in my upbringing and intellectual setup.

Islam in the Western Media

When the organizers of an important International Media Conference which took place in Finland in October 2001, asked me to speak on this topic, I was pleased because this has been an issue, I have worked on, for many years. But little did I know that Islam in the Western media would become such an actual topic after those terrible attacks on American targets on 11th September 2001, which resulted in the loss of many innocent lives and destruction of property worth billions of dollars. One horrible outcome of this tragedy is the talk of "Clash of civilizations", "War between Islam and the West" and a "New World Order" based on American leadership.

Few hours after the terrorist attack on the World Trade Centre in New York and Pentagon in Washington, D.C, President Bush held his first speech addressed to American people. His face appeared on every US TV channel as well as on the national networks throughout the planet. The first caption on CNN was “America under attack”. Few days later it was changed to “America is at war” and soon after Osama Bin Laden was declared as the enemy no. 1, the caption in CNN reporting changed to “America’s New War”. The same happened in UK where Tony Blair, as a true and faithful supporter of US, declared war against fundamentalism. He said: “This attack on USA is an attack on our civilization, our democratic values and our way of life”.

BBC and other media followed the footsteps of American press with an unending barrage of reports from the Middle East, interviews with experts, military analysts and politicians. All of them were asked by journalists regarding who they thought was behind these hideous acts. Was it Osama Bin Laden or was it some other radical fundamentalist group from the Middle East? It is worth noting that from the start, the blaming finger of Western politicians was pointing towards Islamic groups. There was no proof, no one took the responsibility and no particular country or group was signalled out, but a suspicion was hanging in the air with big letters: Islamic terrorists. An American military expert William Taylor on 16th Sept was interviewed on CNN. He said: “There is no concrete proof as to who has done this but I think there is a great possibility that militant Muslims are involved in this.”

Very slowly but surely, the whole focus of the media started to involve Islam in this discussion. TV reports, newspaper articles, radio broadcasts and Internet chats were flooded with issues such as Islam, fundamentalism, terrorism, and war. Words like ‘extremist Muslims’, ‘fundamentalists’, ‘militants Muslims’, Osama Bin Laden, ‘Muslim terrorist groups’, and ‘Islamic terrorism’ were used again and again on the networks. Old pictures of terrorist acts from around the world, Bin Laden’s picture shooting a gun, Taliban’s mistreatment of Afghan women, few Palestinian demonstrations and scenes of jubilation were repeated constantly. President Bush declared a “crusade” on terrorism and Italian Prime Minister Silvio Berlusconi went as far as to declare that Islamic civilization was inferior as compared with the Christian West. The leader of rightwing, Danish People’s Party, declared war against Islam from the podium of the Danish parliament on 5th October. The member of European Parliament from Denmark, Mogens Carme at his party’s annual meeting said: “All Western countries are infiltrated by Muslims. Some of them are nice people, who are waiting to kill us all when they will be sufficient in numbers”. The former UK Prime Minister, Lady Thatcher accused Muslims for failing to condemn the terror attacks on the World Trade Centre well enough. She said in an interview to *Times* newspaper on 4th October that people who brought down these towers were Muslims and she did not heard enough condemnation from Muslim priests.

A reputed British Professor Micah Dembo wrote in the newspaper *Independent* on 5th Oct: “The cultural and intellectual foundations of terrorism in Islamic societies can only be destroyed by westernizing them”. An American Internet newspaper, *Information Times* brought a thought provoking letter from a veteran policy-maker from Richard Nixon’s era in its edition of 28 November 2001. Under the title, *The Prince of Darkness*, Jude Wanniski wrote a memo to Henry Kissinger. The memo is dated September 18, 2001 and involves Richard Perle, Chairman, Defence Policy Board, U.S. Department of Defence. The memo describes the discussions of American foreign policy towards Islam on CNN and other TV stations:

”I was surprised to see you (Henry Kissinger) on television last night making arguments I associate with the world’s no. 1 hawk, Richard Perle, who has been the chief architect of our policy toward the Arab/Islamic world. There is no single American more responsible for inciting outrage among Muslims globally than Richard, whose maniacal prescriptions led inexorably to last week’s cataclysm.

It was no surprise to me to see Richard on CNN's Evans&Novak, Hunt& Shields program on Sunday, the 16th Sep calling for all-out war against the Arab world with a coalition entirely composed of Western Europeans. If he was just an ordinary maniac, we could live with him, Henry, but he is a chairman of the Defence Policy Board, which advises the Pentagon, and which gives him total access to all military secrets."

Most of the media brought letters, comments, articles and news that were clearly meant to inflame the situation. Flag waving, emotional and biased reporting replaced the objectivity. Highly respected American author and critic Susan Sontag heavily criticized the media in her article in *The New Yorker* on 19th September. She wrote: "Un-proportional overdoses of reality, the display of self-justice and direct misinformation from authorities and TV commentators is amazing and depressing".

Immediate results

This uncritical and nationalistic journalism and intentional use of anti-Islam terminology as a tool of propaganda unfortunately had immediate side effects. International terrorism became a synonym for Islam as a religion, Muslims as its followers and Middle East/Arabs - for its co-habitants. Attacks on Arab and Asian looking people resulted in many deaths of innocent people. Vandalism and looting of property, arson of homes, harassment of Muslim women and girls on streets, children in schools and boycott of co-workers have been widely reported. European Monitoring Centre on Racism and Xenophobia (EUMC) in Vienna has published its report at the end of September detailing attacks and harassment of Muslims in the EU. It is not a pleasant reading. Many European telephone callers to ethnic minority politicians with Muslim background retrieved: "Get ready for the gas chambers".

These attacks were taking on such a momentum that alarm bells started ringing in the halls of Western power bases. Many Arab and Muslim countries also complained bitterly and the Middle Eastern politicians together with local populations started raising their voices. After that political pressure and diplomatic contacts, President Bush appeared in a mosque in Washington, D.C. and appealed to the Americans to show decency and restraint. Tony Blair and Romano Prodi did the same. They clearly expressed that the war against terrorism is not a war against Islam or Muslim people. President Bush even proclaimed that Islam is a religion of peace.

These very commendable gestures did lessen the tensions. Unfortunately the same political leaders were also talking about fundamentalism and terrorism as a main enemy - in the same breath. The common person in the West has no way to separate and distinguish between fundamentalism and fanaticism. It seems that these Western leaders are not aware that the mere mention of the word fundamentalism evokes anger among their populations, which in turn is quickly and automatically attached with religion, not Christianity, Hinduism or Judaism but exclusively with Islam. Pictures of few Pakistani women, with a copy of the Koran in one hand and a gun in another, few hundred young men with long black beards shouting "Jihad" or "Allah is great" and other customary emotional slogans are repeatedly used to illustrate the evils of terrorism and fundamentalism. Anti-Islam films such as "Not without my daughter" and "Peacemaker" together with the documentary films about women situation in Afghanistan, forced marriages among ethnic minorities, crimes committed by Arab youth etc are shown almost every day. These images sit deep in the psychic of innocent and ill-informed public and create hate. A hate, which has its own cycle, rhythm and logic. A hate, which every person among ethnic minorities - Muslim or non-Muslim - can feel, taste and see.

One of the great American sociologists and linguists, Noam Chomsky was interviewed on an independent Serbian Radio *B 92* in Belgrade on 25th Sept. He was asked: “How do you comment on the explanation given by many in USA media that the terrorists struck USA because they hate Western values (civil liberties, tolerance, welfare, etc)”. He replied: “The second question about hate we can simply dismiss. It is self-serving nonsense, and its purveyors surely know that, at least if they have any familiarity with the current history, including the Middle East. Naturally, these are convenient pretences, which serve to deflect attention from the actual grievances expressed even by the most pro-Western elements in the Middle East. As for the media, we have to ask how they dealt with the basic questions that arise in the case of crimes, small or horrendous: who was responsible? What should the response be? Why did it happen? There has been virtually no discussion of any of these questions. Apart from a few exceptions like the *Wall Street Journal*, there is very little in the mainstream media”.

Salman Rushdie commented the war on terror and the refusal of the Western leaders to connect it with Islam, in a long article in the *New York Times* and *Guardian* in October. He said: “Let us call spade a spade. Of course this deals with Islam. Mantra that this war against terror is not against Islam is simply not true. Bush and Blair needs to say so, because they can not afford to have the whole Islamic world on their neck”

Political signals

In the following 30 days after the World Trade Centre attacks, I have personally experienced a lot of hostility. Not only in Denmark but also in places like Sweden, Germany and even in Portugal where I was attending a conference in the 3rd week of September. Staring looks in public places, spitting on the streets and uncomfortable questions from the media. But two things really hurt me deeply. First, a dear Danish friend of mine that is very kind, educated and has many friends among ethnic minorities wrote me an e-mail and said: “Bashy, I have known you for a long time. You are one of the most decent human beings but we must part our ways after terrorist attacks on US. I do not think we Danes and you Muslims can live together any more.”

Secondly, on 27th September my organization, POEM which is the Federation of Ethnic Minority Organizations in Denmark held a private meeting with the Danish Prime Minister, Poul Nyrup Rasmussen to discuss a common strategy to deal with the aftermath of Sept 11th attacks. Instead of having a dialogue with the representatives of ethnic minorities, he said as follows: “Ethnic minorities should condemn terrorism, pledge loyalty to Denmark, allow their women freedom to marry whom they want, get an education, respect the ideals of democracy and should not accept that the Koran is above the Danish Constitution.” Most of the meeting delegates could not understand why the Prime Minister was questioning their loyalty and good citizenship in such a brutal fashion. Most of them have lived all their life in Denmark, but because Islam happens to be the religion of their birth, their loyalty to Denmark became a subject of discussion. Next day the media expectedly described the political meeting as *The Prime Minister Meets Moderate Muslims*. Among the eight female members attending the meeting only one was wearing a scarf while the rest were dressed in casual European clothes. The journalists intentionally used the picture of the Somali delegate wearing headscarf in their stories. Is it a coincidence or an intentional signal? One can judge for oneself.

Media surveys

The press and Internet media material, from different countries I went through from 12th Sep to 12th Oct 2001: I could see that the whole Western media used texts, pictures and terminology which did aim at painting Islam as barbarian, fanatic and uncivilized. Recently I also made a survey of Danish media coverage of religions in Denmark. Over a 3 months period from 15th May to 15th August 2005 6 national newspapers and 2 national TV channels were researched. 75% of media coverage was about Islam and nearly 60% of the material was negative stories.

Stereotyping of Arab Muslims

Prior to the terrorist attacks in US, the American news agency APP on 31st July 2001 brought a story about negative stereotyping of Arab Muslims in US media. According to Jack G. Shaheen, author of two books on the subject, "there is an unending barrage of the same hate-filled images portraying Arabs as less than human. Not only are they bashed and vilified on a constant basis, the religion is thrown in too". Jack G. Shaheen believes that "hurtful and harmful stereotypes do not exist in a vacuum. Continuously repeated, they dehumanize people, narrow our vision and blur reality."

This stereotyping of Arab Muslims continues despite protests from the community. Shaheen told the *Los Angeles Times*, that Arab families have never been shown on TV or in film. You never see people who look like and act and behave like other people. *The Agency*, a CBS series, which started at the end of summer 2001, extols the "heroic" role of the CIA. The film's opening scene shows a CIA agent giving a briefing on terrorists, "sworn to wage holy war" against the United States and its friends. The rest of the episode shows the CIA fighting back to defeat a plot by Arab "terrorists" who are also said to control a non-terrorist Arab diplomat in Washington.

Another CBS series is *The President's Man: Ground Zero* with famous action hero Chuck Norris who plays the role of a secret operative working for the White House. His aim is to stop "an Islamic terrorist" who is intent on taking out a US city with a nuclear device.

The original title of the series was *The President's Man: Holy War*, which CBS agreed to drop after a group of Muslims called on its higher management. However, later a CBS spokesman said that the decision to change the name had already been taken. Nevertheless, there is no change in the content. It is still an "Islamic terrorist" plotting to destroy an American city with a nuclear device. In a "concession" to the sentiments of American Muslims, CBS says it has agreed to write in the character of an Arab-American Attorney General. It has also agreed to take out all references to Allah (God) "except one." It is ironic that a Jewish or Zionist terrorist is never seen on US television or in Hollywood movies. By definition all "terrorists" have to be Muslim, according to some prejudicial and racist 'journalists' in the American media.

Runnymede Trust, a charitable British organization in its September 2001 bulletin said: "It could be argued that the media portrayal of the alleged perpetrators of these acts of terrorism is racist and Islamophobic. A glance at the media coverage of the last weeks is sufficient to establish that reporting of the event is unbalanced and likely to stir up feelings of Islamophobia". The organization published a major report in 1997 under the title *Islamophobia – a Challenge for Us All*. In this report, it was highlighted how media has a tendency to express wrong views about Islam, by maintaining and in times of crisis, inciting racist and Islamophobic attitudes.

Göran Rosenberg, who is a well-known Swedish writer and journalist, has published a book *Thoughts on Journalism* last year. The book has been translated in Danish in September 2001. He comments on the sorry state of journalism in today's world in this way: "It must be very

difficult to distinguish between constructed media events which are presented as real events and the real events which are dubbed as media events.”

The one million-dollar question to be asked is: “Why all these fine explanations and praises of Islam by George Bush, Tony Blair or Romano Prodi when the damage is already done and the minds and souls of ordinary innocent people poisoned?”

Islam and the West – a historical look back

Growing anti-Muslim sentiment in the Western media, particularly in the United States, is an inevitable backlash created in the wake of disintegration of the Soviet Union. For decades the Soviets provided a convenient scapegoat. When Public Enemy Number One became a new found friend, the Europeans and Americans through their media looked around for a replacement, which they found in fundamentalists, a word too frequently used as a synonym for Muslims. This has led to a surge of anti-Arab, anti-Muslim racist attitudes among the Western public.

The average person in the Western World is friendly but wary when meeting a foreigner. Europeans and Americans in general are particularly ethnocentric and anything different is viewed with suspicion. The virtual geographical isolation of the United States has contributed to American insularity. The bombing of the World Trade Centre was a direct strike not only at the financial heart of the country but a hit on the American nervous system. When word got around that Egyptians had been arrested in connection with the bombing, Americans reacted with fear – a fear born of ignorance and self-righteousness. Mosques were vandalised, homes and businesses of Muslims targeted. The anti-Muslim violence was contained but the seed for racial hatred was sowed. One week after the terrorist attacks, a young Muslim policeman in New York reportedly committed suicide because of racial taunts. Disney was finally forced to remove part of racist lyrics in its opening theme song from its new film *Aladdin* after protests from Arab-Americans.

The media has contributed heavily to the negative image of Muslims. Naïve interpretations of Muslim laws and customs are reported out of context. Arabs are equated with terrorists and Muslims with fundamentalists. Islam, in general, is perceived as a Middle East phenomenon with Pakistan thrown in for good measure. This is not a recent trend. Biased and negative reporting has tainted media reports coming out of Lebanon and Iran for years. But when a prestigious international newsmagazine, *Newsweek* chooses to run a cover story on the rise of “militant Islam” to the exclusion of most other aspects of the faith, it becomes a recurrent image in most people’s eyes. Rarely, these days, you will find articles in mainstream magazines or newspapers on Islamic art, architecture, philosophy, poetry, history or of general knowledge.

There is little mention of the fact that there are Muslims all over the world, from all racial groups. While the majority of Muslims may trace their roots to the Middle East, the Bosnian Muslims are white, the Indonesians and Malaysians are oriental and Senegalese and Sudanese are black. Until the past few years, “Muslim fundamentalists” were “Shiites” and geographically limited to Iran, Lebanon, Pakistan and a few scattering in some other countries. What the West is now facing is Sunni Islam that transcends all national boundaries.

The News, a Pakistani International newspaper published in London pointed it out very clearly in its editorial: “The Western media can continue to react to Islam with hostility, fear and ignorance. Or it can try to understand the faith, its traditions and its history. Instead of portraying Muslims and Islam in derogatory terms, the West should seek to explore the positive. There is so much they would appreciate and learn”.

Communication with Islam is vital

Islam in its relation to the Western media or even human rights is an old issue for ethnic minorities, particularly those with a Muslim background, and especially those from the developing world but living in the West. There are many questions, which need to be addressed, many answers to be sought, and a lot of 'soul searching' to be done. Why so, one may ask? Why should the West bother to question the established truth, the hard facts, the huge quantities of research papers, which tell the Western audiences the story of the sorry state of affairs in the so called Islamic World, fanaticism of mullahs, ignorance of Muslim masses, the strict shariat laws practices in Saudi Arabia or the violence in Algeria, Palestine or Indonesia.

The answer lies in three facts. First factor is to balance the discussions about Islam, which are taking place on all levels of the European societies. The second fact is that Muslim minorities are an integral part of the European reality now. One may like it or not, but the presence of 10-12 million people can not be ignored. Their lawful needs must be met and they must enjoy the same rights as everyone else in the society. Most important of all, they must not be discriminated because they have other religion, life style or geographical association. The third factor is that the journalists have a moral duty to uphold their own integrity, professionalism and neutrality. They are the providers of the information which can result in harmony in the society or it can also destroy the whole fabric of a civil society, which they are a part of.

Understanding through serious and constructive efforts

It is also necessary to point out that Islam is a religion and not a nationality. Islam is a universal religion, spanning over 60 countries, with 1.1 billion followers. These so-called Muslims are not a united mass. They have different cultures, way of life, history, colour, ethnicity, languages, dressing, mentality, social status, upbringing and experiences. The only thing which they have in common is five tenants of Islam.

The standard picture of Muslims, we see in the media all the time is a distortion, simplified and outright dangerous. To illustrate my point, I want to use my own life as an example. I was born in India, brought up in Pakistan, studied in America and England and settled down in Denmark. I travel now with a European passport and most likely will be buried in Pakistani soil after my death. Who I am then? Am I an Indian, a Pakistani, a Dane, a Muslim, a European or a citizen of this planet? Do all these diverse identities create a conflict inside of me and in my relationship with the West or Denmark?

On a European level there are two types of identities available to Muslim ethnic minorities. The French model, which is all-inclusive, meaning that when you live in France you must assimilate and be French. The famous case of expulsion of two teenage girls with Moroccan background, who insisted on wearing headscarves in a French public school, is a good illustration. The French language and culture is the common denominator. The German model on the other hand, is the exclusive type, meaning that you are a German only by blood, common history and particular geography. Up until now, this has lead to severe difficulties for ethnic minorities to obtain German citizenship. Other models fall in between isolation, integration, and segregation and in very few cases, mutual understanding and respect. A dramatic picture of Muslims has been put forward as a group who cannot or does not want to be part of any of these experiments or simply refuses to fall in line.

Why these crossed channels of communication?

In almost all forms of the media, 'experts' seek to enlighten us on the new dangers from the East: holy wars, fanatical masses, the revenge of the Middle Ages on modernity and of religion on the Enlightenment. Islam is sometimes a 'challenge', sometimes a threat. The conquest of Vienna by Turks is apparently once again imminent. With Khomeini, Gaddafi, Saddam Hussein, Arafat and the Algerian fundamentalists, the anti-Western wave is rolling on, at any rate splashing across popular magazines and television screens. The threat might be a spiritual one, an Oriental counter-model to Western civilization; it might result in stopping the flow of oil, or in a cultural invasion by immigrants from Turkey, Pakistan or the Maghreb. It might lie in an Islamic atom bomb, in terrorism or in a threatened Islamic fundamentalist world revolution in the Iranian mould. Simple minds might even see it as a battle of Islam against Christianity, or against 'unbelievers'. In Europe and the US all these perceptions of threats exist, sometimes side by side and at other times separately. Sometimes they crop up suddenly and compete with each other, and at other times they are systematized and compounded, all depending on what is required or desired in a particular situation.

When a person with a Muslim background criticizes the prevailing perception of Islam in the West as an 'enemy', one does so, not to justify all aspects of Muslim politics and societies, or to sweep them under the carpet of 'cultural difference'. Rather, one highlights the fact that popular constructs of an 'enemy' are not a serious way of confronting oppression, corruption, abuses of human rights and other such phenomena present throughout the so called Islamic World.

But ideologues that conjure these hostile images are not concerned with these problems. Rather, they and their 'followers' are concerned with making themselves feel good by associating these problems with another culture and religion. Instead of critique, the West has arrogance and scheming. Europeans are against the fanaticism, which is an integral part of another culture; fanaticism does not belong to the core of 'Western-Christian culture', it only sometimes merges as a regrettable exception. Instead of criticizing the faults in our own societies, and using the same yardsticks in their criticism of other societies, many authors set the two cultures against each other. In January 1992, the semi-official German weekly *Das Parliament* even went so far as to contrast the Islamic countries with 'the free world'. 'The free world' - that means the West. This way of thinking professes to fight foreign irrationality through European Enlightenment while doing precisely the opposite.

Crusades are back

The idea of an Islamic threat is nothing new. It has deep historical roots. Some scholars and politicians in the Western World explain the upsurge in official anti-Islamic propaganda, negative feelings and religious phobia as a result of Soviet Union's disintegration. Looking at this argument historically one cannot but wonder how little truth is in such way of thinking. Islam has always been treated as an enemy, a threat and a challenge - geopolitically, culturally, economically, philosophically and last but not least theologically. Not only Islam claimed to be the last divine religion but also presented itself as a complete system of life. This posed great strain on the civilization, which was based on Christian faith, norms and political power base.

From the early days of Islam, the Prophet Muhammad was insulted with names as 'a false Prophet', 'a mad man' and 'an impostor', by Christians of that day. The Koran was labelled as a copy of the Bible and a mad man's work. There was every effort to undermine and destroy Islam by the Byzantine Empire and the Christian Church. Crusades, Arab conquest of Spain followed

by sacking of the Moors, Turkish Ottoman Empire's inroads in the heart of Europe and colonization are events one cannot ignore.

In the 1970s, following the oil price crises of 1973 ('the oil Sheiks are turning off our oil supplies') and a little later in the context of the Islamic revolution in Iran, the issues were heavily emotionalized. This was also true then, although sentiments were marked more by anti-Arab/anti-Palestinian than religious feeling. As a result of the end of the Cold War, the perceived Islamic threat has, however, acquired a particularly explosive power in the 1990s. We have no longer the Soviet Union or communism to serve as enemies justifying expensive and extensive military apparatus. It was in the mid-1980s at the very latest when the search began for new enemies to justify weapon budgets and offensive military policies, at first as a part of the communist threat and then in its place - Islam. Gulf War against Saddam Husain is a classic show of force against a tiny dictator to scare others to tow the line.

In this sense, making Islam an 'enemy' (as opposed to having a real one) contributes to the fact that an important opportunity, the end of the Cold War, has been wasted. Now, given the loss of the old military opponent, instead of reducing the military apparatus in the West to a symbolic level or getting rid of it altogether and thinking about 'security' completely afresh, new threats are being invented to serve the old purpose. This is the main problem, not an Islamic fundamentalist threat which, in any case, could only be dealt with by political and economic means and most importantly by Muslims themselves.

I do not know but---

A certain gap of knowledge emerges when the talk about Islam is on the agenda. There is a noticeable lack of rationality between the judgments on 'others' and the reality. "I don't know anything about Islam, but---" is certainly one of the most common phrases to be heard in discussions on the subject. And nobody wants to be shaken out of this 'I don't know', for it allows the West to construct another world, the Islamic World, even though the construction does not correspond with the reality of Islamic countries. The West invents Islam that suits it, that better fulfils the Western political and psychological needs. This is exactly how one arrives at a clean separation between 'us' and 'them', between inside and outside that are never supposed to meet and thus succeed in fencing off and fortifying the Western identity. Similarities and parallels between the cultures would only disturb this image, because it would mean recognizing the Western values in the other and blur the distinctions. Ignoring the 'differentness' of the Islamic countries and Islamic culture, the 'Orient' is stylized as the anti-thesis to the West. The West thus creates a polar opposite against which it can assure itself and of its values, and against which it can shape its perception of the Western World.

Regions of misery and unrest in the Muslim World stand in contrast to the apparently well and clearly ordered West. The affluence in the West stands out against the reality of need in the developing countries, and is to be psychologically defended. The fear of the Third World is in a certain sense a fear of poverty, a fear of being infected again by its evils. One of the preconditions of this fear lies in the fact that the West is no longer as sure of its achievements as it would like to be. This does not only apply to the rational enlightened and secular character of Western societies, which is constantly being called into question by racism, the rise of nationalism, orthodox fundamentalist advances or 'tribal' and religious wars as in the former Yugoslavia or in the Northern Ireland.

What must be criticized however is the unequal portrayal of parallels and differences by media, and almost automatically negative evaluation of all that differs from the Western culture. The

West does not meet the other with a desire to understand. Rather this other derives from a comparison, which suggests that the Western culture is more comprehensible and therefore - usually- better.

Cultural conflicts or socioeconomic problems

Today after 50 years presence, Muslim ethnic minorities have colossal problems in every European society. High unemployment, concentration in poor deprived housing areas, lack of education among the youth, a rise in crime, drug abuses, breaking up of families and discrimination in every sector of life are some of the problems we face daily. Some of the problems are created by the societies they live in and others are created by themselves. Problems are piling up but no remedy is in sight. Minority's socioeconomic and political problems are reduced to a simple matter of cultural and religious differences and their lack of expertise in European languages.

Muslim minorities in Europe and Denmark feel very isolated, criminalized and neglected. In Denmark, which according to the latest EU survey has the minimum poverty, 50% immigrants and 70% refugees are out of job, often due to discrimination on labour market. They are allocated housing in socially poor areas; their youth are not given equal opportunities. Minority children are spread over different schools against their family's permission. Media is very hostile and often portrays Muslim minorities as uncivilized, primitive and a problem for the continuation of European culture.

Media knows its power

The role and power of media in spreading information in a modern society is awesome. Once information - right or wrong, manufactured or factual - goes out to public, it creates its own rhythm. One can retreat, amend or correct it but you can not nullify it. A word, spoken, written or heard has its own magic and life. In public discussions and in this atmosphere of non-cooperation and national chauvinism, there is very little space for different religious identities.

The rejection of any non-European and non-Christian thing has stifled the debate. Thus it has resulted in polarization of the society. Consequently the tolerance level of the population vis-a-vis the Muslim ethnic minorities has dramatically dropped. Genuine acceptance of foreigners is now missing. Whether these other people differ in thinking, colour of skin, or sexual orientation has no bearing on this attitude.

Why a response is necessary?

As the media has become more and more sophisticated over the last twenty years, it has become apparent that one must be clever to use it. Today there are more groups trying to grab the attention of the media or trying to wrestle with it. Those who work with and against media distortion of information found out that media in general has become the 4th State power. One cannot just throw stone at it from a distance and hope that one day it will hit the right spot. All media criticism is usually rejected with the following arguments.

- Media is just doing their job of informing the public; criticism regarding media is a hidden form of censorship which does not fit with democracy;
- Muslims can not expect special treatment from journalists;

- Freedom of expression must be upheld at all costs;
- If media does not cover anti-Islam feelings in the society and give people a chance to vent their anger through media, it can result in race riots;
- If Muslim minorities feel misrepresented, they can use their right of reply, complain to editor, write to the Press Ethic Committee or just sue the media in the court.

Although these points are valid, make sense and in a certain way reflect the mind's set of the journalistic community, these are also based on assumptions of holiness and smack of professional arrogance. Journalists should know that freedom of speech was not meant for journalists only but for the little man who had difficulty opposing the ruling class. There has never been and never would be any form of absolute freedom of expression. It is always linked with responsibility and common sense.

Four principles of journalism

The distinguished journalist and scholar Edmund Lambeth formulated four principles to serve as the foundations for ethics in journalism. These are basic principles, which journalists should use for inspiration and the basis of media ethics:

- Truth telling must always be paramount
- Freedom for journalistic independence must be maintained
- Justice must combine fairness in reporting as well as exposing of injustices
- Journalists should always address the issue of humanity, and should not be guilty of committing direct, intentional harm to others and they should, wherever possible, prevent suffering.

There will always be ethnic groups and for the foreseeable future, there will be many ethnic, cultural and religious problems. However, journalists have to show professionalism, awareness and sensitivity to avoid being an unwitting instrument of conflict escalation.

What can be done?

Defending religious identity without the extremes of 'cultural minimalism' or violent conflict is possible provided that the Western media accepts the condition of democracy and the reality of pluralism. Identity, whether of an individual or a group, religious or political, ethnic or racial, takes on a decisive importance in a violent context if it is not allowed to be manifested freely and peacefully. It always affirms itself through struggle of power and domination. The absence of identity in the European contest is due to dissolution of society's inner cohesion. The question of identity is not relevant in communities that are sure of themselves and stand firmly united by a common culture or a strong sense of religious affiliation.

In case of European media, journalists may help political leaders to re-examine the way in which a modern society gets its pluralistic nature. Tomorrow's European journalists should no longer be obsessed with the idea of a single identity, even less so by the quest of a strong sense of European civilization. They must advance towards a flexible and open society. They will then become vanguards in a society where journalism will not focus on race, culture, religion and colour but on fellowship of human beings.

If European journalists really want to have pluralistic and cosmopolitan coverage then they must do away with Eurocentrism and enlarge the scope of professionalism to be all-inclusive. They must think in a multicultural, multiethnic and 'multireligious' way.

Some important practical suggestions to journalists can be proposed as few guidelines. Not a directive or a pointed finger towards media world and the countless decent, hard working and professional people who write stories, produce programs, compile broadcasts and inform the public about the changes, developments and events in the society. Merely a suggestion. Working, both with ethnic minorities and European media, we have collected information and factual knowledge, we wish to share. It is up to an individual to decide, how to use it.

10 media commandments

- Freedom of speech is a basic human right and so is the right to be free of discrimination. Any reporting which enhances racism, perpetuate prejudices and divide the society must be avoided.
- Reporting and covering ethnic minority issues should be done with the same objectivity and neutrality, which is practiced in case of a majority.
- Journalists should be aware of the pitfalls of their own Eurocentric upbringing and ideological education while describing other cultures and religions, especially Islam. Use of contacts among minorities can be helpful.
- Words like 'Nigger', 'Paki', 'fundamentalist', 'ghetto', 'ethnic gangs', 'criminal second-generation immigrants' are derogatory to minorities. One should not use term which has a negative impression attached to it.
- A culture, religion, ethnicity, colour or nationality of ethnic minorities should not be used as an explanation model to write or talk about an individual or a group of people.
- Use of unconfirmed statistics, data or facts can be very dangerous as it can be misused by anti-immigrant politicians, right-wing movements and racist organizations. It can also damage journalist's own reputation and integrity.
- While writing about a particular issue among an ethnic group, multiple sources should be used so that one sided impression and information would not dominate the story.
- The opinions of ethnic groups should be involved while covering issues important to society such as environment, traffic, sports, foreign affairs or the general development. It will give them a sense of belonging.
- The ethnic minorities lack socio-political influence and means to voice their own concerns. Therefore they are not in a position to defend themselves. Journalists are morally bound to give the underdog a voice.

- The pen is mightier than sword. A spoken word, a written paragraph or a televised picture has a momentum of its own. It can not be withdrawn. Its damage takes time to repair. Journalists should realize the power they possess and act accordingly.

November riots in France in media

Eric Simon

REFLEX magazine

In November France shocked the whole Europe with what happened there and namely with riots. I will try to give you an overview of the situation from the position of both a social worker, who used to work in the suburbs where the riots started, and a journalist.

Some time ago I had read a French newspaper that re-publishes articles from various foreign media sources. One of the extracts published with regards to the riots was also from the Estonian newspaper *Postimees*. It was said in it that what is happening in France also concerns the whole Europe. The country that had opened its doors to the foreigners has to suffer. It also applies to Estonia, because we also have a lot of foreigners in Tallinn – Russians. I would leave the debate about the Estonian foreigners, but would like to highlight that this is not the question of foreigners because most of the people that have taken part, were involved in the riots, are not foreigners, they are French, but with the foreign origin. Foreign origin from our former colonies and it is extremely important. It is a French story and French history.

To be more understood I would like to give a bit of historical chronology. Already some time before, some weeks and even months before, we had our interior minister Sarkozy, who has his own, rather rough visions of the suburbs, very segregationist visions limiting subsidies for the NGOs of certain groups of the population and also speaking rather attacking. I should admit that segregationist visions had become an ideology lately and this is also extremely important to highlight. Several days before the riots he made statements with regards to young people of the area and also that we have to clean the suburbs of Scans with cashier, and that was another humiliation to the people of the area. Couple of days later 2 young people were killed trying to escape from the police control, which is very usual in this area. You can have police control even several times a day, sometimes even by the same policeman, if you are black or Arab. So those youngsters had no papers with them, one was a foreigner and they tried to run away and what had happened everyone knows, because they were killed accidentally. As it is rather usual, after such events the area went on a riot and what is less unusual, but still happening sometimes, the nearby areas joined the riot. And very unusually, I should say the first time ever, within several days the actions started in the other cities. The main reason for that was not the murder of those young people, but the constant humiliation experienced by the people almost every day. Another very important fact was that the police launched a gas bomb in the mosque, full of people as it was Ramadan, aimed at preventing the riots. So, easy like this, many people together in one place are a threat of a riot that should be stopped without any investigation. The feeling of humiliation went up beyond the limit. Several weeks after the start Sarkozy announced a State of Emergency in some zones, this happened for the third time in the history of France. Both previous times were declared in the colonies and now against children of those from the colonies.

Another important historical fact that should be mentioned with regards to the November riots in France is the demarches against violence of police and humiliations of 1983 started by young people. The demarches finished with the demonstration in which about 100 000 people took part asking for the equality and for the respect. And that was the very first occasion that the second generation of migrant appeared on TV and Radio with regards to political aspects. And in fact, when I am saying that they were the second generation of migrants, I am wrong, because they were French, but their parents have been migrants. Unfortunately, it was a good occasion for the politicians to take into consideration and promise to solve these problems for next elections. They also created a movement, anti-racist, but formed by the French and promised to take those

young people to their political parties and enable them to fight politically. However in reality they broke the movement of those youngsters and cut the freedom of expression of those people. And of course it was severe disappointment and for 20 years no further big and organized actions have been taken. Many people turned to Islam during that time, not that they would become extremists, but just turn to Islam. They are very disappointed by the politicians, they consider themselves French, but completely lost in identities, many of them being from Saudi Arabia, being black from Africa etc. So one day they decided to identify themselves with Islam. Their Islamic movement has nothing to do with the terrorist ones, it is typically French.

Now a very short sociological overview. This group of population faces a lot of inequality and discrimination. First of all, ethnic discrimination, secondly, the scholar discrimination. The areas where these people live are often poor and very socially violent zones, and the professors that are sent to the local schools are usually young ones and they are not ready to deal with this situation. This results also in the fact that the education level is not so good in those areas and majority of the pupils are not able to continue their education. But even those continue to face discrimination because of their face, name, and sometimes just because of the place they were living. This kind of discrimination can also be faced by the white French, it is just that some areas are considered to be bad zones, and if you have lived there you are considered to be the second class. So, to conclude what we have in those areas is first of all social problems: in some of the areas the unemployment is 50%, it is police humiliation and racism, political discrimination. The last government made an Algerian guy a minister, who has done a lot against discrimination. But what is important, when the riots started and the guy tried to explain why it happened, neither Sarkozy, nor other state leaders did not want to listen and to hear what he was trying to say.

What regards the people who took part in the riots, it is very hard to deal with them, because they are not politically represented, they do not belong to any organization. The action was not a political one, it was very spontaneous. And right now it is very difficult to negotiate with them, to offer help, because they are not an organization, they do not have representatives it was just a protest, an attempt to bring attention. The state made a choice of how to deal with them, and the choice is police for repression, not for public order or investigation, but for repression.

About the role of Muslims and Islamists, drug dealers and hooligans in the riots. I have read a lot about their involvement in various media. What concerns the Muslims and Islamists they have nothing to do with riots, moreover, most of their organizations have been trying to calm down the protesters; firstly, because it was in the interest of everyone, and secondly, because of political reasons. If they would have managed to stop the riots they could say that now the government should take us into consideration and speak with us. Concerning the drug dealers, well, I have credible information that in the areas where there is real drug traffick there were no riots. Moreover, it is understandable that they do not want to have police in their areas. Drug dealers have been threatening young people in case they would start burning the cars. Why have they been burning police quarters, schools and public transport? One could argue that those are the pillars of successful integration. In reality, and I tried to explain in above, they are not. Moreover, schools, for example, are the direct way to unemployment as the practice show. Police is associated with violence. And Public transport is the only link to Paris or big cities because the suburbs are far away from the city center and they wanted to tackle it as well.

Social societal tendencies. It is defined by the sociologies that the way this population, this youngsters is treated is purely neo-colonialist way, not only during the riots but also before. Because when there is a problem, the prefect send either imam or the police and it was exactly the same way of dealing with the problems in Algeria, in Morocco, and other countries.

Now about the media and its role. The media has a very bad image in the suburbs, it is not trusted or respected and especially the TV, because they always see just a very bad face of the suburbs, they only come when something bad happens and they often transform the reality, sometimes because it is good for the show, or because they just do not understand what is happening. There is something in the suburbs, they do not know what exactly, they come, they take some spectacular view and leave. So the media and especially the TV is showing fake reality. And there is a big difference between the show and information, especially on TV. For example, little incident is transformed into generality, if not generality they manipulating. A young person is, for example, murdered by police and it is very often in those areas. So the first day it is said the guy is well known by the police, in fact he is delinquent. Sometimes it is true, sometimes, and in most of the cases it is wrong, it was just a mistake of the police, but the guy was black or Arab, so he was a delinquent. In very rare case media recognizes it in one line on one day. So you really have to press them to do it, in most of the cases they do not say anything after. Their main source of information, credible information, is the police itself and it is more easy for the media to trust the police, otherwise they will have to go to the suburb, spend time to find evidence etc.

Nowadays the general vision of the suburbs is as follows: it is criminality, drug traffick, Islam and therefore terrorism, rape and image of a black boy or an Arab boy which is the exact image of what is considered as ideology of segregatorism, it is the enemy.

Now, taking into consideration how the media usually portrays the suburbs and adding there the plots about the recent riots, the people from the small towns saw what is happening and perceived it, joking of course, as a start of a new civil war. But now, with this kind of information flow, this is an image of France for many people that it is near to the civil war. It is complete fake reality, but people are thinking this way.

The foreign media has also been very active, fantastic. ABC: "Paris is burning!". It was not burning at all, it was a quite city! CNN: "French violence. Climate of Fear. Civil War", "Can be compared with Chechnya situation!" Because of that German journalists preferred to go to the area in the day time only. CNN and Spanish TV did not go at all, they preferred to use images from the press agency and other guys, I think from BBC came to the suburbs with the bodyguards. Only one Swiss journalist went further there aimed at making more or less good report. And when he wanted to stay there for a months, he went to the rent-a-flat agency, but there, when they learned he is a journalist he was refused to rent one, just because he was a journalist. So the conclusion is that it is better not to say what profession you are. I should mention also that during the car-burning the car of one of the public TV channels has been burned and the motto was "TV Sarcosy!", which is to my mind a very political motto.

After the first week they were not showing the car burnings any more, because they realized that there is really a place for hooliganism, that some cites were competing who burns more, and the information they were receiving from media of course, so it was a copier and identifier.

Also a big point is that, of course I could not see all the programmes, to read all the articles, there were no interviews on TV with sociologists, who would be able to analyse the situation apart from the one speaking about security, about segregatorism, about police and not about suburbs. The only one I could see was in the printed media. And it was also difficult for those journalists to go the areas for the same reason, because the people do not like media in general. So, turning to sociologists was the only way of clearing the situation, however there were not many of them consulted, and I also could not find the most knowing and famous ones working with this issues and being of that background.

Sarcosy promised to give more money to NGOs to deal with the issues what is good, but remembering he took exactly that money away before. But the base of the crisis still exists with our vision of history and our memory of colonization, which is in the heart of the problem. But it is coming from the sociologists and never is mentioned by the media. Also if an autonomous movement of this population is not helped, provided freedom of speech they will still fill the emptiness and it is natural, so they will turn to Islamism, not Islam, but Islamism and there are such groups in the suburbs. And if media will continue preferring shows to information, the gap will become bigger and bigger.

Estonia: Media, ethnic discrimination and anti-discrimination legislation

Vadim Poleshchuk
Legal Information Centre for Human Rights

Dear colleagues,

Media may play different roles as regards discrimination. First, they may inform the society about the phenomenon. Second, they may provide people with information on existing solutions, both official and non-official. Third, media can identify ‘grey areas’ in law and practice. Fourth, they may encourage discriminative practices by incitement to racial or ethnic hatred and by other similar means.

In order to inform about the problem of discrimination, solutions and ‘grey areas’ in legislation, media need knowledge of facts and good understanding of the topic. Thus, in the frame of my short presentation I would like to address the following issues:

- legal framework to combat discrimination in Estonia;
- sociological data regarding discrimination and statistics of official bodies dealing with non-discrimination.

Regretfully, we cannot say that our media do not play any negative role in the field of discrimination and interethnic relations. To prove it, I am going to list the most important incidents in 2005 concerning public manifestations of ethnic, political and religious hatred (some of them in media and Internet). It will help journalists to avoid similar mistakes in the future and provide us with an overview of relevant activities of Estonian courts and law enforcement bodies.

1. Legal framework to combat discrimination

Article 12 of the Estonian Constitution¹⁰ establishes an explicit ban of discrimination:

“Everyone is equal before the law. No one shall be discriminated against on the basis of ethnic origin, race, colour, sex, language, origin, religion, political or other opinion, property or social status, or on other grounds.

The incitement to ethnic, racial, religious or political hatred, violence or discrimination shall, by law, be prohibited and punishable. The incitement to hatred, violence or discrimination between social strata shall, by law, also be prohibited and punishable”.

In one of its decisions the Constitutional Review Chamber of the National (supreme) Court claimed that the general principle of equality is applicable to “all spheres of life”¹¹. The constitutional principle of non-discrimination is repeated in some other laws, e.g. in the Law on Cultural Autonomy of National Minority¹² (Article 3), Law on Wages¹³ (Article 5), Law on Advertising¹⁴ (Article 5, which bans offensive and discriminatory advertising), etc.

The Penal Code¹⁵ bans activities which publicly incite to hatred or violence on the basis of ethnic origin, race, colour, sex, language, origin, religion, political opinion, financial or social status

¹⁰ Riigi Teataja 1992, 26, 349 *Riigi Teataja* (hereinafter RT) – Official State Gazette.

¹¹ Decision of the Constitutional Review Chamber of the National Court of 6 March 2002; published RT III 2002, 8, 74.

¹² RT I 1993, 71, 1001.

¹³ RT I 1994, 11, 154.

¹⁴ RT I 1997, 52, 835.

¹⁵ RT I 2001, 61, 364, RT I 2002, 86, 504.

(Article 151). Article 152 of the Code penalises ‘violation of equality’, which is referred to as “unlawful restriction of the rights of a human being or granting of unlawful preferences to a human being on the basis of his or her ethnic origin, race, colour, sex, language, origin, religion, political opinion, financial or social status”. Additionally, Article 153 of the Code banned discrimination based on genetic characteristics of the person, and Articles 154-155 provide for protection of freedom of religion.

The Estonian anti-discrimination legislation was further developed before the EU accession in 2004. Importantly, Treaty establishing the European Community as amended by the Amsterdam Treaty, includes specific anti-discrimination provisions in Article 13 (1):

Without prejudice to the other provisions of this Treaty and within the limits of the powers conferred by it upon the Community, the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

Article 13 (1) does not include prohibition of discrimination as such. Well known Western researchers Chopin and Niessen referred to several weaknesses of its provisions, most importantly the Article has no direct effect and it does not include nationality (meaning third countries citizenship) as a ground of discrimination¹⁶.

On the basis of Article 13 two directives were adopted in 2000: Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin¹⁷ (“Race” or Racial Equality Directive) and Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation¹⁸ (Framework Directive). Both directives included detailed definitions of direct and indirect discrimination, harassment and a comprehensive ban of victimization and instruction to discriminate.

The Race Directive was to prohibit discrimination on the basis of race or ethnic origin in conditions of access to employment, to self-employment and to occupation; access to all types and to all levels of vocational guidance, vocational training, advanced vocational training and retraining, including practical work experience; employment and working conditions, including dismissals and pay; membership of and involvement in an organization of workers or employers; social protection, including social security and healthcare; social advantages; education; access to and supply of goods and services which are available to the public, including housing (Article 3 (1)). However, the scope of the Directive 78/2000/EC is limited only to the above-mentioned employment-related fields (Article 3 (1)). It bans discrimination on the basis of religion or belief, disability, age and sexual discrimination (Article 1). The directives are applicable within its scope to private persons.

In both directives discrimination is defined as a situation when one person is treated less favourably than another is, has been or would be treated in a comparable situation on a particular ground. Indirect discrimination is taken to occur where an apparently neutral provision, criterion or practice would put persons of one group at a particular disadvantage compared with other persons, unless that provision, criterion or practice is objectively justified by a legitimate aim

¹⁶ Jan Niessen (2001) The Further Development of European Anti-Discrimination Policies, in Isabelle Chopin and Jan Niessen (eds.) The Starting Line and the Incorporation of the Racial Equality Directive into the National Laws of the EU Member States and Accession States, Commission for Racial Equality and Migration Policy Group, p. 9.

¹⁷ Official Journal L 180, 19/07/2000, p. 0022 – 0026.

¹⁸ Official Journal L 303, 02/12/2000, p. 0016 – 0022.

and the means of achieving that aim are appropriate and necessary (Article 2 (2) of both Directives).

It is worth also mentioning, that in 2000 the Council adopted a Decision establishing a Community action program to combat discrimination (2001 to 2006)¹⁹. Even earlier (in 1997) the Council adopted a regulation establishing the European Monitoring Centre on Racism and Xenophobia (EUMC)²⁰. The prime objective of the EUMC is to provide the Community and its Member States with objective, reliable and comparable data at European level on the phenomena of racism, xenophobia and anti-Semitism in order to help them when they take measures or formulate courses of action within their respective spheres of competence (Article 2 (1)).

In the beginning of 2002 the Estonian Ministry of Justice prepared the Draft Law on Equality and Equal Treatment (Draft Law on Equality), which was submitted to the Parliament by the Government of the Republic on 21 October 2002 (Draft Law no. 1198 SE). However, previously (on 14 December 2001) the Government had also initiated the Draft Law on Gender Equality (Draft Law no. 927 SE), which was prepared by the Ministry of Social Affairs. The Draft Law on Equality was to implement ten different community Directives in the field of non-discrimination²¹. According to the special analysis made in 2003, its provisions could effectively transpose the overwhelming majority of the requirements of the Directives 2000/78/EC and 2000/43/EC²².

In late 2002 - early 2003 the Ministry of Social Affairs advocated the adoption of a separate law on gender related issues. As a result of long-lasting parliament disputes both Draft Law on Equality and Draft Law on Gender Equality were not approved by the *Riigikogu* before the parliament election of March 2003. Meanwhile, it was also decided that a special body for the promotion of equal treatment will be the Office of the Legal Chancellor (*Õiguskantsler*). On 11 February 2003 a number of amendments²³ to the Law on Legal Chancellor²⁴ were adopted by the parliament. New functions were ascribed to this institution since 1 January 2004.

Finally, on 7 April 2004 the parliament adopted the comprehensive Law on Gender Equality²⁵ – a new draft law submitted by the Ministry of Social Affairs in 2003. At the same time the Ministry of Justice failed to submit to the parliament a new comprehensive law to deal with grounds of discrimination other than sex. Nevertheless, few days before the EU enlargement – on 22 April 2004 – the Estonian parliament introduced amendments²⁶ to the Law on Employment Contracts²⁷. Even before these amendments the Law includes an explicit ban of discrimination in Article 10, however, without many details. Nowadays we may refer to several specific provisions of the Law on Employment Contracts which might be a comprehensive basis for fight against discrimination in the labour market:

- Article 10. Prohibition on discrimination against employees
- Article 10¹. Exceptions to prohibition on discrimination pursuant to law
- Article 10². Prohibition on direct and indirect discrimination
- Article 10³. Rights of employees and persons applying for employment who have been subject to discrimination

¹⁹ Official Journal L 303, 02/12/2000, p. 0023 – 0028.

²⁰ Official Journal L 151, 10/06/1997, p. 0001 - 0007.

²¹ Official Journal L 151, 10/06/1997, p. 0001 - 0007.

²² Official Journal L 151, 10/06/1997, p. 0001 - 0007.

²³ Official Journal L 151, 10/06/1997, p. 0001 - 0007.

²⁴ Official Journal L 151, 10/06/1997, p. 0001 - 0007.

²⁵ RT I 2004, 27, 181.

²⁶ RT I 2004, 37, 256.

²⁷ RT 1992, 15/16, 241.

- Article 144¹. Shared burden of proof in discrimination disputes

The amended Law on Employment Contracts prohibits “unequal treatment” (discrimination) on the basis of sex, racial origin, age, ethnic origin, level of language proficiency, disability, sexual orientation, duty to serve in defence forces, marital or family status, family-related duties, social status, representation the interests of employees or membership in workers' associations, political opinions or membership in a political party or religious or other beliefs (Article 10 (3)). Definitions of direct and indirect discrimination in this Law are almost identical with those in the directives.

Additionally, Article 5 of the Law on Wages prohibits increasing or reducing wages on the grounds of an employee's sex, ethnic origin, colour, race, native language, social origin, social status, previous activities, religion, political or other opinion, or attitude towards the duty to serve in the Defence Forces. It also prohibits reducing wages on the grounds of the marital status, family obligations, membership in citizens' associations or representation of the interests of employees or employers.

Despite considerable changes in 2003-2004, Estonian legislation is still not in line with several provisions of the directives. As it was mentioned, the only relevant changes were made in the Law on Employment Contracts and Law on Legal Chancellor. The first law is applicable to the relations between an employer and an employee on the basis of an employment contract (and to the persons applying for employment). However, it does not regulate work of public officials and self-employment. Furthermore, the material scope of the Law on Employment Contracts is narrower than in the Directives. As a result, there are no detailed anti-discrimination rules in the fields of education (if not employees' training), social protection and advantages, access to publicly available goods and service, and housing.

2. Sociological data and official statistics

Let us now examine statistical and sociological data regarding ethnic discrimination in Estonia. I would like to start with the situation in the labour market. According to the Statistical Office, in 2005 the average unemployment rate in Estonia was 7.9%. Among ethnic non-Estonians it was two times higher as compared with ethnic Estonians (12.9 and 5.3% respectively).²⁸ According to the national study Integration Monitoring 2005, there were certain differences between ethnic groups as regards disposable income. In Tallinn these differences were even higher than the average level in Estonia. In the capital city in minority group 31% belonged to the low income groups (for ethnic Estonians – 25%) and 15% to the higher income group (for ethnic Estonians – 25%)²⁹.

These figures are in evidence that minority members experience certain difficulties in the labour market. Could it be a result of discrimination? In the course of the sociological study in Tallinn in September 2005, which was conducted by the Legal Information Centre for Human Rights in cooperation with the sociological firm Saar Poll³⁰, 17% of questioned ethnic non-Estonians alleged that during the last three years they had experienced at the workplace limitations of their rights because of their ethnic origin and 23% – because of their mother tongue. For ethnic Estonians these figures were respectively 2 and 2%.

²⁸ Persons aged 15-74. Statistical Office of Estonia, public database at <http://www.stat.ee> (20.01.2006).

²⁹ Pavelson M. (2005) „Eestlaste ja eestivenelaste sotsiaalmajanduslik seisund: ootused ja muutused”, in: *Uuringu Integratsiooni monitooring 2005 aruanne*, Tallinn: TLÜ Rahvusvaheliste ja Sotsiaaluuringute Instituut, p.11-12; available at http://www.meis.ee/pictures/terve_aruanne.pdf (10.10.2005).

³⁰ Non yet published; on file with the author.

Interestingly, this study identifies certain other vulnerable areas where both majority and minority members (allegedly) experienced discrimination on the ground of ethnic origin:

Have you experienced within last three years limitations of your rights or degrading treatment due to your ethnic origin in the following areas? Tallinn, 2005 (%)

	Estonians		Non-Estonians		Estonian citizens by naturalisation	
	Yes	No	Yes	No	Yes	No
Educational institutions	2.8	58.5	11.2	53.6	11.4	59.3
Shops, supermarkets etc	12.3	74.2	28.8	65.6	21.1	74.0
Café, restaurants etc	5.8	72.0	9.9	74.9	6.5	82.9
Housing	3.1	63.7	12.5	66.4	13.0	67.5
Public transport	8.0	75.1	21.3	73.3	15.4	78.9
Workplace	1.8	---	17.1	---	15.4	---

These results cannot be regarded as information about discrimination incidents in legal sense. However, one may claim that a considerable number of ethnic non-Estonians (and in some areas also Estonians) believe that they have such a negative experience.

Questions regarding ‘conflicts’ between ethnic Estonians and non-Estonians were asked in the course of the national studies Integration Monitoring 2000 and 2005:

Have you come across, in the last two years, of any conflicts between ethnic Estonians and non-Estonians, of cases of hostile attitude to Estonians and non-Estonians? Responses to ranking “yes, frequently” and “yes, sometimes”. Estonia, 2000 and 2005 (%)³¹

	Ethnic Estonians		Ethnic non-Estonians	
	2000	2005	2000	2005
In media	40	43	28	32
In public places	39	45	47	44
In [the perimeter of] your [home-house] neighbourhood	21	26	12	22
In governmental institutions	11	10	32	25
At your workplace	...	8	...	14

To sum up, the above-mentioned data testify that the number of ‘incidents’ on ethnic basis might be quite high. It is worth mentioning that a considerable part of respondents come across of them in media.

As for statistic of work of official bodies, the results of their activity in the field of non-discrimination are much more modest. Certain key official bodies, e.g. Labour Inspectorate or

³¹ Pettai I. (2005) “Sallivus rahvussuhetes Eestis”, in: *Uuringu Integratsiooni monitoring 2005 aruanne*, Tallinn: TLÜ Rahvusvaheliste ja Sotsiaaluuringute Instituut, p.34.

Ministry of Education and Research, do not pay any special attention to the collection of relevant information.

Since January 2004 the Legal Chancellor in Estonia accomplishes certain functions of a specialised body to promote equal treatment. For instance, cases of discrimination by private natural and legal persons might be solved by him in the frame of a special *conciliation procedure*. The aim of this procedure is to reach an agreement between a victim and a person suspected of discrimination. The conciliation procedure can be initiated only on the basis of victim's application (Article 35⁵ of the Law on Legal Chancellor). However, in 2004-2005 there were only six applications with a request to start a conciliation procedure (three each year) and half of them were not considered for formal reasons. As for valid applications, in all three cases an alleged discriminator denied participation in the procedure and therefore it was ceased³². This raised serious concerns regarding efficiency of the procedure.

3. *Ethnic hatred: Incidents in 2005*

Racist violence and crimes were not a topical issue in the Estonian society in 2005. The only official information regarding such incidents will concern the statistics on Article 151 of the Penal Code:

Article 151. Incitement to social hatred

(1) Activities which publicly incite to hatred or violence on the basis of ethnicity, race, colour, sex, language, origin, religion, political opinion, financial or social status are punishable by a fine of up to 300 fine units or by detention.

(2) The same act, if committed:

1) at least twice, or

2) significant damage is thereby caused to the rights or interests of another person protected by law or to public interests, is punishable by a pecuniary punishment or up to 3 years' imprisonment.

In 2005 Article 151 was applied several times but none of these cases referred to acts of violence.

During the night of 1-2 April 2005 the walls of a staircase in a Tallinn panel house were spoiled with anti-Russian graffiti. On 2 April 2005 the police started misdemeanour case investigation on the basis of Article 151 (1) of the Penal Code³³. Two other investigations on the basis of the same article in 2005 were related to Internet and media. The first investigation concerned a comment to a newspaper article posted in Internet ("We should burn atheists alive")³⁴. Another case related to an article published in the daily *Eesti Päevaleht* on 4 August 2005. This article included explicitly hostile expressions towards local ethnic Russians³⁵.

On 9 May 2005 the Security Police brought a charge of incitement to social hatred (Article 151 (2) 2 of the Penal Code) against a minority politician, the deputy chairman of the Russian Party of Estonia Gennadi Afanasjev, who had distributed in Narva a leaflet criticising the political opponents. On the Russian-language leaflets there was placed a picture of a character resembling Adolf Hitler saying: "Remember these people. They will finish we have not done". The character

³² Legal Chancellor; Written communications no. 5-3/0503214 of 14 June 2005 and no. 5-3/0600912 of 1 February 2006.

³³ Põhja Police Prefecture, Ida Department; Written communication no. PHJ 11.4-1.13/52 of 26 July 2005.

³⁴ Police Board; Written communication no. PA 4.4-20.2/3384 of 25 August 2005.

³⁵ *Revelskij Vestnik*, (27.08.2005).

is pointing with his elbow at photographs of the opponents. The Security Police made searches at Afanasjev's home as well as at home and in the office of another party leader (8 May 2005)³⁶.

In September 2005 the police started investigation on the basis of Article 151 (1) 1 of the Penal Code regarding producing and distribution of T-shirts with slogan "Combies to crematorium!" ("*Kommarid ahju!*") and with the names of prominent Estonian politicians that had been members of the Communist Party of the Soviet Union³⁷.

Several court judgements were delivered in 2005 regarding offences stipulated in Article 151 of the Penal Code. All of them related to media or Internet:

- On 5 August 2005 the Tallinn City Court pleaded guilty H. who published several Internet comments which were explicitly hostile towards Jewish and black people. The most notorious of them was "Jews to crematorium!" ("*Juudid ahju!*") H. was sentenced to fine (EEK 3,000 or ca EUR 192)³⁸.
- In January 2005 the Tallinn Court punished at the basis of Article 151 (2) 1 an Estonian-speaker with Russian surname who sent Starman TV-chat channel several SMS with insulting statements explicitly hostile towards both certain minority groups and majority members. The accused was punished by fine of EEK 8,000 (EUR 511)³⁹.
- In June 2005 the Tartu Circuit Court pleaded guilty K. for a text published in Internet in 1995-1998 that incited to hatred and violence on the grounds of ethnic origin, religion and political believes. In the court procedure K. claimed his text being a form of art. He was punished by fine of EEK 32,000 (EUR 2,045)⁴⁰. The case is now pending in the National Court⁴¹.

The analysis of these judgments demonstrates lack of a uniform and consistent approach as regards implementation of Article 151 of the Penal Code by Estonian courts. For instance, the fine of EEK 3,000 (EUR 192) cannot be assessed as adequate and dissuasive punishment.

4. Conclusions

While Estonia did not completely transpose the anti-discrimination directives adopted by the EU institutions in 2000, certain important changes were enacted in local legislation. Importantly, the Law on Employment Contracts offers now a set of comprehensive measures to fight discrimination in the labour market on numerous grounds, including race and ethnicity.

There are sociological evidences that both ethnic Estonians and non-Estonians might be victims of discrimination, especially in Tallinn. While these figures cannot be regarded as an accurate picture of situation in legal sense, an alarming number of people believe that they were witnesses of ethnicity motivated incidents, which militates against both society integration and prevention of major ethnic conflicts. Anyway, against this background the statistics of work of the Legal Chancellor (as a body to promote equal treatment) seems to be inadequate.

Fortunately, the number of ethnically motivated crimes is quite small in Estonia. In 2005 none of them related to acts of violence. However, the recent case-law of Estonian courts in this field is

³⁶ Mr. Gennadi Afanasjev (deputy chairman, Russian Party of Estonia); Interview of 15 May 2005.

³⁷ *Delfi*, (28.09.2005).

³⁸ Tallinn City Court; case no. 4-1173/05; Decision of 5 August 2005.

³⁹ Tallinn City Court; case no. 1-2242/04; Decision of 5 January 2005.

⁴⁰ Tartu Circuit Court; case no. 2-1-174/2005; Decision of 13 June 2005.

⁴¹ National Court; Database of procedural applications; available at <http://www.nc.ee> (15.01.2006).

neither consistent nor comprehensive. Additionally, regretful incidents still may take place in mainstream media.

The facts and data provided in my presentation may be a good basis for the following recommendations to Estonian authorities:

- the problem of ethnic discrimination in Estonian society shall not be ignored;
- further measures are necessary to improve practical importance and efficiency of anti-discrimination provisions of the Law on Employment Contracts;
- there is actual need to introduce detailed anti-discrimination rules in fields outside ordinary employment, especially in education and in access to goods and services;
- courts and law enforcement institutions shall do their best to guarantee that cases of incitement to ethnic hatred are thoroughly investigated and that punishment for such crimes is both adequate and dissuasive.

Estonian authorities will pay enough attention to these recommendations only if media workers address them in the frame of their everyday work. Anyway, lobbying of changes in the field of non-discrimination will be quite difficult without assistance of journalists.

Thank you for your attention!

Gender and ethnic discrimination in Latvian media: a legal perspective

Alexei Dimitrov

Latvian Human Rights Committee

There are many forms of discrimination. In this presentation I shall use this word in a wide meaning. It covers not only situations, where one person is treated less favourably than another is, has been or would be treated in a comparable situation on certain grounds (provided that such treatment is outlawed). It also covers calls to discriminate, as well as violation of dignity and defamation related to such grounds.

The Constitution of Latvia prohibits discrimination without mentioning specific grounds (such as gender or ethnic origin). Nevertheless, international obligations and case law demonstrate that gender and ethnic discrimination is outlawed.

Legal framework of media's activities consists of the Law on the Press and Other Media (Press Law) and Radio and Television Law. These pieces of legislation do not cover online media, although the Government proposed to include specific provisions into the Press Law some years ago. Both laws prohibit publishing of information, which advocates racial or ethnic superiority and intolerance, as well as violates dignity of natural and legal persons. The Radio and Television Law mentions not only prohibition of ethnic hatred, but also ban of the 'gender' related hostility. Gender and ethnic discrimination in media advertising is outlawed not only by the Radio and Television Law, but also by the Advertising Law.

Legislation stipulates both general provisions concerning liability (e.g. civil and criminal liability if prohibited information is published in Internet) and specific provisions on liability of media. The judiciary is entitled to cease activities of press if law is infringed. One is entitled to claim for apology, if there was a violation of dignity or defamation. If TV or radio company continues violating law after a warning of the National Radio and Television Council, the judiciary is entitled to cease telecasting or broadcasting as well.

If advertising consists of prohibited elements, the National Radio and Television Council or the Centre for the Protection of Consumer Rights is entitled to impose an obligation to exclude such elements or even prohibit such advertising. In such cases beneficiary of the advertising campaign is responsible for its content.

There are no civil sanctions for discrimination *per se*. Nevertheless, in such cases a victim of a discriminatory act is entitled to claim for compensation for pecuniary and non-pecuniary damages (including the so-called moral damages); existence of moral damages is to be proved, however. Before February 2006 such claims were possible only if there was a defamation or violation of dignity. For the time being there is no significant case law, therefore it is hard to enlist specific principles for determination of amount of such compensations.

Criminal sanctions are provided only for intentional racial/ethnic discrimination. Similar sanctions for gender discrimination exist only in cases of defamation or violation of dignity.

As regards gender discrimination in Latvia in general, in 2004 the Committee on the Elimination of Discrimination against Women was concerned about the persistence of patriarchal attitudes and traditional stereotypes regarding the role of men and women in family and in the society. It was also concerned that efforts to eradicate negative stereotypes are not comprehensive and

ongoing.⁴² The Ministry of Welfare is going to conduct a specific research on the role of media in the field.

There was only one widely known case of gender discrimination in media in recent years. Advertising of supermarkets *Rimi* included a photo of one fiancé and two identical brides with a slogan “Pay for one, *Rimi* will give the second”. NGOs and the National Human Rights Office believed that there was discrimination. Nevertheless, the Centre for the Protection of Consumer Rights has not imposed a fine. It referred to the meaning of the word ‘discrimination’ in a dictionary of foreign words, as well to the fact that law does not stipulate that advertising should combat stereotypes.

As regards racial/ethnic discrimination in press, content analysis demonstrates that discriminatory ideas, as a rule, are being expressed in letters from readers, not in articles of staff journalists.⁴³ If there are some discriminatory remarks against Latvians in the Russian-language press, they also appear in the Latvian-language press, and *vice versa*.⁴⁴ Therefore discriminatory remarks are being published widely in different languages, whatever the original language is.

Criminal proceedings against L. have been a single precedent for a long time. L. published 30 copies of an anti-Semitic leaflet. After the third issue had been published, criminal proceedings were instituted against him. He was found guilty of incitement to ethnic hatred and sentenced to imprisonment (suspended) and a fine.

Later the public prosecution initiated investigations but did not find *corpus delicti* in a number of controversial interviews due to lack of intention. Thus, a member of the Riga City Council said that “if Russians are created genetically for theft, Latvians are very timid thieves”. Former Minister for Interior G. stressed in an interview that majority of prisoners in Latvia are persons belonging to ethnic minorities. Intention was not also found in a case of the magazine *Kapitāls* which leading material had been titled *Yids Rule the World* (the word ‘Yids’ is perceived as a humiliating label by Latvian Jews). There is no information, however, on the case of National Bolshevik newspaper *Tribunal* with its negative materials about ethnic Latvians.

For the time being there is a number of criminal cases under investigation or in courts. The case of B. concerns racist remarks during a popular live TV-show. There were two cases in respect of the radical nationalistic newspaper *DDD*. First, its journalist asked during an interview: “When Yiddish inciters to hatred such as [a few surnames of Latvian politicians of Jewish origin – A.D.] will be deported from Latvia?” The newspaper also referred to Russians as ‘occupants and colonisers’. There is also a case against the newspaper *Chas* concerning negative attitudes towards ethnic Latvians expressed in a reader’s letter.

Criminal investigations were also initiated as regards online publications. There was a case about comments inciting to hatred at the portal *Delfi*, but the police could not find enough evidence that A., whose computer had been used to publish the comments, was a true author. Some months ago criminal proceedings were initiated against the author of the comment at *Delfi* calling to shoot or deport all Russian-speakers.

There has recently been a first-ever pre-trial settlement in a case of ethnic hatred. The incident was about a song with negative words about ethnic Latvians published in Internet. A case regarding negative comments concerning Latvian politicians of Jewish origin published at the radical nationalistic portal *Latvians.lv* is still under investigation.

⁴² Latvia, CEDAW, A/59/38 part II (2004)

⁴³ Mediju kontentanalīze: neiecietības veicināšanas/mazināšanas aspekti. Mediju Tilts, Rīga, 2004

⁴⁴ Ibid.

In 2005 13 proceedings about incitements to ethnic hatred were initiated; there were 16 refusals to initiate the proceedings and four judgments were passed.

As regards advertising, two cases of the Freedom Party should be mentioned. In 2002 during the pre-election campaign the party used a picture of a black man wearing national military uniform as an honour guard near the Monument of Freedom, as well as another black man together with a woman wearing a national costume. The advertising contained a slogan “Today – a Latvian guard, tomorrow – your son-in-law?” and information about potential number of asylum seekers after joining the EU. The National Radio and Television Council prohibited the advertising after the first demonstration on TV.

Black actors – musicians from the band “Los Amigos”, who had not been notified about the aim of filming, - submitted the first claim. According to the judgment, the party had to apologise and pay compensation for moral damages. A black US national S. residing in Latvia submitted the second claim. He mentioned that the advertising also violates his dignity, as there were a few black men in Latvia, therefore he could feel negative attitude also towards him in the society. The claim was discharged.

In 2006 there was a heated debate about religious hatred in media caused by the *Jyllands-Posten* Muhammad cartoons controversy. Although the topic is not covered by this presentation, religious controversies could also be used in media in order to illustrate racial/ethnic tensions.

The Criminal Law stipulates specific provisions concerning sanctions for injuring religious feelings. There is no case law, but the doctrine says that there is a need to prove the intention in such cases as well.⁴⁵

Conclusions

1. It is hard to prove intention to incite to ethnic hatred. Therefore liability for acts of discrimination without significant consequences but provoking hatred should be separated from intentional incitement. Such liability shall not be only criminal, but also administrative if law is infringed for the first time. Such liability could be stipulated not only in cases of racial/ethnic discrimination, but cover other grounds.
2. In civil law it is necessary to establish articulated provisions in order to determine possible plaintiffs if there is an act of discrimination against the whole group. Case law should establish principles of determining the amount of compensation for moral damages. It should also be stipulated that there is a presumption of moral damages if discrimination occurs.
3. Legal regulation of media activities should also apply to online media.

⁴⁵ See also Dimitrovs A. Vārda brīvība un reliģiskās jūtas: Latvijas karikatūristu ievērībai, at <http://www.politika.lv/index.php?id=9096>

Inclusive and exclusive media: the European challenge and Dutch experience

Bart Top

Media, Culture, Diversity

Introduction

In the past, especially during the 19th and 20th centuries, media played a unifying role. In the last century the rise of national radio and television broadcasting had a big impact in terms of nation-building and unification of language and culture. But technical and digital revolution of the last decades had a totally new effect. There was an enormous growth in number of media, and media became more selective, directed on specific target groups and the phenomenon of trans-national media became more important. Instead of a unifying role, media nowadays may contribute to the separation of groups. However, if every group has its own broadcast company and its own programs, who will promote contacts and integration?

In the field of media, minorities and integration, it is impossible to ignore this major development and its consequences. So I want to introduce here the terms 'inclusive role' and 'exclusive role' of media. Are media able to include the whole society, regardless of its internal segmentation? Do they have to, or can they be exclusive, including only their own group and excluding others? And is there a tension between participation of migrants in mainstream media and their 'own' programs?

Before answering this question, it is useful to do two things:

- To give a general description of the situation in my own country Holland (and few German examples); and
- To give some examples of media and media workers in a multicultural society. These examples are chosen to highlight some interesting practises in North European media. They will not give a general overview but are chosen to demonstrate some of the dilemmas mentioned above.

Dutch courage

First of all I will tell you something about the Dutch situation as regards minorities. Some five years ago the multicultural Dutch society was seen by foreigners as a success story. In fact this image was exported with much enthusiasm abroad without much hesitation or nuance.

To put it real: the situation was more or less a success if you look at the legal rights of migrants, if you look at political participation and if you look at the relative tolerance of the Dutch society. But there were big problems with the rate of immigration, the participation in labour market and education, with emancipation. Although those problems were recognised by specialists, they were not a part of the public and political debate.

After 9/11 it began to change. Two years later we had first the murdering of Pim Fortuyn, a politician who said that Islam was a threat to the society and who encouraged his voters to deny all forms of (political) correctness and to say just what you think, even if it was racist or anyway negative about migrants. And then, as you may know, more than a year ago Theo van Gogh, filmmaker and writer of provocative columns was murdered by a radical Moslem because of his collaboration with the Dutch parliament member Ayaan Hirsi Ali, who made a controversial film about the Koran and the rights of women.

All these dramatic events changed the Dutch society. There was a shift from tolerance and indifference to intolerance and to new demands on immigrants and to restriction of their rights.

That means that the general climate is now much colder than it has to be before. This political climate is combined with a situation in which the number of immigrants without jobs is increasing. For instance, the unemployment rate of Turkish and Moroccans under 24 is now nearly 40%, while the average unemployment rate of the youth is 20%. So, unemployment rate is twice as high for migrants as compared with majority. At the same time we see a drop in the participation of Turkish and Moroccan migrants in higher education. Even two years ago the participation was rising. Then it stopped after 9/11 and that is a bad sign for the future.

Media developments

Focusing on the media we can see a divided picture. On the one hand you have mainstream public and commercial channels. They follow in general the society's demand and the political climate. They pay a lot of attention to Moslem radicalism and very little attention to patterns of emancipation. The same is to be said regarding the news in mainstream newspapers. However, they can also give another picture in their background articles and interviews, where you may find all kinds of serious and positive information about ethnic minorities.

At the same time we see now the rise of e.g. special youth channel Funx, which turned out to be the popular channel for urban youth. And we see that some of the most popular programs on TV are made by immigrants. We have satire programs with people from Surinam and we see primetime serial about young men of a Moroccan background. So, despite the terrible international and national climate, some positive developments are taking place, not totally autonomously, partly explainable by demographical facts, but mainly as an effect of initiatives from the past. And that is why I now want to address some examples which can tell us something about strategies to change the media situation in the country.

Five Examples

Multicultural Television Holland (MTNL) www.mtnl.nl (TV-online Hafla Chaabia)

MTNL makes programs for the four biggest minority communities in Holland: Turkish, Surinamese, Antillean and Moroccan. Although the programs are primarily for these target groups, MTNL tries also to reach a more general public, and especially the younger part of it. By the use of the original languages and Dutch subtitles, a broader public can also be informed.

In fact MTNL is a co-operation between the former so-called migrant programs in four cities. These projects were paid by the Dutch government, more specifically by the Dutch Ministry of Welfare and Local Authorities. They started in 1984 as projects for the first generation migrants to inform them about their rights, about their countries of origin, to give them pieces of their own culture in form of music, dance etc. These original goals fit in the minority policy of the eighties: when it was believed that it was possible for migrants to integrate in Dutch society with maintenance of their own identity.

In the beginning of the nineties, the ministry wanted to stop financing of these migrant channels but it was forced by the parliament to continue. At the end the money for these programs was given to one organisation, MTNL, which nowadays makes programs in four cities. In Rotterdam and The Hague the programs are integrated in the mainstream local channels, in two other cities they are broadcasted on a special channel.

When we try to put these programs into the scheme of inclusion/exclusion, it is easy to claim that they moved partly from specific minority programs to something between special interest

'multicultural' programs and target group programs. If you look at the journalists who make/made them, it is possible to divide these people into three groups. Some of them had their first media experience on the migrant channels but then were hired by mainstream programs and they stopped making specific programs for 'their' ethnic group. Others do not want to choose between specific and mainstream. They do both. The biggest group of program-makers does not move at all. They believe in what they are doing, or have not enough quality for the mainstream.

So you can see three functions for these programs. The first one is to inform and educate first generation migrants and to give them a platform for discussion. The second one is to give 'another' picture of migrants to the general public than mainstream media generally do. And the third one is to create a place where young journalists of migrant background can become more experienced. In reality none of these functions is realised optimally and the future of these channels is insecure. But if there was an ideal co-operation between MTNL and local mainstream channels, they could be very useful to bridge the gap on the local level between minority and majority (which means in Amsterdam and Rotterdam: the white minority and the immigrant majority).

Mustapha Oukbih, a case study

Mustapha Oukbih, I know him very well, was born in Rabat, Morocco in 1964. When he was eleven, he came to Holland in the course of family reunification. Without journalistic education, he started to work for Buitenlanders Bulletin (Foreigners' Bulletin), a specialised paper on immigration issues. Then he participated in a TV program Hollandse Nieuwe (New Dutch) that was made by young immigrants. Afterwards he was well received by some important journalists and started a career as a freelance journalist.

In 1994 he gave up and became a chief-information at the welfare organisation Dutch Centre of Immigrants. But he was not very adapted to the role of a chief, so after a while he decided to go back to journalism. Then he got the chance to make radio reports about the situation in Morocco, Algeria, Turkey and Jordan. His knowledge of Arab culture and his understanding of the language gave him an advantage over other reporters. So, since 2003 he became a correspondent for Radio 1, a national broadcast organisation, and for several papers. Nowadays he is a very well-known and accepted correspondent for the Middle East. The interesting points about his case are:

- his talent was early recognised;
- he had strong support from influential journalists;
- he needed more than one chance to become a respected journalist;
- he did not want to choose between mainstream media and ethnic media but combined his activities;
- his reports were the first made by a person well-oriented in the Arab World;
- he has to be very careful not to make a mistake; otherwise he will lose his position forever and 'the experiment' of a Moroccan journalist making reports about his 'own' region will not be repeated.

Het Parool

Het Parool started during the Second World War as a paper of the Dutch Resistance. Shortly after the war it became one of the leading newspapers in Holland, with participation of now famous writers, etc. This Amsterdam based paper lost a part of its readership during the sixties when its connection with the rebelling students was ruined.

In the nineties it became clear that this paper could not exist without far-reaching reforms. But the question was: in which direction should be the change. The editor-in-chief in that period thought that

his paper had the chance at a new market for young urban professionals, the so-called yuppies. But other people strongly believed that the only chance for the paper to survive was to become the leading Amsterdam city paper. The editor-in-chief fanatically opposed this idea. In his vision the Dutch readers left the city, and the people who came to the city, the immigrants, would never read his paper.

Three years ago this paper was sold to the Flemish editor, who made a success of the Flemish left-wing paper De Morgen. This editor has a totally different vision of the paper. He wants to direct the attention only to the Amsterdam region. For the current editor-in-chief this means that in order to survive, it is necessary to give full attention to multicultural society. So, this paper now tries to find its way into the quarters where the migrants live. It is now also hiring journalists from minorities to bring in the knowledge they need to cover the multicultural society.

Thus, the paper that had explicitly excluded minorities from the readership, made a shift five years ago, after it realised that it could not survive without migrant readers. But now it has difficulties in maintaining the connection with an older, white readership and – at the same time – to gain the trust of a new, young urban black readership. This is a very difficult experiment, which is started too late and with not enough belief in its own success. So I am not sure that the paper will survive.

Funkhaus Europa Köln

<http://www.wdr5.de/funkhauseuropa/>

Funkhaus Europa started in 1999 as a multicultural program of the WDR 5 (Western German Broadcast Company 5). It broadcasts 24 hours a day in different languages but many programs are in German. The interesting thing about Funkhaus Europa is that it is a large scale experiment which combines a multicultural approach with the European scale of thinking. It is trying to combine two functions: target group broadcasting and the function of a European public forum where all the big problems of our time can be discussed.

Although Funkhaus Europa has a low rate of audience and has no chance to survive on a commercial basis it fulfils a role that is very crucial for public broadcast organisations: to form a marketplace and a public discussion forum where everybody can find something of interest.

Fun-x

<http://www.funx.nl/> (Listen Live)

My last example is again from the Dutch media. It is about a new public radio channel Fun-x. The slogan of Fun-x is *Welcome to yourself!* And it is not only a slogan because lots of young people do recognise themselves in this channel. It has become one of the most popular channels for the youth. The basis for their success is music (a mix of urban, hip-hop, Rai-music, Turktop). If you listen to it you hear a mix of influences of all kind of backgrounds, from gettorap to R&B, Arab influences, but also a lot of young Dutch, multicultural raps and so on.

Fun-x is not only music, it is also all kind of quick discussions about actual themes, sex etc. Fun-x is presented by young men and women of all kind of backgrounds. Some of them are of mixed background; others are of all kind of ethnic backgrounds. Anyway they represent the world of their listeners.

So, in terms of inclusive and exclusive media, this medium involves in a very natural way young public of all kinds of background. Of course it excludes also most people older than thirty. But I must

admit that I listen sometimes to it, not only because of professional preoccupation.

General situation

Now I will return to the general situation of European media, with the Dutch media as an example.

Although there are big differences in structure and organisation of media in various European countries, there are still many similarities. The general situation is that media react very slowly at demographically changes. This is quite understandable, because of two important reasons. First of all, in spite of a sharp increase of minorities' numbers, majority is the main target of mainstream media and political pressure on media also follows this approach. Secondly, the commercial considerations: media have commercial success only if they target middle class groups. So, white people between 30 and 45 are the most interesting and relatively homogeneous target group. In their turn, minorities are considerably underrepresented in political area and their internal diversity is too complex for commercial campaigners.

The overall effect of these circumstances is that public broadcasting – local, regional and national – does not, in fact, exist anymore. The public channels are in fact target group channels for a commercially and politically interesting part of the society. Those who are too young, too different, too intellectual, too unknown are excluded from the mainstream and public channels, with some exceptions like Fun-x.

This factual situation totally opposes the official goals of the Dutch public broadcasting. Without excluding any groups, public broadcast organisations can differ from commercial broadcast organisations: Public broadcasting shall also work for commercially uninteresting minorities (this is in public interests). But in reality it is quite difficult to do both: to create high numbers of viewers/readers/listeners and to produce programs with important social, political and cultural information.

So the question is: What media organisations have to choose and what are they actually choosing? In the Dutch situation most public broadcast organisations in cities and regions are concentrating on music and news for a middle-of-the-road public. Sometimes this is combined with target group programs for (ethnic) minorities. But in Holland – as in most of the Western countries – minority population is considerably segmented and it is hardly possible to make programs for everybody.

However, there is another way to come to new content for public channels in a multicultural society: That is when public channels are able to create a common frame of reference for opinions and debate, for cultural expression and identities. Of course, media are important as a source of news and information. But in cities, where there is more and more segregation in housing, education etc media have to function as platforms for people who try to build bridges between groups, for discussion and for emancipation. Thus, media should be a platform not only for 'officials' of minority organisations, but also for 'dissidents' who are criticising bad habits of their own group. This should be a priority for decision-makers and programmers. Public broadcast organisations should learn to combine mainstream popular programming on primetime with non-marginal spots for experiment, where new generations of program-makers can try out new formats to reach the urban youth and new elites.

This strategy needs realistic targets. It means that primetime programs should show a gradual change into a more colourful outlook, maintaining their popular approach. This is quite possible e.g. in Holland, France or England, thanks to the increasing number of popular football-players, show biz people, etc of minority background. With marketing techniques wishes and desires of the most important target groups could be recognised and integrated into these programs.

However, more experimental programming should be concentrated on content and confrontation. For these programs the number of viewers/listeners should be of no importance. The connection between these two kinds of programs is that talents, scouted in the experimental programs, find their way to primetime programs.

Reality and future

There is a lot of 'should be' in the last paragraphs. Let us be honest. The present situation, say, in the Dutch media is not so optimistic. Most of them are one-sided, predominantly white. The rise and fall of Fortuyn, four years ago, still has a great influence at the public debate about immigration and integration. Media are much more focused at the negative sides than before.

But there are also possibilities for change. The cases which were presented in this essay gave some examples. To have media like MTNL and Fun-x that give inside information about and for minorities, who give room for young talents, is extremely important. So, it works if people have a chance to work, to get experienced.

In general the development of a multicultural media landscape takes a lot of time and energy, investments in individual media talents, investments in local media of immigrants, and investments in mainstream media. The example of the Dutch paper Het Parool shows the urge of investing in multiculturalism in a changing city. Het Parool started nearly – or may be – too late. Now it has to change too quickly, which is always dangerous - readers are conservative.

So, the paradox of inclusive or exclusive media is that there shall be exclusive media (media for minorities, elite-platforms etc) to create inclusive media. Even mainstream media should be able to use Internet sites, cultural centres and student organisations of minorities as an entrance to the part of reality.

Conclusion and recommendations

The five examples I highlighted in this essay show it convincingly that to bring more journalists and program-makers into media and to create a diversification in media is not a utopian thing. On a small scale it exists already. The case of Funkhaus Europa shows that, if there is enough political will, it is possible to create the most interesting cross-combination of local, multicultural, international radio, in other words a typical European media.

Of course I do not know enough about the local situation in Estonia. However, having the experience of my own country and knowing basic facts of your situation, I would like to give you a piece of advice.

1. Do not put all your energy in changing the existing media. Media are - as various researches showed – more or less conservative and they have a good reason for it. The existing readership does not want too much of change. They give their public what they want. If they do not have a good reason to win a new readership they will stick to what they have.

2. Invest your energy into the youth. From my examples you can see that all kind of strategies will work:

- a. Receive well talented young journalists. A lot of the talents I gave a chance in the past are now a part of mainstream media.
- b. Do organise talent classes, youth radio schools, projects to get scholars familiar with media issues, etc.

- c. Start with multiethnic programming for young people and let them decide its colour.
3. Invest in media people who can switch between languages and cultures, who dare to talk about their group in the front of an audience representing another culture.

Rights and needs of lingual minorities (Swedish-speaking Finns as a model and example for others)

Björn Mansson

Newspaper Hufvudstadsbladet

I work for the leading Swedish daily in Finland as an editorial writer, on political, domestic and EU matters. I have also been active in the Nordic, European and International journalist movements. I had an opportunity to follow lots of media debate during the last 15 years and paid special interest due to my background of minority journalist in Finland to minority media all over Europe. I would, therefore, like first of all to highlight how crucially important it is for the lingual minority to have media in its language, I would even say that the lingual minority without media in its language doesn't really exist. I mean, not for itself, because there is nothing to identify yourself with, no newspapers, TV, etc. about you in your own country, and there is nothing to represent you externally if there is no media in your language. And there are such minorities in Europe, and especially in Russia, who have no media in their own language or, if they have, then very poor. Media indeed plays a key role in promoting tolerance, non-discrimination, and I would add good relations between the ethnical groups.

I would like to present to you now the key paragraph, paragraph 26 of the Finnish Code of Conduct for journalists that is a part of our self-regulation system. I would like to stress that it is not a law, although Finland of course has anti-discrimination legislation, but this is a concept developed by the Finnish media organizations, which are the Journalist's Union and employers organization, together. The paragraph reads: The human dignity of every individual must be respected. The ethnic origin, nationality, sex (probably it should be gender, but it is translated as sex), sexual orientation, convictions, or other similar personal characteristics can not be presented in an inappropriate or disparaging manner. The word "inappropriate" I do not like in this translation, I would rather say "irrelevant". So if we look into that and if we take crime reporting as just one single example, I would like to stress in general that crimes are never committed by peoples. Even in the case of Nazi Germany, it was not the German people who committed the crimes against humanity; even in the case of crimes of Stalin's Soviet Union it was not, certainly not the Russian people who committed the crimes. It is the same thing in our modern society. It is never a national group committing a crime, not even in the Balkans. Sometimes the journalists say the Serbs or Albanians did this or that. No, it is never the whole national group it is always just the individuals or organized individuals, organized crime, parties, even the state, but never an ethnic group as such. And that we should remember when labeling individual criminals or suspects by mentioning their nationalities, their ethnical backgrounds. So when is it relevant or irrelevant to mention the nationality? Just a couple of examples when it is relevant. The first one relates to the so called honor killing, which is fanatic Muslim, or may be also some other religions, murder within the family to save somebody's soul. In those cases it might be relevant to mention the ethnical group, because it has relevance. It is a fundamentalist, false interpretation of a certain religion within a certain culture. There is relevance and we can not protect people who commit such crimes by not identifying their nationality. The same applies to criminal gangs starting with the Italian or Russian or whatever mafia, or in Helsinki we unfortunately had problems with young Somali refugees or immigrants that have had very well organized gangs. I think it is relevant to mention their ethnical background when reporting about crime in the media, because it is really an ethnical problem. But individual criminals or suspects like in the case of murder, rape or trafficking we should be very, very careful when mentioning the ethnical background as it can label, let us say, all Russian drivers in Finland to be bad drivers, or all Turkish immigrants in Sweden to be rapists. And this is not right because national groups never commit crimes, it is only the individuals.

Now about the language and EU perspective on the example of Finland. Finland, as Belgium, as Canada is officially a bilingual country, as Switzerland which is 3, actually 4-lingual country. In the case of Finland especially, you see that it is really not the quantity that matters, as Swedish are only 6% of the total population, just 300 000 people. Even though it is more than Icelandic total population we are still a small minority. It is not because of our almighty quantity that we are respected, but for historical reasons. We are as originals here, as Finns. Our ancestors came to Finland 1000 years ago as Nordic crusaders, at the same as Finns came from the east or the south. Only Sami are real aboriginals in Finland. And of course Finland was a part of Sweden until 1809, and Swedish has been the only official language at that time, and then we have been a part of Russian empire from 1809 until 1917. And at that time it was first Swedish and then Russian as the official languages, and unfortunately only from the 1860 Finnish became an official language as well and we had three official languages at the same time. After 1917 it became just two official languages: Finnish and Swedish, as there was no objective reason to keep Russian as the state language. At that time it was spoken by just a few thousand people and before it was just the Russian empire requiring to have Russian as an official language.

What does it mean, the status of an official language? It means a right to use both languages in contact with any authorities, and obligation for the state to provide information and service in both languages. It doesn't mean an obligation for any regional or municipality authority if it is in fact unilingual, for example in the East or North of Finland or in fact most of Finland. We have a special law when the municipality is unilingual or bilingual, but I am not going further into details. I will just mention here that we have a complete educational system starting from the kindergarten with the right for each child to receive the education in his language, or the right of the parents to decide in which language their child should get the education up to university level. You can not become a medical doctor in Finland only in Swedish, you should also study in Finnish and English.

Well, in the media sector, being a private sector, this law doesn't apply, except for the public service broadcasting. We have two radio channels in Swedish out of 6 or 7 public service ones, we have no commercial radio in Swedish in Finland. In the TV sector we used to have only a few hours every day or 30 – 35 hours a week, but now after digitalization we have one of our own out of 6 or 7 of TV channels. In the newspapers sector, which is private, we do get some small state subsidies and not only for the Swedish newspapers but also for other small newspapers playing special roles. What regards our newspaper we receive just 1% of our budget from the state subsidies, so it is not that important. We do manage to have 12 daily newspapers in Swedish in Finland.

Of course we have a lot of problems with Swedish services in Finland, there are some practical problems, not everything works as we would like it to. Some officials do not speak our language and we have to switch into Finnish communicating with them. Those who are employed by bilingual municipalities are indeed obliged to speak both languages by law, but how can you control that in practice? You can not just oblige everyone, each single person to speak Swedish by law. Also we have some problems with prejudice. Sometimes in a late bus or tram in Helsinki you can hear drunken Finnish speakers saying "Swedes go home", "What colonial language are you speaking?", "In Finland we speak Finnish" etc. This is of course the problem in many other countries where the name of a country is also the name of the language. So I always ask them: "Do you think they speak Canadian in Canada, or Belgian in Belgium, or Swiss in Switzerland? I have never heard about those languages". These are of course marginal problems.

The national language policies in Europe are maybe more for the Council of Europe than European Union to deal with. It is the CoE who sets up the "codes of conduct" for the nations with regards to national minorities. And also we hope that in the coming Constitution of the

European Union there will be a chapter about national minorities and non-discrimination, that is now in the declaration of the citizens' rights. Anyway in all those documents it is always a distinction made between the old minorities, i.e. original minorities, and new ones, meaning immigrants. I see a problem with this division, which is well represented in this room. I would say that the Russians in Baltic belong to neither of those categories, except for some individuals. Certainly they are not new minorities but also not so old ones. I would say that in their respect we should introduce a new category – minorities resulting from the Second World War. Anyway, they should be respected. We also should respect existing minorities without asking “Why are you there?” One should not be punished for what his parents did, or relatives, or political history, or whatever.

Now let me come to the final stage of my presentation and talk about the official languages of EU. In principal, all the national languages of the Member States are the official languages of EU, with two exceptions. The first one is Luxembourg who never woke up to demand Luxembourgian to be an official language, because they think they can well manage with French and German. And the second country is Ireland that never requested Eire to be the official language either. So those two languages have a semi-official status. Then we have a very interesting case of Spain, that is kind of recognizing several biggest languages, first of all Catalan, which is spoken by 6 mln of Catalonians which is a big minority. Their number is bigger than the population of some of the EU states.

Another interesting case is that while EU had 15 Member states there were just 11 official languages: Ireland never requesting the status of their second language, Belgium not bringing an extra language, as Luxemburg and Austria. However, with respect to Austria there is a separate list of German words that only Austrians use. This list was made when the state joined the EU. But they did not bring their language as a whole. A very interesting case could have been if after Finland with its two official languages joined the EU, Sweden voted against the EU as did Norway. In this case Swedish language would have become an official language of EU without a state behind it. It would have been extremely exiting of us, having our language, the language of a small minority as an official one of EU.

Now the 10 new member states brought their own languages, with the exception of Cyprus. But there is a very interesting case as Cyprus is officially bilingual: Greek, Turkish. Turkish, however, at the moment being frozen as an official language, but it is still there. Now, if Turkish and Greek parts of Cyprus join, Turkish will become an official language and then the paradox will happen that Turkish will become an official language of EU without a country behind it.

Now the final conclusions. One language is not there in the EU as official language, in spite of the fact that this language is spoken in the EU by more people than quite a few of the smaller languages, and it is of course Russian. Russian will probably never become an official language of EU, at least until Russia as a state stays outside. And of course if there isn't at least one Member State recognizing Russian as an official language, a second language of the country. Being diplomatic I would hope Latvia to be that country and also for quantitative reasons, as in Latvia Russian-speakers constitute 40% of the population, which comparing to Finnish 6% of Swedes is clearly much more. Of course, this is something for the national state to decide. What I would like to propose is not, of course, to make Russian the national language in Estonia or Latvia, but I would hope for the EU to recognize this language to be a factual language spoken also by more or less old minorities within the EU. And then we would also have an interesting situation of what will happen with Spain, because there is a discussion about Catalan becoming an official language of EU and then Basque indeed as well and a few others. So I would advice to follow the situation of what will happen in Spain because it could be of a great help!

Kokkuvõtte

Inimõiguste Teabekeskus on viimaste aastate jooksul korduvalt pööranud tähelepanu rahvussuhetele, uurides, kuidas on olukord nendega diskrimineerimise ja võrdse kohtlemise vaatevinklist. Samuti on Teabekeskus, lähtudes teadmisest, et selliste probleemide käsitlemisel sõltub väga palju massiteabekanalitest, korduvalt pöördunud ajakirjanduse poole lootuses abile ja koostööle.

Alates 1. maist 2005.a. on Teabekeskusel tänu Euroopa Komisjoni hariduse ja kultuuri peadirektoraadi toetusele avanenud võimalus koos massiteabekanalitega läbi viia projekti: “Mittediskriminatsiooni ja tolerantsuse edendamine ühiskonnas meedia kaudu”

Selle projekti raames me viisime läbi kohalike ajalehtede ja ajakirjade sisu uurimuse, tundes huvi selle vastu, kas need väljaanded lähtuvad rahvussuhete kajastamisel tolerantsuse, mittediskrimineerimise ja võrdse suhtumise põhimõttest ning kuidas on lood ajakirjanike eetiliste normide ning professionaalsusega. Algamaks ühiskonnas dialoogi selle üle, missugune on Euroopa poliitika ja seadusloome rahvussuhete vallas, viidi 2006. aasta jaanuaris Tallinnas läbi seminar “Euroopa kogemus ja väljakutsed Eestile: sooline ja etniline diskriminatsioon meedias”, millest võtsid osa diskrimineerimise ja rahvussuhete juhtivad eksperdid, diplomaadid, sotsioloogid, juristid ja ajakirjanikud. Seminarist osavõtnute seas oli külalisi Euroopa Liidu maadest – ajakirjanikke ja inimõiguslasi Lätist, Soomest, Prantsusmaalt ja Hollandist, rahvusvaheliste organisatsioonide esindajaid.

Et koguda informatsiooni konkreetsete juhtumite kohta, neid analüüsida ning anda *on-line* režiimis juriidilisi konsultatsioone, asutati lisaks mainitud projektile “kuum liin”, mille sisseadmist toetasid Vene Föderatsiooni saatkond Eestis, Avatud Ühiskonna Instituut (Budapest) ja Toetusfond “Euroregioon Livonia”.

Projekti läbiviimist toetas samuti Eurovõrk Rassismi Vastu Eesti esindus (European Network Against Racism – ENAR)

Käesolevasse brošüüri on koondatud materjalid, mis käsitlevad nii massiteabekanalite uurimust, “kuuma liini” kui ka jaanuariseminari tööd. Seminaril esinesid Eesti juhtivad sotsioloogid, kes tutvustasid rahvussuhete ja integratsioonipoliitika kohta ning eri rahvusrühmade vahel valitseva tolerantsuse kohta läbi viidud uurimuste tulemusi; samuti analüüsiti seminaril Eesti Vabariigi diskrimineerimise kohta käivaid seadusi. Eesti ajakirjanikud ning massiteabekanalite isereguleerimisorganite esindajad (Ühiskondlikust Eetikanõukogust ja Pressinõukogust) käsitlesid oma esinemistes tolerantsi probleemi rahvus- ja muudes ühiskonnasuhetes ja tõid konkreetseid näiteid ajakirjanduspraktikast.

Kogumikku on kaasatud külaliste esinemise põhjal koostatud materjalid: rahvusvähemuste probleemidest Lätis ja Soomes ja sellest, kuidas ajakirjandus neid probleeme käsitleb, samuti ajakirjanike ja sotsioloogide hinnangud olukorrale Prantsusmaal novembris 2005 ning Taani “islamikarikatuuridele”.

Коротко о проекте и брошюре

За последние годы Центр информации по правам человека неоднократно в своей деятельности обращался к теме межэтнических отношений в свете проблем дискриминации и равного подхода. Немалую роль в освещении этих вопросов и связанных с ними проблем общественных отношений играют средства массовой информации, поэтому Центр в своей деятельности неоднократно обращался к их помощи и содействию.

С 1 мая 2005 года, благодаря поддержке Генерального директората по вопросам образования и культуры Европейской комиссии, Центр информации по правам человека при непосредственном участии СМИ осуществляет деятельность в рамках проекта **"Содействие внедрению в эстонском обществе международных стандартов по недискриминации и толерантности через средств массовой информации"**.

В рамках данного проекта был проведен мониторинг местных печатных СМИ и анализ публикаций в свете отражения общественных отношений с точки зрения толерантности, недискриминации и равного подхода, а также этических норм и профессионализма журналистов. С целью инициирования общественного диалога в отношении европейской политики и законодательства в этой сфере в январе 2006 года в Таллинне прошел международный семинар **«Европейский опыт и вызовы для Эстонии: гендерная и этническая дискриминация в СМИ»**, в котором приняли участие ведущие эксперты по вопросам дискриминации и межэтнических отношений, представители дипломатического корпуса, социологи, юристы, журналисты. В семинаре принимали участие гости из стран ЕС - журналисты и правозащитники из Латвии, Финляндии, Франции, Голландии представители международных организаций.

В дополнение к указанному проекту, для сбора и анализа информации о конкретных ситуациях, а также для проведения правовых консультаций в режиме он-лайн, была организована работа «горячей линии» в рамках деятельности по проектам, поддержанным Посольством РФ в Эстонии, Институтом Открытого Общества (Будапешт) и Фондом Содействия «Еврорегион Ливония».

Поддержку и содействие в реализации проекта оказало также представительство Европейской сети против расизма (European Network Against Racism – ENAR) в Эстонии.

Данная брошюра является сборником, составленным по материалам деятельности в рамках мониторинга, анализа результатов работы горячей линии и январского семинара. В докладах семинара представлены результаты исследований, проведенных ведущими социологами Эстонии, по проблемам межэтнических отношений и интеграционной политики, а также уровня толерантности различных этнических групп; дан обзор законодательной базы Эстонии по противодействию дискриминации. Вопросы толерантности в сфере межэтнических и других общественных отношений, соблюдение Кодекса журналистской этики, а также конкретные примеры из журналистской практики отражены в материалах выступлений эстонских журналистов и представителей органов саморегуляции СМИ – Общественного совета по этике и Совета по прессе.

В сборник включены материалы, составленные по выступлениям гостей: о проблемах национальных меньшинств в Финляндии и Латвии и освещении этих вопросов через СМИ, а также предложенные на семинаре с точки зрения журналистики и социологии оценки ситуации во Франции в ноябре 2005 года, а также ситуации вокруг публикации «исламских» карикатур в Дании.



**INIMÕIGUSTE TEABEKESKUS
LEGAL INFORMATION CENTRE FOR HUMAN RIGHTS
ЦЕНТР ИНФОРМАЦИИ ПО ПРАВАМ ЧЕЛОВЕКА**

Nunne 2, 10133 Tallinn, Estonia, registering No 80005922
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The Legal Information Centre for Human Rights

The Legal Information Centre for Human Rights (LICHHR) was established as a public non-profit organization on May 2, 1994. The Danish and Estonian non-governmental organizations, such as Danish Centre for Human Rights, Minority Rights Group-Denmark, Information Centre on Eastern Europe, the Presidential Round Table of the National Minorities, the Representative Assembly of Non-Citizens of Estonia, as well as Tallinn City Government rendered assistance in the establishing and strengthening of the LICHHR.

Partners

The LICHHR operates in close contact and co-operation with Estonian Governmental institutions, political parties, NGOs, educational and research institutions and international public. Since the beginning, various national and international organisations were the partners in the LICHHR's activity. The Danish Centre for Human Rights, the Norwegian Institute of Human Rights, the Netherlands Helsinki Committee, International Minority Rights Group - London, OSCE, and other well-known organisations are among them. Presently, the European Commission and various agencies of EU support the main fields of activity providing by the LICHHR in close cooperation with CoE, UNHCR, UN HCHR, EUMC.

LICHHR is the member of the pan-European networks such as ENAR and EWL and international UNITED against racism.

Spheres of activities

The basic objective of the LICHHR is the promotion of full enjoyment of human rights for all inhabitants of Estonia and a peaceful development toward democratic rule of society. Therefore, the main spheres of activity are:

1. Conflict prevention by promoting public discussions and dialogue;
2. Dissemination of information on legal issues and international (UN, CoE, and EU) human rights principles and standards;
3. Monitoring of Estonian situation and legislation on non-discrimination and equal treatment related issues;
4. Legal counselling for individuals and legal persons.



European Commission DG General for Education and Culture

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The Education and Culture Directorate-General's mission has three main aspects:

Building a Europe of knowledge

This involves developing a European area of lifelong learning that will be a benchmark for the world by 2010 and help to make the European Union the most competitive and dynamic knowledge economy in the world, capable of sustained economic growth accompanied by more and better jobs and greater social cohesion.

Developing the European cultural area

Preserving and enhancing Europe's cultural diversity in the various fields where it is expressed, in particular through measures to support the competitiveness of the European audiovisual industry and promote linguistic diversity and language learning.

Involving citizens in European integration

Promoting, in a spirit of new governance, forms of active participation for citizens, particularly young people, in the European adventure, thus contributing to the development of mutual understanding and trust and a spirit of tolerance, in a Union open to the rest of the world.

In addition to policy and regulatory action, the Education and Culture DG implements a wide variety of programmes involving hundreds of thousands of beneficiaries every year, via the mobility and transnational cooperation projects. Through these actions, the Education and Culture DG contributes decisively to safeguarding Europe's prosperity and values, involving citizens in a very real way in European integration and strengthening their feeling of belonging to this community which is still growing.

A new generation of EU programmes for education and training, culture, youth and the audiovisual sector in 2007-2013

The European Commission adopted ambitious proposals for the next generation of EU programmes in education, training, culture, youth and the audiovisual sector. The aim is to have the new programmes approved by the Council of Ministers and the European Parliament before the end of 2005. They will run from 2007 to 2013.

The four programmes proposed are:

An **Integrated Action Programme in Lifelong Learning**, focusing on school education (Comenius), higher education (Erasmus), vocational training (Leonardo da Vinci) and adult education (Grundtvig), completed by transversal measures and a new programme (Jean Monnet) focusing on European integration. The proposed aims of the programme are:

Youth in Action, which aims to develop a sense of personal responsibility, initiative, concern for others, citizenship and active involvement at local, national and European level among young people. The programme will also help to improve support systems for youth activities.

Culture 2007, taking over from the current Culture 2000 programme and extending it through three objectives considered to offer strong European added value:

- Transnational mobility for everyone working in the cultural sector in the EU.
- The transnational circulation of works of art and cultural/artistic products.
- Dialogue intercultural.

MEDIA 2007, following on from the current MEDIA Plus and MEDIA Training programmes with the principal aims of:

- Preserving and promoting Europe's cultural diversity and cinematic/audiovisual heritage, ensuring public access to this heritage and encouraging dialogue between cultures.
- Increasing the circulation of European films and other audiovisual productions, both inside and outside the EU.
- Strengthening the commercial performance of the European audiovisual sector in an open and competitive market context.

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About OSI and the Soros Foundations Network

The Open Society Institute (OSI), a private operating and grantmaking foundation, aims to shape public policy to promote democratic governance, human rights, and economic, legal, and social reform. On a local level, OSI implements a range of initiatives to support the rule of law, education, public health, and independent media. At the same time, OSI works to build alliances across borders and continents on issues such as combating corruption and rights abuses.

OSI was created in 1993 by investor and philanthropist George Soros to support his foundations in Central and Eastern Europe and the former Soviet Union. Those foundations were established, starting in 1984, to help countries make the transition from communism. OSI has expanded the activities of the Soros foundations network to other areas of the world where the transition to democracy is of particular concern. The Soros foundations network encompasses more than 60 countries, including the United States.

OSI Initiatives

OSI's initiatives address specific issue areas on a regional or network-wide basis around the world. Most of the initiatives are administered by OSI-New York or OSI-Budapest and are implemented in cooperation with Soros foundations in various countries and regions.

OSI initiatives cover a range of activities aimed at building free and open societies, including grantmaking to strengthen civil society; economic reform; education at all levels; human rights; legal reform and public administration; media and communications; public health; and arts and culture.

OSI Offices

OSI is based in New York City and cooperates with the Hungary-based OSI-Budapest. Together with OSI-Budapest, OSI-New York provides administrative, financial, and technical support to the Soros foundations. OSI-New York is also the home of a series of programs that focus principally on the United States.

OSI-Budapest serves as the main hub for OSI initiatives outside of the United States. It develops and implements programs in the areas of educational, social, and legal reform, and assists the other organizations in the Soros foundations network by providing administrative, financial, and technical support. Along with OSI-New York, it administers network programs, which address specific issue areas on a network-wide basis.

OSI-Budapest also supports a variety of other initiatives throughout Central and Eastern Europe and the former Soviet Union, with an emphasis on human rights, ethnic and minority issues, civil society, and women's issues. The office is located in the Central European University (CEU) complex in downtown Budapest, and its programs draw upon CEU's resources.

In addition to Budapest, other offices outside the United States are located in Brussels, London, and Paris.

Foundation of Assistance «Euroregion Livonia»

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Foundation of assistance “Euroregion Livonia” was launched in May 2005 and is based on the free-will material inpayments of the founders. It is a non-governmental, non-profit organization that does not have membership.

The main mission of the Foundation is to assist development of the mutually beneficial partnership in the area of public relations through strengthening, dissemination and advancement of the democratic values.

The aims and tasks of the Foundation are in reestablishment of the lost links between the Russian Federation and former soviet republics, reestablishment of the cultural, humanitarian, educational ties, youth work.

The main areas of work of the Foundation are:

- preservation and development of the Russian language as the unique instrument of communication in the post-soviet area;
- editorial-publishing activities and assistance to the professional activities of media;
- analysis of the social problems and public relations;
- support to the scientific-research and educational activities aimed at development of the multi-lateral culture of the public relations;
- support to the forming of legal mechanisms for human rights defense and legitimate interests of the citizens and legal entities in the area of human rights observation and freedoms of citizens;
- bringing in free-will donations in cash, any movable or immovable asserts from the Russian and foreign citizens, companies, firms, foundations and organizations;
- charity.

The Foundation is actively involved in consolidation and development of the international cooperation in the frames of the joint programmes, projects and activities aiming at similar aimes and carried out by regional, inter-regional and international organizations and foundations.

The Foundation has its branches in Latvia, Lithuania and Estonia.



ENAR - ESTONIA

ENAR promotes the cause of anti-racism and equal treatment for ethnic minorities and non-EU nationals residing in the European Union.

ENAR is a network of European NGOs working to combat racism in all EU Member States and having national coordinators in each EU Member State. The member organisations include ethnic minorities, immigrants' associations, information centres, advocacy groups, trade unions, faith based organisations and many others. Democratically elected representatives of each NC attend the Network's meetings where they are consulted on policy and statutory issues. One of the representatives of each NC should belong to an ethnic minority.

ENAR is determined to fight racism, xenophobia, anti-Semitism and Islamophobia, to promote equality of treatment between EU citizens and third country nationals, and to link local/regional/national initiatives with European initiatives.

The Estonian national coordinator to ENAR has been launched on the 21 November 2005 in Tallinn. Nowadays it consists of 6 non-governmental organizations and 1 observer actively involved in the activities against racism and discrimination on the basis of ethnic origin. At present ENAR-Estonia secretariat work is being carried out by the Legal Information Centre for Human Rights which is the leading minority rights protecting NGO.

The membership to ENAR-Estonia is open to all NGOs and research institutes that are active in promoting non-discrimination and non-racism or provide research and support the principles of ENAR.

The main activities of NC are provision of legal aid to the victims of discrimination, court representation included, strategic litigation, hotline for the victims of discrimination, lobbying, training activities for various target groups, work with media, legal analysis and research.