



Information Documents

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Reports from the Council of Europe Field Offices
and Other Outposts

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Yerevan

1. Political and legislative developments

1. In June the United Armenian Opposition (“Justice” bloc, Republic party and Communist Party of Armenia) held two **rallies** in Yerevan – on 4 and 16 June – the first not authorised by Yerevan’s municipality and the second authorised. At the rally on 4 June, one of the leaders announced that the Opposition intended to hold continuous rallies, and they would stop only if a war for Karabagh started with Azerbaijan. In summer the Opposition will continue its meetings with voters, and at the end of August they will prepare an intensive schedule of activities for September and October.
2. The Opposition continued to **boycott the sessions of the Parliament**. Their demands remain the same, including resignation of President Kocharyan, implementation of the provisions of PACE Resolution N°1374 (2004) and referendum on a vote of confidence in the President.
3. Administrative **detentions and arrests** continued in the beginning of June, but on the whole the month was comparatively quiet. The Prosecutor’s Office returned half of the property seized on 12 April from the Opposition party’s office. Two April detainees were released in June and three others still remain in custody.
4. In an interview to Armenian Public Television, **President Kocharyan** described the internal political situation as deadlocked, and added that any physical beating of opposition activists should be condemned.
5. On 23 June, the President delivered a speech in the Parliamentary Assembly of the Council of Europe in which he spoke about Armenia’s fulfilment of its commitments to the Council of Europe and about the Karabagh conflict.
6. The Deputy Speaker of the Parliament reported that 28 criminal cases of legal violations during the **2003 presidential and parliamentary elections** had been instituted. The Prosecution received 180 reports and complaints, of which 89 were turned down.
7. On 2 June a Council for **the Prevention of Corruption** was established, headed by the Prime Minister. The Minister of Justice, the Chairman of the Central Bank, the Chairman of the Supervisory Chamber, the Advisor to the President on anti-corruption issues and other state officials are members of the Council. On 8 June the Parliament ratified the Council of Europe Criminal Law Convention on Corruption and the additional protocol to the Convention.
8. The Parliament adopted an amendment to the Criminal Code **partially decriminalising libel** and slander.

2. Council of Europe action

9. One of the rapporteurs on Armenia of the **Parliamentary Assembly's Monitoring Committee**, made a four-day fact-finding visit to the country, starting 11 June, in order to assess the status of Armenia's honouring of its obligations and commitments. Mr Jerzy Jaskiernia had meetings with representatives of the authorities, international organisations and the NGO community.
10. At a round-table on “Common responsibility and **regional consensus in the South Caucasus**. The impact of Public Policy Centres”, organised by the Institute for Civil Society and Regional Development, the SRSG delivered a speech on the Council of Europe's experience on reconciliation, cooperation and regional consensus.
11. On 17-18 June the Ministry of Justice and the Council of Europe Directorate General of Legal Affairs held a Working Meeting on the **Draft Law on Advocacy**. The Council of Europe's experts' comments on the draft law and those of the Ministry of Justice were discussed.
12. A further Working Meeting on developing a National Training Strategy for **Local Self-Government** was organised in Yerevan on 28 June by the Council of Europe Directorate General of Legal Affairs. This work will continue with the assistance of the Council of Europe Office.
13. From 30 June to 1 July an Expert Meeting was organised on the Recruitment and Training of **Prison Staff** by the Department for Judicial Reform and Ministry of Justice of Armenia in co-operation with the Council of Europe.
14. On 23-24 June the Yerevan Press Club and the Council of Europe Media Division organised a seminar in Yerevan on the issue of **freedom of speech** and the right to respect for private life.

Baku

1. Political and legislative developments

15. The third-high level meeting in recent months between Azerbaijan and Armenia, regarding the **Nagorno-Karabagh** conflict, took place in Prague 21 June, when the Foreign Ministers of the two countries met. The discussions between Azerbaijani Foreign Minister Elmar Mamedyarov and his Armenian counterpart Vartan Oskanyan did not lead to any concrete results, but confirmed the willingness of the parties to continue the dialogue. The two met again, on 28 June, in Istanbul, hosted by the Turkish Foreign Minister, on the sidelines of the NATO summit. The discussions in Istanbul reportedly focused on the Nagorno-Karabagh conflict and what role Turkey might play in resolving it. The next meeting between the two Foreign Ministers is scheduled to be held in Prague in September.
16. The **trials** against the political leaders arrested after the post-election events 15-16 October 2003, continued in June. In early June the defendants refused to come to the court sessions, protesting alleged breaches of procedural rules and general unfairness of the trial. They were forcibly brought back to the court on 22 June, while still maintaining that their rights were violated in the court process. Meanwhile, the re-trials of 11 alleged political prisoners from the Council of Europe's "716-list" continued and are expected to last at least another month. Another retrial with three further alleged political prisoners from the "716-list" started in June. The Council of Europe is observing the re-trials while the OSCE is monitoring the "October trials".
17. Five opposition party activists, representing the Popular Front, Musavat, ADP and ANIP parties, started a **hunger strike** in Nakhichevan on 21 June in protest against alleged political repression and police brutality in the autonomous republic. One further protester joined the strike later, bringing their number to six. By the end of June the hunger strike was still continuing.
18. In the early morning of 30 June police arrived at the **Juma Mosque** and started evicting the religious community which had gathered to pray, led by the Imam Ilgar Ibrahimoglu. The appeal court in Baku had on 22 April upheld the decision of the first instance court to evict the Juma mosque religious community, following some alleged administrative irregularities related to the registration of the religious community. The police action was an effort to implement the court decision. On 30 June the authorities at the same time tried to install a new imam in the mosque, but Mr Ilgar Ibrahimoglu's followers did not accept him. That same afternoon the police allowed members of the community back into the mosque to follow their religious service led by Mr Ibrahimoglu.
19. Before starting its summer break on 30 June, the Azerbaijani parliament adopted or amended a **number of laws** and ratified several international conventions. Among the texts amended was the law on advocacy and among those adopted the law on state secrets. The Council of Europe has provided expert opinions on the advocacy law which is also listed among Azerbaijan's membership commitments.

2. Council of Europe action

20. A seminar on Co-operation between Civil Society and Public Authorities in the field of **social issues and human rights education** was organised in Baku on 4-5 June within the framework of the Joint Programme between the Council of Europe and the European Commission for the South Caucasus. This activity was co-organised by an Azerbaijan partner NGO, the Centre for Legal and Economic Education. A number of concrete actions to further promote co-operation between NGOs and public authorities were identified.
21. Following preparatory contacts with the Azerbaijani Ministry of Foreign Affairs and Ministry of Culture respectively, and within the framework of the Council of Europe initiative “*Regional Programme for Cultural and Natural Heritage in South-Caucasus / Institutional Capacity Building and Management of Historic Cities*”, a Council of Europe fact-finding mission to Azerbaijan was carried out 13-18 June 2004. The mission assessed the needs and aimed at identifying some pilot sites for the implementation of the regional programme in Azerbaijan.
22. The Secretary General of the Parliamentary Assembly of the Council of Europe, Mr Bruno Haller, visited Baku on 29-30 June as part of a tour of the three Caucasian countries, the objective of which was to discuss ways of increased **inter-parliamentary co-operation**. In addition to the Azerbaijani parliament, Mr Haller also held meetings with Azerbaijani authorities at the highest level.

Sarajevo

1. Political and legislative developments

23. On 30 June, High Representative Paddy Ashdown dismissed RS parliament speaker and leader of the SDS Dragan Kalinić and RS Interior Minister Zoran Đerić on the grounds of obstructions of Bosnia's progress towards stability, prosperity and rule of law. He also **dismissed about 60 officials** and politicians from the Republika Srpska, noting that 48 of them will be able to return to functions once the ICTY indictee Radovan Karadzic is arrested. Dragan Kalinic declared that he would take his case against the High Representative to the European Court of Human Rights, after he has exhausted all domestic legal possibilities.
24. On 3 June, the High Representative appointed sixteen members of the **BiH High Judicial and Prosecutorial Council (HJPC)**, to uphold and promote an independent, impartial and professional judiciary and prosecution service. The composition of the Council's membership (13 nationals and 3 internationals) provides for a continued international presence, geographical and gender balance and national representation based on the 1991 census. The single HJPC is one of the Stabilization and Association Agreement (SAA) conditions.
25. On 9 June, following alarming findings by **OHR auditors** regarding losses in the public enterprises due to mismanagement, which amount to KM 156 million (€ 79,8 million) in the Federation and KM 202 (€ 104 million) in Republika Srpska, the Office for Audit of BiH Institutions published a report on the review of financial management in seven state-level institutions during 2003. Two institutions received particularly negative remarks – BiH Presidency and Agency for Statistics. The BiH Presidency had a deficient system of internal financial control resulting in excessive and unauthorized spending. The profligate nature of the Presidency spurred comments from the High Representative inviting citizens and parliamentarians to consider whether BiH can indeed be a "normal" country with an unaccountable three-man Presidency. The Parliamentary Assembly is now considering the Auditors' Office reports.
26. On 11 June, the **Commission to Investigate Events in and around Srebrenica** between 10 and 19 July 1995 submitted its report to the Republika Srpska Government. This report noted 32 newly discovered mass graves, of which 28 are so called "secondary," containing the corpses moved in the attempt to cover up the killings. The 42-page document emphasizes that the information it contains was for the first time provided by Bosnian Serb sources. The report sheds light on the chronology of the events in and around Srebrenica, and explains how the RS army and police planned the Srebrenica Operation in three phases: seizure of the Srebrenica UN "safe area," separation of men and boys from women and children, and their subsequent execution. The High Representative pointed out that the report and public statements of some of the RS leaders "may indicate a growing willingness to face up to the issue of responsibility for Srebrenica and achieve justice for the victims," and that much more needs to be done to overcome the nine years of total inactivity. The Srebrenica Commission announced it would complete its work by mid-July.

27. On 15 June, the BiH Parliamentary Assembly House of Representatives Commission for Constitutional and Legal Affairs hosted a **public debate on Constitutional Reform**, focused on the need to ensure that the BiH constitution guarantees a consistent application of modern European standards and the rights of all citizens. The debate was led by Bosniak and Croat Members of Parliament as no Serb representatives from RS attended, with the explanation that they fully advocate the implementation of the Dayton Peace Agreements. Vitomir Popovic, BiH State Ombudsman, also stated in a letter to the BiH Parliament that the current situation did not require changing the Constitution.
28. On 22 June, with the signing of an agreement between the Canton of Sarajevo and European Region of the Year organisation, the **Sarajevo** Canton officially became **European Region of 2006**. The European Region of the Year is an initiative aimed at increasing awareness and recognition of European regional affairs, and making new contributions to regional development and European integration.
29. On 25 June, the Constitutional Court ruled that the **draft Framework Law on Higher Education** is destructive to the vital national interests of the Croat people because of the way it foresees the possibility to use one or more languages of constituent peoples and the manner for which statutes of Higher Education institutions must be adopted.

2. Council of Europe action

30. The SRSG chaired two sessions on “Reform in the field of education” at the OSCE’s twelfth Economic Forum “New Challenges for Building up Institutional and Human Capacity for Economic Development and Co-operation” held in Prague from 31 May to 4 June. Participants discussed the new challenges for building up institutional and human capacity for economic development and co-operation. The SRSG also made a presentation on the lessons learned from the education reform in Bosnia and Herzegovina.
31. A Council of Europe expert meeting on the draft Law on the **Public Broadcasting System** and a draft Law on the Public Broadcasting Service of Bosnia and Herzegovina gathered in Sarajevo on 3-4 June CoE experts, drafters of the Laws and parliamentarians, to review in detail all the provisions of the draft laws. They discussed the most important issues, such as the specific structure established by the draft Law on the Public Broadcasting System, consistency between the System Law and Service Law, funding of RTV, etc. In the light of comments made by the CoE experts, a Joint Council of Europe/European Commission report was prepared and forwarded to the Minister and Parliament.
32. On 3–4 June, the 7th meeting of the Joint Steering Group for **prison reform** in BiH under the aegis of the CoE was organised in Sarajevo, with the State Ministry of Justice participating – all members in attendance for the first time. The meeting examined developments during the previous year relating to issues of health care in prisons, development of training capacity and management change, alternatives for juveniles and options for a secure unit for war-crimes suspects. The meeting also urged further consultations on the draft State law on execution of criminal sanctions, as it represented a real opportunity for defining the prison system in BiH over the next few years.

33. In the framework of the joint CoE/European Commission Project "**Strengthening the independence and the efficiency operation of the judicial system in Bosnia and Herzegovina**" a seminar on Legal aid in civil cases: Access to justice was organised in Sarajevo on 24-25 June by the CoE Office in cooperation with the Public Interest Law Initiative, Columbia University, and Budapest Law Center.

34. The work of the **Parliamentary Assembly** of the Council of Europe was widely covered and warmly accepted in the BiH media. The two most important weekly political magazines – "Slobodna Bosna" and "Dani" –had extensive pieces on the contents of the Assembly reports, resolutions and recommendations. The most emphasized issue was the autocratic nature of the Office of the High Representative, the failure of the local authorities to apprehend war crime suspects, the need for BiH authorities and Bosnian people to take ownership of their country and the lack of implementation of reforms. The Magazine "Dani" said that the CoE reports represent the best political and economic development, and respect the human rights picture of where Bosnia and Herzegovina is at this moment.

Tbilisi

1. Political and legislative developments

35. On 2 June President Saakashvili signed a decree granting Georgian citizenship to the **new Economy Minister** Kakha Bendukidze, Russian businessman and native Georgian. Minister Bendukidze, who advocates radical deregulation of the economy, said on 9 June that almost all the state-run facilities and enterprises, including ports of Poti and Batumi, should be privatised.
36. On 5 June a **reshuffle** within the government took place. Giorgi Baramidze who was Interior Minister, took over the Defence Minister's position, replacing Gela Bezhuashvili. The latter became Secretary of the National Security Council. Vano Merabishvili ex-Secretary of the National Security Council, became Security Minister and replaced Zurab Adeishvili who, in turn, became the General Prosecutor. Former General Prosecutor Irakli Okruashvili took over the Interior Ministry.
37. Chairman of the Supreme Court of Georgia Lado Chanturia filed his resignation on 11 June.
38. On 18 June the Venice Commission adopted an opinion on the **autonomous status of Adjara** within Georgia. The request for the opinion was submitted by the Parliamentary Assembly of the Council of Europe. Two weeks later the Law on the Status of the Adjara Autonomous Republic was adopted by a vote of 174 in favour and 13 against. The new law empowers the President of Georgia to dismiss the Adjara government, dissolve the parliament, and annul legislation passed by that parliament.
39. During the 20 June snap elections for Adjara's legislative body – the Supreme Council, pro-Presidential Victorious Adjara received 72.1% of the votes while the Republican Party garnered 13.5%. The candidates from the pro-Saakashvili party also won elections in all of the 12 single-mandate constituencies of Adjara. As a result, Victorious Adjara will occupy 28 of the 30 seats in the Supreme Council. The remaining two will be occupied by the Republican Party. All of the other eight parties running in the elections failed to clear the 7% threshold necessary for securing seats in the legislative body.
40. The leader of the Republican Party announced on 21 June, that the party intends to suspend cooperation with the ruling National Movement party, after alleging ballot rigging by the authorities during the 20 June local elections in Adjara.
41. Throughout June Georgian officials and representatives of the unrecognised Republic of **South Ossetia** exchanged mutual allegations on military build-up and provocative actions. The Georgian government undertook active steps to fight smuggling activities in the region. The authorities of the breakaway region expressed concern over the mobilization of Georgian troops in the conflict zone and alleged that Tbilisi intends to mount an "incursion". Detentions on both sides took place, leading to ultimatums and boycotts of the work of the Joint Control Commission.
42. In June the Georgian peacekeepers in the South Ossetian conflict zone have been increased from 100 to the statutory 500 men.

43. On 15 June Georgian State Minister for Conflict Resolution Giorgi Khaindrava announced that the government will demand that the mandate of the Russian peacekeepers deployed since 1992 in South Ossetia be revised to limit their presence to districts where the population is mixed Georgian and Ossetian.
44. Speaking in Istanbul on 27 June on the eve of the NATO summit, President Saakashvili predicted that "what happened in Adjara," will be repeated in South Ossetia. President Saakashvili branded South Ossetia a dictatorship where human rights are routinely violated and drug trafficking flourishes.
45. State Minister Khaindrava urged Russia to withdraw its peacekeeping forces from the South Ossetian conflict zone, which caused a strong denial by the Russian Foreign Ministry.
46. On 4 June Foreign Minister Salome Zourabichvili offered to set up a joint anti-terrorism center with the Russian Federation, in exchange for pulling out the two Russian military bases in Georgia. According to Russian Defence Minister S. Ivanov the withdrawal of Russia's two military bases from Georgia and their redeployment in Russia will cost USD 300 million.
47. On 10 June Sergei Shamba, foreign minister of the unrecognised Republic of **Abkhazia**, rejected the offer of "a state entity within Georgia with maximum powers" contained in a new proposal for resolving the conflict drafted by Georgian experts.
48. In June the Executive Board of the **International Monetary Fund** announced the approval of a three-year, USD 144 million arrangement for Georgia. The European Union said on 15 June that it will announce a pledge of some USD 164 million of EU support to Georgia for the period 2004-2006. The World Bank approved three credits for Georgia for a total of US\$47.6 in new lending.
49. International donors from 31 countries and 12 organisations, gathered in Brussels at the **Donors' Conference** on 16-17 June in support of Georgia, pledged to provide around \$ 1 billion to Georgia to meet urgent needs for the period 2004-2006. The amount pledged by the donors is aimed for budget support, investments in energy, governance, poverty reduction, key infrastructure rehabilitation and food security. Primarily the Georgian government's reforms and development agenda, which outlined priorities of financial assistance, requested \$485 million for the period 2004-2006.

2. Council of Europe action

50. From 1 to 4 June 2004 the Directorate for Culture and Cultural and Natural Heritage held a technical workshop with representatives of the main national institutions of Georgia and of Tbilisi's municipal institutions responsible for elaborating conditions for the concrete implementation of a **rehabilitation of Old Tbilisi**.
51. A two-day seminar on "**criminal justice and the European Convention on Human Rights** for judges and prosecutors" was held on 9-10 June in Tbilisi in the framework of the Council of Europe/European Commission Joint Programme, organised by the Directorate General of Human Rights in co-operation with the Judicial Training Centre.

52. In the framework of the European Commission and the Council of Europe Joint Programme, the Sub-group meeting on the **National Training Strategy for Local Government** in Georgia was held in Tbilisi on 10 June 2004, organised by the Directorate of Cooperation for Local and Regional Democracy.
53. A visit of the CoE Secretariat's **Information and Assistance Mission to Georgia** headed by the Director of Strategic Planning took place from 9-14 June 2004. The mission met the Prime Minister, Speaker of the Parliament, Minister for Foreign Affairs, heads of the law-enforcement organisations and Members of Parliament, as well as the media and NGO representatives. The Secretariat delegation visited Batumi and held meetings with the leadership of the Interim Council, as well as with representatives of civil society and media.
54. A round-table on the draft law of Georgia on "**Freedom of Conscience and Religious Entities**" was held on 11 June at the Conference Hall of the Public Defender's Office of Georgia. The meeting within the EC-CoE Joint Programme was organised in co-operation with the Directorate General of Human Rights with the OSCE Mission to Georgia and the Public Defender's Office.
55. A delegation of the Congress of Local and Regional Authorities of the Council of Europe, led by Mr Joseph Borg, observed the **elections in the Autonomous Republic of Adjara** on June 20. The observers announced that elections in Adjara Autonomous Republic "went smoothly, although the electoral process fell short of international standards in some regard." The statement says 'the electoral climate was quite free and for the first time the voters were provided with a real choice of candidates coming from different political parties and blocs.'" However, observers noted that in some areas voters were transported to the polling stations by buses organised by some political parties. "This may have induced pressure on the voters," the statement reads. The observers also noted that the pre-election campaign was dominated by the party in power – President Saakashvili's Victorious Adjara party. Major concerns of the delegation were the accuracy of the voters' list and the secrecy of the ballot.
56. A training seminar in "Project Management" was held on 24-26 June in Tbilisi in the framework of the **Confidence Building Measures Programme**, organised by the Directorate General of Political Affairs.

Chisinau

1. Political and legislative developments

57. On 1 June President Voronin proposed that Russia, USA, Romania, Ukraine and the EU sign a **Stability and Security Pact for Moldova** (SSP) as a long-term guarantee for the settlement of the Transnistrian question. In the President's opinion, the Pact might be discussed and signed at a ministerial conference of these countries. The SSP is not intended to substitute the pentagonal negotiations. Practically all opposition parties criticized the initiative, their main arguments being that it was declarative, pursuing electoral aims and evidence of the incapability of the government to achieve progress in the Transnistrian settlement.
58. The **Government signed a Memorandum of Understanding** for the Council of Europe to monitor the population census in October.
59. The PPCD continued its Sunday protests in the Center of Chisinau, with its main concerns being corruption, media, Transnistria and the last session of the Parliamentary Assembly of the Council of Europe.
60. **Protests** took place **in Bender** on 16-17 June against the remounting of Lenin's monument in the central square. Police broke up the meeting and arrested 3 people.
61. On 11 June the *Ecologic Party Green Alliance* joined *Democratic Moldova*, "the coalition, able to set up true democratic, pro-European government after fair elections monitored by the Council of Europe".
62. The Central Electoral Commission (CEC) requested assistance from the International Fund for Electoral Systems for the elections in 2005. CEC representatives visited the USA and were promised technical support by the State Department.
63. On 9 June the Government approved the draft Law on **Creation of Central Election Commission (CEC) Information Centre**. The Centre is to be created as a CEC division in order "to facilitate the organisation and development of the electoral process and to ensure an efficient activity of CEC".
64. On 17 June deputies amended in final reading the **Law on the Election Procedure of the President of Republic of Moldova**. Amendments ensure that the Parliament during one mandate has the right to elect the President only once. The President promulgated the Law.
65. On 24 June the Parliament approved the **Bill on the State of Emergency, Siege and War**. The Bill sets out terms, order and procedures for announcing a State of Emergency, Siege and War, measures to be taken during this period, rights and liabilities of legal and physical persons.
66. On 25 June President Voronin submitted to Parliament a legal initiative on **amnesty** in connection with the 10th anniversary of the Constitution. The last amnesty in Moldova took place in 2002.

67. Alina Anghel, **journalist of *Timpul* weekly**, was attacked on 23 June by 2 persons and is in hospital with brain concussion and a fractured arm. The incident followed phone threats after the publication of Anghel's article on frauds in the purchase of government cars from the company DAAC-Hermes. *Timpul's* director stated the attack was meant to intimidate the independent press. In the Parliament the Deputy Minister of Interior reported that the case was nothing but a robbery. CDPP declared the attack a repressive act of the regime. President Voronin rejected all accusations and expressed the belief that the authors of the crime would soon be found and punished.
68. The staff **selection procedure in Teleradio Moldova** has entered a decisive phase and is likely to generate tensions due to the lack of transparency and objective criteria.
69. No answer was given by the Parliamentary commission dealing with media on the future of the **Law on Audiovisual** after the recommendations made by CoE experts on the draft.
70. On 2 June the political prisoner A. Lescu, from the ***Ilascu group*** was released after 12 years of imprisonment. Two other members of the group are still in prison. The lawyer who represents the group in the process before the European Court of Human Rights against Moldova and the Russian Federation, announced that the final decision of the Court would be made public after 7 July.
71. US and EU officials expressed concern in connection with the suspension of withdrawal of Russian troops from Transnistria. US Ambassador to OSCE S. Minikes accused Tiraspol of hindering the access of OSCE inspectors with the former 14th Soviet Army, qualifying those actions as unacceptable.
72. The situation of **Moldovan schools in Transnistria** is still tense. Ribnitsa and Tiraspol local authorities have taken a decision aimed at removing the schools from their premises. The Ministry of Reintegration addressed letters to the CoE, both in Strasbourg and Chisinau, seeking assistance. Facilitated by the OSCE and the SRSG, a joint meeting between Chisinau and Tiraspol authorities took place in Chisinau on 25 June in an attempt to find a solution to the problem.

2. Council of Europe action

73. From 3 to 5 June the Director General of Political Affairs visited Moldova to participate in a Round Table: "**Inter-Religious Dialogue** as Means for Reconciliation and Conflict Resolution and Stability in South-Eastern Europe – the Case of Moldova", taking the opportunity to hold a series of meetings with officials and representatives of political parties.
74. From 10 to 11 June, the SRSG participated in a joint workshop, organised by the Coordinating Council of Audiovisual and the CoE on "Implementation of the European Convention on **Transfrontier Television** and other standards of the Council of Europe in the media field".

75. From 14 to 15 June, the SRSG attended the International Conference on Educational Reforms in Moldova.
76. From 16 to 17 June, the SRSG spoke at a joint Seminar, organised by the Independent Journalism Centre and the CoE: "Implementation of Law on Access to Information in the Republic of Moldova: Achievements and Obstacles".
77. The SRSG gave interviews to TV Channel 1 in Moldova and to National Radio, on 16 and 18 June respectively.
78. On 21 June, the SRSG met Transnistrian leader Smirnov in an attempt to convince him to accept CoE monitoring of the **population census** in Transnistria in October.
79. On 24 June, the Congress of Local and Regional Authorities of the Council of Europe sent a letter to the Prime Minister expressing its preoccupation about the dismissal of Comrat Mayor Tausanji. The letter recalled that all developments concerning **local democracy** are followed by the Congress and taken into account in the monitoring report.

3. Other action

80. 25 OSCE diplomats visited Moldova from 9 to 12 June to collect first-hand information on the situation in Moldova and the **Transnistrian settlement**. During their press conference 2 representatives of the non-registered National Bolshevik party threw packs of yogurt at the OSCE officials. They were detained and are now under investigation for hooliganism.
81. **OSCE chairman-in-office** Solomon Passy visited Moldova on 21-22 June to support the efforts for the Transnistrian settlement and "to encourage democratization and reforms". He met officials from Chisinau and Tiraspol, NGOs and political parties. With the Moldovan authorities Mr Passy raised some freedom of expression issues.
82. Moldova and the EU concluded the 4th round of consultations on the **Moldova-EU Action Plan**. Chisinau is invited to establish more intense political, economic, cultural relations with EU. The document will be signed when both parties conclude their internal procedures.

Belgrade

1. Political and legislative developments

83. Serbia got its first elected **State President** in two and half years, when Boris Tadic, leader of the Democratic Party (DS), on 27 June beat Tomislav Nikolic, leader of the Radicals (SRS), in a run-off vote for the post of Head of State. Tadic got 53.2% of the vote to 45.4% for Nikolic. Participation was below 50%, but election experts said especially younger, well-educated voters had turned out in greater numbers than in the first round two weeks previously. This secured a clear, if not large majority for Tadic, who won 59% of the vote in Belgrade.
84. The Tadic candidacy was supported in the second round by all pro-European parties, after they had suffered defeat in the first round on 13 June. Nikolic and Tadic received 30.6 and 27.4% respectively in the first try, while Dragan Marsicanin, candidate of Prime Minister Vojislav Kostunica's party (Democratic Party of Serbia, DSS), finished a distant fourth, obtaining 13.8%. Swallowing the disappointment, Kostunica declared his support for Tadic in the second leg, along with his coalition partners, G17 Plus and SPO/NS. The party of Slobodan Milosevic (SPS) got four percent.
85. The greatest surprise in the first round was the candidacy of the businessman Boguljub Karic, who obtained almost 19% in third place. After some hesitation Karic came out in support of Tadic in the run-off. Karic announced that he would remain in politics, heading a newly formed popular movement named "Forward Serbia".
86. In his acceptance speech in the evening after the election, Boris Tadic firmly committed himself to European integration, and appealed for cooperation and reconciliation between the parties of Serbia. He identified passage of a new constitution as a priority.
87. Both rounds of voting were monitored by the Congress of Local and Regional Authorities of the Council of Europe along with OSCE's ODIHR. The monitors found the elections generally free, fair and well managed, but made a few recommendations for improvement, mostly of a practical nature.
88. The much awaited **court proceedings** against the prime suspect in the assassination of Prime Minister Zoran Djindjic opened between the two election rounds. The suspect, Milorad "Legija" Lukovic, declared himself not guilty on all charges. In a statement several hours long he spoke about his acquaintance with leaders of the so-called Zemun Gang as well as Zoran Djindjic and people from the late prime minister's inner circle. He also implicated a number of politicians, businessmen and others in the sale of 700 kilograms of heroin from a safe deposit in a Belgrade bank.

2. Council of Europe action

89. The Serbian Ministry of Justice submitted **several draft laws** for expert analysis by the CoE, namely drafts of the Criminal code, Law on juvenile justice, Law on legal profession, Law on national DNA register, Law on public notaries and Law on expert witness.

90. On 2 June, the **ICTY** invited a CoE representative, as well as representatives from the OSCE, NGOs and specialized court for war crimes to discuss future strategy. It was stressed that the ICTY's position regarding the ability of the judiciary to take over cases is related to all courts, not only to specialized courts. Other issues such as witness protection and admissibility of the ICTY acquired evidence, remain to be solved. The CoE's role regarding the judiciary package as well as reform of the Criminal Procedure Code will be of utmost importance/ relevance.
91. The CoE participated in a Regional conference on **mediation**, held in Palic, on 17-20 June 2004. Participants were judges from the region and Canada, as well as representatives of international organisations and professional associations. The CoE expert presented recommendations related to efficiency of justice and mediation. Participants adopted conclusions regarding the need for legislative measures aiming to improve the efficiency of the judiciary, constitutional guarantees for independence of the judiciary, fostering education of judges, disciplinary responsibility of judges and the need to introduce and improve mediation as a necessary tool in pursuing efficient justice in a region.
92. At the initiative of the Serbian Ministry of Justice and in cooperation with the CoE and OSCE a regional conference was held in Belgrade on 21-22 June on **prison administration** in SEE. The aim was to establish a regional network of prison administrations in order to improve ongoing reforms in this domain, and contribute to the efficiency of combating organised crime in the region.
93. As a continuation of the project on the drafting of amendments to the **Civil Procedure Code**, the sixth and last Round-table was organised in Belgrade on 22-23 June. Participants were judges, legal experts, and representatives of bar associations. The Ministry of Justice will submit the final draft to the CoE for expert analysis.
94. On 25 June the CoE, ABA/Ceeli, USAID and OSCE organised a Conference dedicated to the **Constitutional role/position of prosecutors**. The CoE expert stressed the importance of following the new European trends in the direction of "jurisdictionalization" of prosecutors, i.e. their greater autonomy, balanced with disciplinary responsibility, which was also accentuated in the previous two CoE expert opinions. It remains to be seen whether the Ministry of Justice will follow the CoE recommendations.
95. The CoE participated in a first consultative meeting on the **quality of education**, organised by Education Reform Circles and Group MOST, in Belgrade, on 29-30 June 2004. Gathering about 120 reform-oriented education practitioners and experts, the meeting aimed to identify the current needs of the schools and jointly propose possible ways to support and enhance the sustainability of innovations introduced by education reform in 2003. During discussion, among other things, it was concluded that the Serbian Ministry of Education showed a significant resistance towards the reform process started by the previous government.
96. A Co-ordination meeting of Serbian representatives who will attend the regional **PACO Impact** conference in Budva, was held on 30 June. The national PACO director suggested that the CoE should be asked to conduct an expertise of the number of so called anti-corruption laws since they have never been submitted to CoE

expertise The main aim was to determine the obligations of local counterparts / beneficiaries in order to speed up the process of producing a National Strategy. The meeting showed differences in approach between the National director and the Anti-Corruption Council, which will have to be resolved at the forthcoming regional conference.

3. Other action

97. A Conference organised by the OSCE on **trafficking** on 3 June, clearly showed a lack of understanding of the concept of trafficking as distinct from illegal migration and unlawful border crossing. It remains to be seen how the CoE can assist through Criminal Code expertise as well as through the CARDS Police programme.
98. On 10 June 2004, the Swedish Embassy and the Children's Culture Center Belgrade organised a round table on the need for the introduction of a **Children's Ombudsman** Institution in Serbia and Montenegro. The purpose of the meeting was to gather experts, competent authorities and IOs to discuss the procedure for adoption of the Ombudsman Law and to emphasize the advantages of possible introduction of a Children's Ombudsman.
99. On 17 June, the OSCE Law Enforcement department organised a press conference for Minister of Internal Affairs Jovic who presented the plans of his Ministry on future transformation. It was said that the CoE would be asked to carry out expertise on a number of laws (e.g. Law on police, on state security, on private services).
100. At the 6th Annual conference of the **Federation of Serbian NGOs**, held in Belgrade on 19-20 June a joint appeal was made by all members of the federation (around 250) to the Government of Serbia to create the appropriate legal background for the normal functioning of NGOs.

Podgorica

1. Political and legislative developments

101. The demonstrations by the united opposition political parties calling for the resignation of the government, establishment of a technical government and early elections, came to a stop, while the **boycott** continued. The return of the opposition to parliamentary work and resolution of the institutional conflict could be facilitated by the organisation of a series of round table discussions within the CoE/EAR Project "Support of the Parliamentary Institutions" on the following issues: Constitutional Changes, Law on Police, Law on the Protection of Minorities, Law on Free Access to Information, Parliamentary Rules of Procedure, Working Methods of the Parliamentary Boards, etc.
102. The Government appointed its representatives to the National Council for Cooperation with the **ICTY**: Predrag Boskovic, Deputy Minister of Foreign Affairs of the state Union of Serbia and Montenegro (SaMN), Vukasin Maras, Deputy Minister of Defence of SaMN and Srdjan Spaic, Secretary of the Ministry of Justice of Montenegro.
103. The SDP proposed Miodrag Vlahovic, Director of the Center for Regional and Security Studies, as new **Minister of Foreign Affairs** of Montenegro.
104. The **Law on Conflict of Interest** was adopted by the Parliament at its Session of 16 June. The controversial provisions enabling MPs and Ministers to be members of the boards of state-owned enterprises should be the subject of changes and amendments within the PACO Impact Project.
105. The **Law on Public Notaries** should be adopted in the July Parliamentary session. The drafting of the Law on Mediation is in its final phase. Their implementation, along with the Law on Litigation and the Law on Execution Procedure, should be supported within the Joint Projects CoE/EC/CARDS.
106. Following the announcement of the Report of the US State Department on **trafficking in human beings**, Alexandar Mostrokol, National Coordinator for combating trafficking in human beings, resigned. The action recommended in the May Report could be carried out through the PACO Impact and CARDS Police Capacities Projects.
107. Progress of the investigation into the murder of Dusko Jovanovic, Editor in Chief of the Daily "DAN", occupied public interest. The investigation was often accompanied by inappropriate information announcing facts that could hinder the interests of justice. Action in the field of self-regulation of the media and the **relationship between media and judiciary** would be useful.
108. The Secretariat for Legislation sent back the Law on Free Access to Information to the Ministry of Culture for further processing, especially with regard to Article 9. The CoE is ready to provide additional expertise.
109. The Draft Law for the Protection of National Minorities, prepared by the Vice-

President of the Parliament, distinct from that drafted by the Ministry for Protection of National Minorities and Ethnic Groups which was already the subject of a CoE expertise, was submitted to the President of the Parliament for his consideration and initiation of political dialogue aimed at reaching a compromise between the two proposed solutions. The recommendation in the last report related to this issue is still valid.

110. **Judicial Rules of Procedure** were adopted. The members of the Prosecutors Council, the Presidents of the Basic Courts in Bar and Niksic, including a number of judges in Basic and Higher Courts of Montenegro, were appointed. The proposal of the Judicial Council for the President of the Basic Court of Podgorica was again refused as were five other candidates for judges. Further strengthening of the position of the Judicial Council should be ensured within the Constitutional reform.
111. A Special prosecutor for **organised crime** was appointed. The proper functioning of this office will be supported through the PACO Impact Project. Implementation of the criminal legislation through human rights training of prosecutors was also initiated.
112. In the coming month, attention should be paid to the outcome of the meeting between the representatives of the Council of Ministers and Governments of the member-states, the Ministry of Defence and military judiciary concerning the transfer of competencies of the military judiciary to the civil judicial authorities.

2. Council of Europe action

113. From 3 to 7 June a **Youth Policy** Orientation Seminar was organised for representatives of government and local authorities, political parties, youth clubs, youth NGOs and NGOs with youth branches, media and international organisations active in this field. It clarified a concept of Youth Policy that should enable drafting in cooperation with interested civil society actors soon.
114. A second module of the specialized CoE/EAR Seminar “**Public information** in democratic society” was held for government public relations officers from 7 to 9 June. Participants enriched their knowledge regarding information in a period of crisis, strategic planning of communication, etc.
115. The CoE experts’ appraisal on the **Draft Law on Witness Protection** was provided. This should facilitate the procedure of adoption of this Law and further improve the effectiveness of the criminal justice system.
116. On 18 June 2004 an Expert visit on **prison reform** was carried out in order to discuss and prioritize activities for the upcoming period.
117. A training of trainers on “Human rights standards and implementation of the Trainer’s Supply Kit” for **senior police officers** was organised from 14 to 25 June. Participants further familiarised themselves with the human rights standards related to practical policing in implementation of criminal legislation, and their relationship with defence lawyers, exercise of minority rights, domestic violence.
118. On 23 June, the **CARDS Regional Project** on Independent, Reliable and Functioning

Judiciary was presented. The project will initiate drafting of a Strategy including an Implementation Action Plan for reform of the judiciary and enhance judicial co-operation and networking among the Project countries.

119. A National Debate on the **Cultural Policy** of Montenegro was organised on 24 and 25 June. Assistance in evaluation of the draft should facilitate adoption of a Cultural Policy based on common European principles as ground for responses to issues of specific interest.
120. An information and investigation mission regarding the **training of prosecutors and defence lawyers on the ECHR** was conducted from 28 to 29 June. The realisation of both programmes up to the end of the year will represent a contribution to efforts for proper implementation of the new criminal and civil legislation.
121. The Office continued its support and assistance to the expert teams drafting **compatibility reports** of Montenegrin legislation and practice with the requirements of the ECHR and the Revised European Social Charter. The Studies will provide guidelines for the future necessary legislative activities.

3. Other action

122. The principles set out in the Framework Convention for **Protection of National Minorities** and the importance of their appropriate implementation were presented during a Seminar organised by the CEDEM and Swedish Helsinki Committee for Human Rights from 11 to 13 June.

Pristina

1. Political and legislative development

123. In mid-June UN Secretary General Kofi Annan informed the UN Security Council of his intention to appoint Søren Jessen-Petersen as his **Special Representative in Kosovo**. From February 2004 Mr Jessen-Petersen had been the EU Special Representative in Skopje, and did much to assist in implementation of the 'Ohrid Agreement'. His appointment has been welcomed by local and international leaders. He is expected to take up his new appointment in mid July.
124. During a meeting between President Rugova and Marshall Harris, the representative for Kosovo of Robert Dole, former US Presidential candidate, it was requested that pressure be applied on the United States to encourage the United Nations to end its mission in Kosovo.
125. **Kosovo Action's Network** held a demonstration on 10 June to protest against Security Council Resolution 1244, as it is now five years since this resolution was approved. The protest was aimed to create awareness in UN member states of the system of UNMIK administration, and to set a date to end UN rule in Kosovo. The demonstration, which was held in the area around UNMIK Headquarters in Pristina, was peaceful.
126. On a visit to Washington Kosovo Assembly Speaker Nexhat Daci said that "UNMIK is failing in Kosovo, since it is not transferring competencies to the elected institutions in a democratic way. The UN mission has failed, and the cost is being paid by Kosovars".
127. The **killing of a 16-year old Serb** on 5 June in the village of Gracanica, in a 'drive-by' shooting, resulted in Serbs calling for the closure of roads which pass through Serb areas of Kosovo. Immediately following the shooting, KFOR checkpoints were again established at each entrance to Gracanica. It has also resulted in some Serb parents declaring that they would move to safer areas with their families at the start of the new school year. UNMIK Police and the Kosovo Police Service responded to this crime with the arrest of two suspects, and an AK47 believed to have been used in the killing was found in their car.
128. Kosovo Assembly Presidency member Oliver Ivanovic complained that on 14 June unknown persons shot at High School student Marko Petrovic in Gorazdevac. The shooting which is being investigated by UNMIK police, was from the same area as the shooting which took place last year, when Serb children were killed while swimming in the river.
129. On 18 June **Bosnian Judge Halil Muhovic** from Pec/Peja was found dead 500 metres from his home. Police are currently investigating the case.
130. Kosovo Ombudsperson Marek Nowicki has written a letter to the Prime Minister in respect of members of the **Ashkali community**, who have been resident in the French Army KFOR Camp since the March violence. In the letter, Ombudsperson Nowicki

requested information on what steps the Kosovo Government was taking regarding a solution for these people, in the way that they may live free from fear, of suffering, and other risks they faced during and after the March riots.

131. Of 843 **houses** damaged during the March riots, 163 have been totally reconstructed, while a further 101 are in the process of reconstruction, as part of an ongoing programme.
132. **Local Government reform** continues to stimulate interest and discussion. One of the latest proposals from Kosovo Assembly speaker Daci foresees a structure of 70 Municipalities and 7 Cities as regional centres. However, the Kosovo Government considers there is no need for such a plan, as the Ministry of Public Services is working on a reform of local government. Minister Jakup Krasniqi is leading the joint working group, with UNMIK, the Prime Minister's Office, Council of Europe, US Office, and at the last meeting, a representative of the Serbian community.
133. The new President of Serbia, Boris Tadic, has stated that it is a moral obligation for Serbia to take care of the Serbs in Kosovo and Metohija. He added that "... there should be a kind of autonomy for Serbs, within the autonomy of Kosovo".

2. Council of Europe action

134. The **Working Group for Local Government** continues to meet twice a week. It is expected that a Framework for a new Law on Local Self-Government should be completed by mid-July, and hoped that a draft law will be placed before the Parliamentary Assembly in early August. The Council of Europe is continuing to play a key role in this working group. The Head and Deputy Head of Office presented three discussion papers during June. In addition, a senior Venice Commission Secretariat member visited Kosovo in the third week of June together with a CoE expert and participated in a number of meetings in Pristina. The Secretariat Member is returning in early July, when he will be leading the drafting process of the Framework Paper, and subsequent law.
135. In addition, the CoE Office took part in the regular session of the MASI meetings for key players in local democracy. The Deputy Head of Office presented a paper on the CoE recommendations for decentralisation in Kosovo, and reform of local government.
136. At the end of the month, the first meeting of the **Human Rights Strategy Working Group**, initiated by the Prime Minister's office, took place. The Prime Minister's Office was represented by Mr Habit Hajredini. The purpose of the group is to "establish, develop, communicate and coordinate policies, programmes and processes related to human rights, and to facilitate realisation of human rights in Kosovo". The Council of Europe was invited to be a member of the group.
137. At the request of the Kosovo Judicial and Prosecutorial Council (KJPC), the Council of Europe office contributed to a seminar organised by the Department of Justice at the Kosovo Judicial Institute, for the benefit of court presidents and of chief prosecutors. The topic of the seminar was the **evaluation of judicial work**, as a tool for improving judicial performance. The CoE representative made a presentation on

the different systems of judicial evaluation in Europe and the United States. The seminar was repeated on three occasions, to enable participation in the training of all future evaluators of Kosovan judges and prosecutors, in accordance with Administrative Direction 2000/18. Concerns were raised by the local judges that the international judges and prosecutors are not subject to the same system of evaluation.

138. The KJPC held three meetings, some dedicated to discussions on the **Judicial Assessment Report** prepared by the Council of Europe and the US Department of Justice experts. The report was adopted unanimously. A letter with the KJPC's endorsement and other recommendations was sent to Mr Brayshaw, Acting Special Representative of the Secretary-General, together with the report, for decision and implementation.
139. Following publication of an assessment report on the repair to **damaged churches** and monasteries in Kosovo, a staff member of the CoE Cultural and Heritage Division made a second visit to Pristina in late June together with experts. A further visit is expected later this year.
140. The pre-trial phase under the new **Criminal Procedure Code** of Kosovo was the subject of a seminar at the Kosovo Judicial Institute. Council of Europe experts contributed to this seminar focusing on investigative actions, measures to ensure the presence of the defendant and the right to effective counsel. The new Director of the Kosovo Department of Justice visited the Council of Europe office in early June. During discussions, reference was made to the essential role played by Council of Europe experts in the drafting of the Criminal Procedure Code. A request was made for assistance in the training of international and local judiciary on international legal cooperation under the new Criminal Procedure Code. It is expected that this training will take place in September.
141. The Kosovo Chamber of Advocates has requested the Council of Europe to contribute, during the second part of the year, to its continuous legal education programme for lawyers, with a series of seminars on the new Criminal Procedure Codes.
142. In mid-June, Pristina was visited by a **decentralisation mission**, including the Director of Cooperation for Local and Regional Democracy, and members of the Secretariat of the Congress of Local and Regional Authorities of the Council of Europe and the Directorate General of Political Affairs. The CoE Office arranged meetings with the Ministry of Public Services, Association of Kosovo Municipalities, Union of Serb Municipalities of Kosovo, Oliver Ivanovic, Kosovo Assembly Presidency member and Fernando Gentilini, Special Representative of Javier Solana, EU Representative for the CFSP. The delegation also attended one meeting of the Working Group on Local Government.
143. The first exploratory visit by the Council of Europe **Election Observation Mission** (CEEOM IV) took place on 15 June. The visit was led by the Head of Mission, Andrey Tehov. The mission will begin its work in mid-July. It is expected that more than 30 political entities will participate in the elections for the Assembly of Kosovo which will take place on 23 October.

3. Other action

144. Together with the UN, OSCE, UNDP and other main stakeholders in Kosovo, the CoE Office attended a ceremony on 1 June to implement the reconstruction of destroyed houses and property at Svinjare in the region of Mitrovica.

145. The **Pristina School of Politics** held its second session of 2004 on 4 June in Ohrid. The topics discussed on the first day included local economic development and privatisation. The second days discussions concentrated on the subject of decentralisation. Presentations were made by the Head of Office and Lutfi Hazari of the Association of Kosovo Municipalities, both presentations provoking a lively discussion and many questions.

Tirana

1. Political and legislative developments

146. After a full month of speculation and increasingly heated reactions from smaller parties, representatives of the parliamentary groups of the Socialist Party and the Democratic Party signed an agreement under the aegis of Ambassador Osmo Lipponen, Head of the OSCE Presence in Albania. The “Protocol on the implementation of the joint recommendations of the OSCE/ODIHR and the Venice Commission, dated 23 April 2004, on the electoral law and the **electoral administration in Albania**” provides for the setting-up of a new version of the former “bi-partisan commission”. This new commission should be composed of 16 members representing equally the majority and the opposition and, over its two-month mandate, make proposals for amendments to the Electoral Code. Small parties, both in the majority and the opposition, strongly contest this agreement and the role the OSCE has played in it.
147. At the initiative of the New Democratic Party, a **new law on media** should be submitted soon for debate in the Albanian Parliament, with a view to enhancing the level of ethics and abolishing criminal punishment of journalists. Newspaper owners and journalists are often tried in court for alleged libel and sentenced to heavy fines by Albanian standards.
148. There are increasing signs that former Prime Minister Ilir Meta will leave the Socialist Party and launch his own political structure. At the same time, the pretender to the Albanian throne, Leka Zog, is making contacts with influential former supporters of the Democratic Party and developing his own “Movement for National Progress”. With general elections less than a year away, nervousness starts showing among the political class, and parties presently belonging to the government coalition may be tempted to quit for the sake of having better visibility and freedom of speech. Confusion may quite soon be the word which best describes the political situation in the country.
149. A new “scandal” is triggering debate in Albanian politics since the president of the Crans Montana Forum allegedly accused publicly Prime Minister Fatos Nano of owing a debt of 110,000 CHF to his organisation for six years.
150. On 8 June the Parliament adopted by 64 votes in favour, 5 against and 4 abstentions the **draft law on recognition, restitution and compensation of property**. The Democratic Party did not take part in the vote, as it boycotted the second half of the debate on the draft law. The absence of consensus was strongly criticized by OSCE Ambassador Lipponen, who was later himself criticized for his stance. Appeals were made to President Moisiu, by both the OSCE and representatives of opposition parties, to refuse to sign the decree approving the law. No decision has yet been made.
151. After the Venice Commission endorsed two comments on the draft amendments to the 1993 law “on the Status of politically ex-convicted and **prosecuted people by the communist regime**”, the Parliament examined and voted the amendments on 1 July, but the vote was annulled on 2 July by the Speaker on grounds of voting

irregularities; the text will be presented to Parliament again at a later date. There is heavy debate about the level of compensation to be granted to beneficiaries.

152. Prime Minister Fatos Nano has ordered the drafting of a legal package to prevent and settle situations of **conflict of interest** for cabinet members or employees of the public administration also engaged in private business dealings. A draft should be completed in three months' time.

2. Council of Europe action

153. On 14 June, the Director General of Political Affairs opened, together with the Head of the EU mission, the first seminar of the newly created **Albanian School of Politics**. Over 20 selected trainees from various professional and political horizons took part during three days of lectures and workshops on European integration. Three more sessions for the same participants should take place in 2004, one of which should be held in Strasbourg.
154. The Special Adviser continued his contacts in Shkodra with officials and NGOs to collect information and devise possible ways of action with regard to the **blood feuds**. A specific report on the situation and on ways and means to curb the phenomenon will be produced by the end of the summer period.

Skopje

1. Political and legislative developments

155. The governing coalition faced a stalemate in connection with the **adoption of the draft laws on territorial boundaries** related to the capital and the municipalities of Kicevo and Struga. The discussion between the SDSM and DUI focused in particular on whether the territory of Skopje should be expanded to include an Albanian minority of at least 20%, thus making the city bilingual, and/or whether Kicevo and Struga should retain their current majorities or be divided and thereby attain Albanian majorities. The SDSM favoured either a bilingual Skopje or an Albanian majority in Kicevo and Struga, while DUI desired both. Deputy Prime Minister Sekerinska indicated that the matter would be resolved by 5 July.
156. Indeed during the second week of July a **compromise was reached** according to which certain municipal boundaries will be redrawn and the capital city of Skopje become bilingual. This agreement paves the way for local elections to go ahead in October 2004. The Secretary General of the Council of Europe welcomed the agreement as a crucial step for the full and successful implementation of decentralisation. He confirmed that the CoE would continue to provide any assistance necessary for the effective implementation of the new laws.
157. The crisis in the **main opposition party** VMRO-DPMNE continued. The press reported that the party was likely to have two parallel lists of candidates for mayors and councillors for the October local elections. The EU Special Representative has expressed regret at the absence of an effective opposition, as this means there has been little dialogue on the important laws linked to decentralisation.
158. The **local elections** are scheduled for 17 October. They will take place on the basis of the new law on local elections (see May report), according to which the minimum threshold for the elections to be valid is a 30% turnout. The date of 7 August has been identified by the Speaker of Parliament as the deadline for the formal scheduling of the elections. The OSCE will provide an observation team.
159. The outcome of the Istanbul summit and the prospects of **NATO membership** within the next couple of years were welcomed by the Government. A joint declaration was signed on 29 June with Albania and Croatia confirming the three countries' wish to intensify their cooperation and mutual support in the process towards membership.

2. Council of Europe action

160. The **Deputy Secretary General** visited Skopje from 2-4 June and gave a keynote speech at the 3rd Conference of women parliamentarians of South East Europe on the theme of "Media, trafficking and discrimination". The visit and the speech received positive media coverage.
161. The Minister of Justice and the CoE organised a seminar on "European norms for the **treatment of prisoners** and the conditions for re-socialisation" on 9-10 June aimed at officials and representatives of the prison service. The Deputy Minister of Justice

pointed to the importance of judicial reform, as well as reforms in respect of the sentencing system.

162. The **CARDS regional programme** on “Establishment of an independent reliable and functioning judiciary, and the enhancing of the judicial cooperation in the Western Balkans” was presented to the government on 9-10 June. Austria is responsible for the overall management and implementation of the project, while the CoE is providing a contribution of 500,000 Euros and expertise. The coordinating office for the project will be located in Skopje.
163. A seminar on **judicial training** was organised on 14-15 June by the Centre for the Continuous Education of Judges (CCE) in partnership with the Ministry of Justice, the Supreme Court and the State Judicial Council. The application for EU membership offers new momentum for encouraging reforms with respect to judicial appointment procedures and the establishment of a national training institution, steps advocated by the CoE for some time. Opening the seminar, the Deputy Minister of Justice announced the Government’s intention to establish a training institute for judges. She further indicated that independence of the judiciary, as well as its increased efficiency, were among the short-to-mid-term objectives of the Government. The Resident Expert recalled the CoE’s standards on these issues and confirmed the organisation’s full support for the authorities’ work towards reform.
164. The Ministry of Culture held a well-attended information meeting on 16 June on the Integrated Rehabilitation Project Plan / Survey of the **Archaeological and Architectural Heritage** in South East Europe, a project carried out jointly by the European Commission and the CoE within the Regional Programme for Cultural and Natural Heritage in South East Europe. The European Commission and the Resident Expert congratulated the authorities on their careful and thorough work to identify the monuments and sites for a “Prioritised Intervention List”.
165. In June, a **Secretariat visit** (DGAP) took place in Skopje and Kumanovo to prepare the Conference-Forum on regional cooperation to be held in late September. The aim of this event is to promote regional projects of municipalities and NGOs from the micro region Kumanovo, Gnjilane and Presevo. The CoE cooperates with the East-West Institute on this project.
166. The **Skopje School of Political Studies** held its fourth and final 2003/4 session in Strasbourg from 21-24 June. The session was opened by the Deputy Secretary General.
167. A seminar on **access to public information** was held from 29-30 June in cooperation with the Agency of Information. The event focused on European standards in this field; it also offered an opportunity to examine the draft law on access to information and the expertise carried out by the CoE on this.

3. Other action

168. The EU Special Representative since early 2004, Søren Jessen-Petersen, was appointed head of UNMIK and Special Representative of the UNSG in Kosovo. He will leave Skopje at the end of July. His successor has not been named.

APPENDIX
Additional details not included in the main report

SARAJEVO

I. EDUCATION

Education for Democratic Citizenship

- 12 June: The representatives of the Targeted Co-operation & Assistance Co-ordination Unit met with the management of the CIVITAS project in BiH in the Council of Europe headquarters in Strasbourg. This was the second meeting where the organisations discussed possible co-operation in the field of Citizenship Education in BiH at the specific request of the Ministers of Education. After the Framework agreement signed by both parties at the last meeting, these discussions focused on planning and preparation of practical activities in the field. The Council of Europe agreed to develop a set of modules that will serve in the future certification of teachers of Civic Education in BiH.

History

- 21 June: The Commission for the Development of Guidelines on Textbook Writing for the Subjects of History and Geography was launched with the full support of all relevant Ministries through the agreement of a Memorandum of Understanding. The Commission is jointly supported by the Ministries, the OSCE and the Council of Europe and five working sessions of professional experts appointed by the Ministries are foreseen over the coming six month period.
- 22-23 June: The first working session of the Commission was held, with the participation of CoE experts and the CoE's History Division. The final result was the development of 10 draft guidelines for history and geography textbook writers. The guidelines include both political objectives - for instance, using BiH as a point of reference rather than neighbouring countries - and modernising tools, such as the use of multiperspectivity, respecting a balance between texts, illustrations, sources, questions and tasks for pupils. The next session is foreseen for 5 July 2004 in Mostar.

Modernising the Management and Governance Capacities of BiH Universities

- 1-9 June: During a main institutional review visit by the team of the European University Association (EUA) to Tuzla and Bihac Universities, key challenges in the reform process were discussed. Evaluation results highlight the strengths and weaknesses of both universities. The need to move towards integrated universities was underlined.
- 19-22 June: A similar visit was made by the team of the European University Association (EUA) to Banja Luka University. During the oral presentation of the review results, the main strengths and weaknesses of the university were presented. The report strongly recommends to proceed with the administrative integration of faculties, develop interdisciplinary programmes, focus on student-centred teaching and development of a Quality Assurance system at the university.
- 7 June: The Higher Education Coordination Board (HECB) Review Report was finalised, translated and published in two languages (English and Bosnian). The Final Report provides 3 options for transformation, including financial aspects, of HECB into the BiH Rectors Conference. HECB members will have to decide which path they want to take in

the future. The CoE/EC joint project envisages support for the transformation process by facilitating two workshops in September and December 2004.

II. HUMAN RIGHTS

EIDHR Joint Programme with CoE – human rights

- 2-3 June, Strasbourg: A first meeting was held between BiH and CoE experts on the preparation of the compatibility exercise, oriented mainly towards identification of laws and issues to be addressed. Preliminary discussions were held on BiH submissions.
- 10-12 June, Neum: The sixth training seminar on the European Convention on Human Rights was organised for lawyers.
- 24-26 June, Tuzla: The seventh such training seminar for lawyers was held.

Minorities

- 21-22 June, Tuzla: The CoE organised a seminar “**Access to Roma Employment in Bosnia and Herzegovina**”, with the help of local consultants who prepared a written report, analysing the present situation and possibilities for employment of the Roma population in BiH. Representatives of: Roma association, Tuzla city, Canton Tuzla, RS Ministry of Labor, FBiH Ministry of Labour and Social protection, BiH Ministry of Human Rights, NGOs, IOs and others, raised many possible solutions for improving the present state regarding participation in institutional structures, education, organisation of small enterprises, and so on.

III. RULE OF LAW

EIDHR Joint Programme with CoE – judicial support

- 7-10 June, Spain. A Study visit was organised for HJPC members, HJPC Secretariat representatives, JPTC directors and JTPC Steering Boards presidents, including meetings with representatives of the Judicial School /initial training for future judges, Ministry of Justice of Spain and the General Council for Judiciary and Supreme Court of Spain.
- 12 June, Banja Luka: 4th meeting of the Working Group for drafting commentaries on the civil procedure code was organised, at the same time as a 4th meeting of the Working Group for drafting commentaries on the law on enforcement procedure.
- Throughout the month, the CoE resident expert participated in the working group drafting Rules of Procedure for the High Judicial and Prosecutorial Council established at the State level by a law which entered into force on 1 June 2004.

Joint CoE/EC project on Judicial and Prosecutorial Training Centres in BiH

- 16-17 June, Bjelašnica, Sarajevo: Assistance was given to the judicial training centres BiH for a Pilot training course on media relations.
- 24-25 June, Sarajevo: Enforcement of Intellectual Property Rights and Patent Litigation training workshop for judges (civil and criminal) carried out in co-operation with the EU CARDS Regional programme on intellectual property and the judicial training centres. The novelty of these provisions in the new civil and criminal legislation resulted in a specific request for a training module to be developed.

EIDHR Joint Programme with CoE – Training of Prison Staff

- 15, 28-29 June, Kula (Sarajevo): workshops were organised to plan and design a prison directors' workshop. Participants, both team and directors, identified how successful the

directors of prisons were in implementing the improvement projects during the Stage 2 workshops (March 2004) and devising the focused training courses.

- 16, 18 June, Zenica and Foča: the training team undertook visits to Zenica and Foča prisons to collect data necessary for designing a pilot training and assessment of selected competence. The training, to take place on 5 and 6 July in Zenica and Foča respectively, would focus on prisoners' escort to facilities outside of the prison perimeter.