



# 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. Since the beginning of February, the **parliamentary opposition** is boycotting the work of the Parliament. The opposition does not recognise the results of last year's Presidential elections and one of its major demands is the implementation of the part of the Constitutional Court decision of 16 April 2003 which proposes (according to the President and the ruling coalition) and requires (according to the opposition) the holding of a referendum of confidence in the President. Political tensions grew at the end of March and more so in April.
2. Several public gatherings have been staged by the opposition, some of them followed by marches – 5, 9, 10, 12, 16, 21, 27 April. Some were staged only by the National Unity Party, but most were joint actions of the Justice Bloc and the National Unity Party. The number of participants varied greatly from one gathering to another. During these public events, leaders of the opposition called for the drafting of amendments to the law of referendum to be discussed by the Parliament and for the “resignation of the President”.
3. Concerns remained over **adequate coverage** of the events by **TV channels and the press**. The Russian TV channel NTV (broadcasting from Russia) which had shown footage of the rallies, was “switched off” throughout Armenia, reportedly for technical reasons (a cable damaged on Georgian territory). During one of the gatherings (5 April) unidentified (according to the authorities) people broke the cameras of several journalists. Reportedly, the police did not intervene. According to the authorities and the journalists, the latter were warned by the police not to film. According to NGOs, Russian newspapers covering the rallies were withdrawn from newsagents by the police. On 23 April, the Court of Cassation upheld the decision of the Commercial Court in the case of "Meltex" LLC, the founder of "A1+" TV company, versus the National Commission on Television and Radio. Earlier, the Commercial Court had turned down **the claim of "A1+"** against the National Commission, requesting a justification for the refusals to grant broadcast licences in the tenders held by the National Commission on 11 June and 18 July 2003.
4. During one of the gatherings of 12/13 April, the **police and special troops** used physical force against the participants when they tried to march towards the Presidential palace to call for the resignation of the President. Several individuals – participants, policemen and journalists were injured. An MP and member of PACE was detained. After the events of 12/13 April, the headquarters of opposition parties were searched. It was reported that on the days of the public gatherings the roads into the capital city were blocked, presumably to prevent people from participating in the events.
5. According to human rights NGOs and the opposition, in the course of the month several hundred people were subject to administrative detention, others to deprivation of liberty without any mention in the registers of the police, and then released. Reportedly, people were detained or taken from home. Some were alleged to have

been ill-treated. The authorities presented figures of the number of people deprived of their liberty and the legal grounds for this.

6. Throughout the month, the events were widely covered by the press, often with conflicting reports. The President, Ministers, representatives of political parties and others made assessments and commentaries on the situation and the events.
7. On 14 April, the Secretary General of the Council of Europe expressed his concern about the reported violence in Armenia, and the President of PACE sent a letter to the Speaker of Parliament requesting details on the events.
8. Following consultations with the opposition, as proposed by the three ruling coalition parties (Republican Party, Rule of Law Country and Dashnaksutsun), a meeting took place on 26 April at which the opposition submitted 10 provisions to be included in the agenda of political consultations, *inter alia*: that the Parliament suspends the adoption of the draft law on rallies and demonstrations, that all detainees are released, that the right of free movement of transport is guaranteed. The next day, the opposition withdrew from the consultations “as 2 out of their 10 proposals were not accepted by the ruling coalition”, and especially that the draft law on rallies was adopted in final reading. On 26 April, the Parliament adopted in second reading the **draft law on rallies** and on 28 April in third and final reading.
9. On 27 April, the **PACE** adopted a **Resolution** on honouring of obligations and commitments by Armenia. On the same day, the President of the Constitutional Court declared that the recommendation to hold a “referendum of confidence” contained in the decision of the Constitutional Court of 16 April 2003 does not have an imperative character and the decision should not be manipulated.
10. The debate and the content of the PACE Resolution were widely discussed by representatives of the authorities, MPs, the media and others. Very different interpretations of the letter and spirit of this document were made, as well as commentaries on the process of adoption of the Resolution.

## **2. Council of Europe actions**

11. From 20 to 22 April, a **delegation of the CPT** carried out a visit, the main purpose of which was to collect information concerning the treatment of persons deprived of their liberty in the course of or following the recent public gatherings.
12. On 21 April, at a **round table on the draft law on rallies** and demonstrations, the SRSG presented the appraisal of the Venice Commission experts, critical of the text. The appraisal was widely discussed during and after the round table by political parties, authorities and NGOs.
13. The SRSG had contacts with the authorities (General Prosecutor’s Office and Ministry of Foreign Affairs), NGO activists and representatives of the opposition, and received information on the ongoing events. She was also approached by the media for interviews and talk shows.

14. On 29-30 April, Informal Meetings were held between the Secretariat of the Directorate of Cooperation for Local and Regional Democracy and potential “owners” of the **Local Government National Training Strategy**, once it is finally developed. The aim was to meet the main associations to see their reaction and attitude towards the 1st draft of the document and to take into account the views of all the players, including donors active in local governance (EU, GTZ, UNDP, WB).

# Baku

## 1. Political developments

15. The Presidents of Azerbaijan and Armenia held talks on the sidelines of the European Economic Summit in Warsaw on 28 April on approaches to resolving the Nagorno-Karabagh conflict. As a new feature of the process the two Foreign Ministers have also met in Prague and agreed to have another meeting together with the co-chairs of the Minsk group on 12-13 May during the CoE Ministerial Session.
16. The **trials** of the people arrested after the post-election events 15-16 October continued in April, with 11 people being tried and sentenced. However, the trials against the so-called political leaders did not yet start, despite the fact that they had, by the end of April, spent more than six months in detention and should, according to Azerbaijani law, be released unless there is a new decision to keep them detained. It is understood that the authorities claim the six month-period did not start to run until the defence lawyers had had time to acquaint themselves with the files of their clients and thus the six-month detention period had not expired by the end of April. On Friday, 30 April the re-trials of 11 alleged political prisoners from the Council of Europe's "716-list" began. The Council of Europe is observing the re-trials.
17. A group calling itself "**October 16**" was recently founded by the imprisoned political opposition party leaders, including the Yeni Musavat chief editor, the Musavat Party deputy chairmen and the secretary general of the Azerbaijani Democratic Party. The members and supporters of the group requested permission from the authorities to hold a peaceful demonstration on 28 April to demand the release of the imprisoned political leaders and compliance with the recommendations listed in the ODIHR October election observation report, as well as the Council of Europe Parliamentary Assembly Resolutions 1358 and 1359. "October 16"'s request for permission to hold the demonstration in a remote location in Baku, was rejected by the authorities. All other similar requests since the October demonstrations have been similarly rejected. "October 16" decided to postpone the demonstrations until 15 May.
18. The **Imam of the Juma mosque**, Mr Ilgar Ibrahimoglu, accused of incitement to violent demonstrations and of resistance to authorities in connection with the October demonstrations, was sentenced on 2 April to a five-year suspended prison term. On 22 April the appeal court upheld the earlier court decision that the Juma Mosque community should be evicted from the mosque. Mr Ibrahimoglu has stated that the mosque community will appeal the decision further to the very final court's level and that his community will continue to use the mosque. According to the appeal court decision, the eviction should be executed immediately, whether there is an appeal against the decision or not, but at the time of writing, the authorities have not tried to expel the mosque community by force.
19. On 2 April Azerbaijani **Foreign Minister** Vilayat Guliyev was replaced by Mr Elmar Mammadyarov who previously served as Ambassador to Italy. Mr Mammadyarov symbolically held his first official meeting in his new capacity with Council of Europe Secretary General Walter Schwimmer.

## 2. Council of Europe Actions

20. Secretary General Walter Schwimmer paid an **official visit** to Azerbaijan 7-8 April 2004. The SG held meetings with, *inter alia*, authorities at the highest level, including the President of the Republic. In addition, the SG met ambassadors from Council of Europe Member States and representatives of civil society.
21. The Directorate General of Legal Affairs, in co-operation with relevant Azerbaijani authorities, held an **anti-corruption** seminar in Baku 21-22 April. The seminar constituted a first step in the process of drafting a state programme against corruption.
22. As mentioned above, in coordination with other organisations, at the end of April the COE began **observing the re-trials** of the 11 alleged political prisoners its list of 716.

## 3. Other actions

23. April saw also the visits of the German Foreign Minister, Mr Joschka Fischer, and the new US co-chairman of the Minsk group, Mr Stephen Mann. Mr Fischer in his talks with the authorities also insisted on compliance with Council of Europe human rights requirements.
24. The Azerbaijani authorities in March sent a letter to ODIHR, in which they contested, point by point, the findings of the ODIHR report on the October 2003 presidential elections. In April ODIHR replied to the letter, reiterating their findings. ODIHR may decide to observe the coming local elections in Azerbaijan, despite their general policy of not observing local elections.
25. On 30 April a meeting of foreign ministers of the organisation for Black Sea Economic Co-operation (BSEC) took place in Baku. At the meeting the Presidency of BSEC was handed over from Azerbaijan to Georgia. The SRSB attended the meeting.

# Sarajevo

## 1. Political, legislative, judicial developments

26. On 13 April, the FBiH House of Representatives (HoR) and the next day the FBiH House of Peoples adopted the **Law on Direct Election of Municipal Mayors**. (The RS had amended its Constitution to provide for the direct election of mayors in February 2004.) Under the new Law, mayors in the FBiH (with the exception of the City of Mostar whose mayor will continue to be indirectly elected) will be elected according to a preferential voting system that will obviate either the need for second rounds or the risk of mayors being elected with very small pluralities of votes. Mayors will have four-year terms, but be subject to possible votes of no-confidence or recalls. The RS scheme, by contrast, provides for the election of mayors by simple majority votes. In both Entities, however, mayors will, for the first time, enjoy the additional authority that comes from direct election, while citizens should benefit from their mayors' greater accountability.
27. On 14 April, the Federation Ministry of Defence, with the support of UNV-UNDP, OSCE and CoE, launched a **pilot scheme of alternative service** for recognized conscientious objectors. Pending the adoption of a State law on conscientious objection and alternative service (before end of 2004) the Ministry has adopted an Instruction in line with CoE Recommendation N° R(87)8. The legislation and practice in the RS are not in conformity with the Recommendation.
28. On 29 April, the Council of Ministers adopted the draft system and service **laws for the creation of a state-wide unified public broadcaster**. The proposed reform aims to ensure that public broadcasting is both independent and sustainable. The adoption of these laws represents one of the criteria laid down by the European Commission in their feasibility report for beginning negotiations for a Stabilisation and Association Agreement. The draft legislation will be examined by the CoE prior to its adoption by the BiH Parliament.
29. The state **Higher Education Framework Law** went through all the parliamentary procedures but one: on 4 May the law was adopted by the House of Representatives and by the House of Peoples in the first reading. Throughout the whole process - the Croat representatives either voted against the law or boycotted the vote. On Friday, 7 May, at the very last hurdle, just before the second reading of the House of Peoples, the Croat representatives invoked the 'vital national interest' clause, effectively blocking the law for the next few months. The International Community and the proponent of the law, the Ministry of Civil Affairs, tried to avoid this result. For instance the right of all universities to exist for a grace period of four years before they had to meet certain quality standards was guaranteed in the draft law. However, the Croats wanted assurances that there will always be a Croat language university in BiH (no mention is made of quality standards).
30. The World Bank announced that by failing to adopt the higher education law by their deadline, 7 May 2004, BiH lost \$ 12 million for education in BiH. The World Bank may invest in some technical assistance for education in the coming years, but nothing like the scale foreseen in their \$ 12 million package.



31. No compromise was reached in a commission appointed by the House of Peoples to discuss the issue of vital national interest, and the draft law will now be submitted to the Constitutional Court. This procedure will likely take at least several months.
32. The High Representative said that the OHR would not impose the Higher Education law. One 'vital national interest' has been invoked and no High Representative has overruled such a decision. The draft law also involves a change in level of competences (from cantonal to entity level in the Federation), and hence constitutional changes need to be enacted. Therefore, the Bonn powers cannot be used.
33. Following the adoption of the state-level Framework **Primary and Secondary Education law** in June 2003, lower level legislation should have been adopted by all 10 cantons, the Republika Srpska and the Brcko District at the very latest by 24 April 2004.
34. Four cantons still have not adopted acceptable legislation in line with the state-level Framework law. Following this shortcoming, the OHR has issued sanctions on HDZ and withheld party financing.
35. The HR has dismissed two RS officials, because the **Srebrenica Commission** published a list of obstructions of their work, as a reason for not being able to provide a report with the information on fates of 6,000 persons classified as missing in BiH. On 2 April, the HR set two conditions for the leading RS party (Serb Democratic Party SDS), i.e., satisfactory report of the Srebrenica Commission and credible financial accounts.

## 2. Council of Europe Actions

36. The **Secretary General** visited Bosnia and Herzegovina from 20 to 22 April. In a series of meetings with both state and entity officials, issues of self-governance, education, and in general the fulfilment of the post-accession commitments were addressed. The Secretary General also attended the Seventh Summit of the Heads of State and Government of the South-East European Cooperation Process chaired by BiH.
37. On 22 April he opened the conference "Two years of BiH membership in the CoE: The state of local democracy in BiH". The conference gathered mayors, representatives of local authorities and civil society from throughout BiH, representatives of Congress, and representatives of the international community in BiH in discussions over the legal consequences and practical consequences of the European Charter on local self-government, citizens participation, and cross-border cooperation.
38. The Deputy SRSG of the Council of Europe in BiH took part in the first 2004 seminar of the **BiH School for Political Studies**, in Neum from 4 to 9 April.

# Tbilisi

## 1. Political Developments

39. Georgia's new **Parliament** was convened on 22 April. President Saakashvili said that restoration of the country's territorial integrity is a top priority of the government, as well as the legislators. The President also said that carrying out tax and social security reforms in short period of time should top the Parliament's agenda. Addressing the newly convened Parliament, President Saakashvili said that Georgia's central government will not step back and tolerate illegal moves of Adjarian leadership.
40. Nino Burjanadze, one of the leaders of the ruling National Movement-Democrats party, was re-elected as Chairperson of the Georgian Parliament on 22 April with 159 votes to 1. Mrs Burjanadze was the only contender for this position, and held the post in the previous Parliament since 2001.
41. The Parliament approved on 23 April with 180 votes to 0 a constitutional amendment restriction of MPs' immunity, removing the requirement that the police must seek parliament's permission before detaining or arresting a member of parliament or conducting a search of his home, office, or vehicle.
42. Four factions were created in Georgia's new Parliament on 22 April. The ruling National Movement-Democrats party will have the largest faction with 138 deputies. New Rights and Industrialists parties formed a 17-member faction, which will be the only opposition faction in the Parliament. 20 MPs elected in the single-mandate constituencies, who are members of the ruling party set up a separate faction – Majoritarians. 20 non-partisan MPs also elected in the single-mandate constituencies are united in the faction Independent Majoritarians
43. **Election** results in 48 precincts have been annulled due to numerous procedural violations observed during the March 28 parliamentary elections. Most of the annulled results are from the Kvemo Kartli region (26), with 12 in Shida Kartli and 4 in Adjara. Cancellation of election results in Kvemo Kartli region precincts hits hard the Rightist Opposition – Industrialists-New Rights coalition.
44. President Saakashvili appointed Zurab Tchiaberashvili, who chaired the Central Election Commission (CEC), Mayor of Tbilisi on 19 April. Zurab Tchiaberashvili, 32, resigned from the CEC's Chairmanship on 19 April. Before appointment as a CEC chief last November, he led an election observer organisation, International Society for Fair Elections and Democracy.
45. President Mikheil Saakashvili hailed the activities of the General Prosecutor's Office, regarding withdrawal of misappropriated funds from former high officials, who were arrested for **corruption** charges. He reaffirmed the need for enforcement of the law on confiscation of illegal assets from those officials who fail to prove that these assets were acquired legally.

46. **Gia Jokhtaberidze**, president of the mobile phone operator Magticom, was released on 26 April from pre-trial detention. The Prosecutor-General announced that the criminal case against Jokhtaberidze was closed. According to the media, Jokhtaberidze was arrested in February on suspicion of withholding some 700,000 laris (\$338,242) in taxes. The Prosecutor-General claimed Djokhtaberidze's wife Manana Shevardnadze, daughter of the former president, made a "voluntary contribution" of \$15.5 million from her personal bank account to the state budget. President Saakashvili has said most of those funds will be used to pay off pensions arrears and student stipends, with some \$2-3 million being channelled to the armed forces.
47. According to the annual survey Freedom House Georgia has partly free media and the limited space for freedom "diminishes rapidly" outside the capital Tbilisi. Private media in Georgia have demonstrated market dependence on powerful economic or political interests.
48. During the whole month of April the political life of Georgia was dominated by the disputes between the central government and the Head of the **Adjara** Autonomy.
49. On 14 April Prime Minister Zurab Zhvania called for active involvement of the international community in defusing the tensions, after talks with the leader of the Adjara autonomy failed. On 24 April the Adjara authorities re-imposed emergency situation and a curfew in the Autonomy. On 27 April, Georgia started its largest ever military exercises near the Black Sea town of Poti.  
During the crisis, mediation efforts were undertaken by Georgian businessmen and the US Ambassador.

## 2. Council of Europe Actions

50. In April the SRSG visited twice the **Adjara** Autonomy and met with the Head of the Autonomy on the following issues: CoE expert assistance on distribution of powers between the central government and Adjarian authorities; 28 March elections and repeated elections in two districts in the Autonomy; human rights protection; the release of Mr Assanidze; perspectives for democratisation of the Adjara Autonomy and conditions for oppositions activities. During the visits the SRSG met with opposition leaders of "Our Adjara" in Batumi. During the last visit the SRSG was invited by both sides to attend the meeting between the Prime Minister of Georgia, Mr Z. Zhvania and the Head of the Autonomy.
51. A Round Table on the **High Judicial Council** of Georgia and Training of Judges and Prosecutors was organised on 14 April 2004 in Tbilisi by the Directorate General I of Legal Affairs within the framework of the European Commission and the Council of Europe Joint Programme.
52. A Conference on Election-Related Provisions of the European Convention on Human Rights took place on 6-7 April 2004 in Mtskheta within the framework of the European Commission and the Council of Europe Joint Programme, organised by the Directorate General of Human Rights.

53. A training seminar for judges and prosecutors on **article 10** of the European Convention on Human Rights was organised in Mtskheta on 27-28 April in the framework of the European Commission and the Council of Europe Joint Programme by the Directorate General of Human Rights Media Division.
  
54. A workshop on Structure and Internal Management of a **National Association of Local and Regional Authorities** was organised in Tbilisi on 28-29 April by the Congress of Local and Regional Authorities of the Council of Europe with the aim of favouring the creation of a national Association/Federation of Georgian local and regional authorities, with the participation of Mr Jean-Claude Frécon, Congress' Vice-President and French Senator.

# Chisinau

## 1. Political Developments

55. **Majority-Opposition:** A crisis arose on 8 April, during the plenary session of the Parliament, when Speaker Eugenia Ostapciuc forbade deputies to make declarations and interpellations, stating her wish to maintain a peaceful atmosphere in the Legislature before Easter, and refusing to answer CDPP questions. Parliamentarians of the CDPP called for the dismissal of the Speaker, threatening to block Parliament's activity. They started blocking plenary sessions and the central tribune on Friday 16 April 2004, implying the lack of information and transparency concerning the misuse of Parliament's budget for the personal purposes of deputies and Parliament administration during the last 3 years. The CDPP issued a declaration for the dismissal of Eugenia Ostapciuc as Speaker "for professional incompetence and abusive misconduct of official duties".
56. The Communist faction qualified the case as "pure impudence" and "usurpation of the will of the parliamentary majority". It insisted on revising the Regulations of the Parliament so far as expulsion from the chamber of deputies breaching the Regulations. According to Ms Ostapciuc, this project will be submitted for examination to the Council of Europe, after being discussed and voted in first reading.
57. **Government – City Hall of Chisinau:** The relationship between the Chisinau Mayor Urechean and the central government is still tense. In spite of a couple of invitations from Russian officials to Urechean to visit Moscow, and the Mayor's applications to the Government for approval, the Government forbade his trips. However, according to some publications, his co-Chairman of the "Moldova Noastra" Alliance, D. Braghis, visited Moscow together with D. Diacov, Chairman of the Democratic Party, and had some meetings with Kremlin officials.
58. A hunger strike among "Antena C" and "Euro TV" journalists, begun on 31 March as a protest at the CCA failure to register the two municipal broadcasting institutions, ended on 8 April. After 62 days of suspended licences, a joint declaration by the OSCE Mission and the SRSG, a joint declaration of ambassadors in Chisinau, and 9 days of hunger strike, the **broadcasts of "Antena C" and "Euro TV" were resumed.**
59. Nevertheless, according to Ion Mihailo, the Chairman of the CCA, the Audiovisual Law needs radical modifications. He expressed his concerns in a report regarding CAA activity, submitted to the Parliamentary commission for culture, science, education and mass media.
60. President Voronin came up with the initiative to **delete article 170** (punishment of up to 5 years detention for calumny) from the Penal Code. The President also asserted his support for the **League of Professional Journalists**, as this, in his opinion, was more viable than other organisations in the field. Participating in the works of the National Conference of the League of Professional Journalists, President Voronin criticized public organisations for the fact that they are dealing more with politics and less with the defence of their members' rights. He recommended that the Parliament,

Government and local public authorities make efforts to remove legal and economic obstacles, in order to allow the press to develop.

61. Writer Nicolae Dabija, also Vice-Chairman of the Social Liberal Party (SLP), published an **article “Rusoaicele-2” in “Literatura si Arta”**, inciting xenophobia and discrediting mixed marriages. The article had a huge echo in the whole society, the author being subject to strong criticisms from both ruling party and opposition. The Bureau of the Social Liberal Party qualified the article as unacceptable and contrary to SLP’s principles and decided to exclude Dabija from the SLP.
62. The Minister of Foreign Affairs broadcast a fragment of the letter from the CoE Secretary General in which he described Dabija’s publication as “an example of hate expression and for this reason the CM CoE reported this case to the European Commission against Racism and Intolerance (ECRI).”
63. The Romanian Minister of Foreign Affairs, Mircea Geoana, discussed the **Transnistrian issue** with the head of the OSCE Mission in Moldova, William Hill, specifying that Romania encouraged the European Union’s inclusion in negotiations. Mr Geoana appreciated the inclusion of the Council of Europe, Venice Commission and of certain French and German constitutional experts in the debates. Yet the idea of including the European Union in the Transnistrian negotiations is rejected by Tiraspol. In turn, the governmental authorities do not accept Tiraspol’s recently launched proposals. According to the declaration of the Minister of Reintegration, V. Sova, the project submitted by Tiraspol seeks the setting up of a confederation between two subjects equal in rights. Mr Sova added that this project was not accepted by the five negotiating sides as a potential basis for the continuation of the settlement process.
64. The Transnistrian authorities intend to organise a separate national **population census**. The government of the Republic of Moldova insists on a single census on both banks of the Dnestr in October 2004 and requests CoE monitoring. The last census took place in 1989. Prime Minister Tarlev addressed a letter to the CoE Secretary General, requesting CoE monitoring of the population census on both sides of Dnestr river.

## **2. Council of Europe Actions**

65. Between 1 and 8 April, regular meetings were held with journalists from “Antena C” and “Euro TV -Chisinau”, representatives of the Helsinki Committee, the CCA and Chisinau Municipal Council, with visits to the headquarters of the two municipal institutions, where the hunger strike was conducted. Interviews were given and meetings held with ambassadors on the media situation in Moldova.
66. 7 April – Meeting with Chisinau Mayor General Serafim Urechean.
67. 14 April – Meeting with Mr Tausanji, Mayor of Comrat, Gagauzia, regarding his dismissal.
68. On 21 April an interview was given to the press agency INFOTAG for the newspaper “Profit” and on 23 April a TV interview for the programme “Rezonans” on N. Dabija’s article “Rusoaicele-2”.
69. On 22 April a Joint meeting was held at the OSCE Mission in Chisinau, on Moldovan schools with Latin-based curricula in Transnistria. The parties agreed to hold another

meeting in Tiraspol on 19 May enlarging the format of negotiations and inviting all ministries concerned.

70. From 26 to 30 April a Council of Europe - EBU sponsored Training Workshop was held for TRM News journalists.

## Belgrade

### 1. Political and legal developments

71. After lengthy political negotiations and many controversial statements, the **State Union** Parliament elected new members of the Council of Ministers. At the 16 April session, Mr Vuk Draskovic, leader of the Serbian Renewal Movement, was elected Minister of Foreign Affairs, and Mr Prvoslav Davinic from G17, as Minister of Defence, while Mr Predrag Ivanovic from Montenegro became Minister for Foreign Trade Relations. At the same session a new delegation to PACE was nominated.
72. The Speaker of the **Serbian** Parliament called for **presidential elections**, which will be held on 13 June 2004. The country has had no president since December 2002, and three elections held since then have failed because the fifty per cent voter turnout required by law was not reached. This requirement was abolished in recently adopted amendments to election legislation. The three main candidates will be Mr Boris Tadic, leader of the Democratic Party, Mr Tomislav Nikolic, deputy president of the Serbian Radical Party, and Mr Dragan Marsicanin, from the Democratic Party of Serbia and candidate of the present government.
73. Despite the announced quick **constitutional reform** in Serbia, the Serbian Parliament's Committee for Constitutional Issues failed to make progress in drafting the proposal. At its last session, it decided to establish a special Sub-committee made up of representatives of six parliamentary parties, and their deputies, and entitled to engage local experts in their work. The Serbian Radical Party is, however, boycotting the work of the Committee, demanding the Government present its Plan for Kosovo, as a precondition for its participation in the drafting procedure.
74. The Serbian Parliament dedicated its 29 April session to a debate on the **Plan for Kosovo** proposed by the government. According to the plan, the Serbian community should have five regions with competencies in internal institutional organisation, security, culture, media, education, health and social affairs. Although regions would be under the supervision of UNMIK they are supposed to be governed by regional Assembly and executive board, with its own judiciary, which would cooperate with the central judiciary of Kosovo. Parliament adopted unanimously the proposed Plan.
75. With regard to **legislative reforms**, the Serbian parliament adopted the Law on the prevention of conflicts of interest in performing public office, which deals with different forms of abuse of privilege regarding public officials. At the session of 22 April, Parliament also adopted amendments to the Law on judges, Law on public prosecutor's office and Law on High Judicial Council. Notwithstanding the argument that such an urgent amending procedure was needed in order to secure the independence of the judiciary, jeopardised by last year's interventions during the state of emergency, there is an evident lack of transparency in the adoption of these Laws. Amendments reinforce the role of the high judicial council, especially regarding the public prosecutor's office, and introduce a new supervisory body within the Supreme Court, charged with controlling the efficiency of the judiciary. At the same time, a number of court presidents elected according to the previous legislation were dismissed.



76. The Serbian **Constitutional Court** froze a recently adopted controversial Law providing state aid for war crime suspects in UN custody in The Hague. The Court adopted a temporary ban on the implementation of the law, giving Parliament thirty days to respond. The court ruling cited the Constitution guarantees on equal status, rights and duties of all citizens of the Republic of Serbia.
77. According to media reports, the trial of 15 people charged with direct involvement in the assassination of Serbian Prime Minister Zoran Djindjic is marked by numerous irregularities, including complaints of intimidation of witnesses.

## **2. Council of Europe Actions**

78. From 31 March to 1 April, the **Secretary General** paid an **official visit** to Belgrade. He met with the Serbian Prime Minister, Vojislav Kostunica, Foreign Minister, Goran Svilanovic, Minister for Human and Minority Rights, Rasim Ljajic, and the Head of the Co-ordination Centre for Kosovo, Nebojsa Covic. The Secretary General also delivered a speech to the Parliament of the State Union Serbia and Montenegro.
79. In order to prepare the report completing the first year of membership, a **monitoring mission** for reviewing compliance with commitments of Serbia and Montenegro visited Belgrade and Podgorica from 4 to 8 April. During the visit to Belgrade, the Secretariat mission met with different Ministries at the level of Republic and State Union, as well as local NGOs, professional associations and international organisations. (For Podgorica, see below.)
80. The Judges Association, in cooperation with CoE, OSCE and ABA/Ceeli, organised two conferences (15 April, Nis and 17 April, Belgrade) on Constitutional guarantees of the **independence of judiciary** with the aim of indicating to the Ministry of Justice which direction the drafting of the Constitution should take in order to ensure an independent judiciary. Prior to the conference, a representative of the Venice Commission Secretariat held meetings with the Serbian authorities to discuss possible expert assistance in the forthcoming constitutional reform.
81. CoE experts dealing with the reform of the initial **training and on-going curricula of judges** and prosecutors had a number of meetings, on 21-22 April, with all the relevant actors (Ministry of Justice, judges, prosecutors, Supreme Court, JTC, EAR). Their mission will be followed by a report assessing the situation and suggesting changes. Meanwhile, training seminars continued to be organised in different cities on human rights issues for judges, prosecutors, police and public administration (see appendix).
82. On 20-21 April, a **CoE/CARDS Regional Police Project** was presented in Serbia. On the first day, at the Ministry of Internal Affairs, representatives of various police departments and of the judiciary were informed about the project and its concrete activities so that the necessary steps could get under way as soon as possible. On the second day meetings with the EC, IOM and embassies of consortium countries were held in order to involve them more closely and to gain their support for concrete activities and their implementation.

83. A meeting was held at the Ministry of Labour and Social Affairs on 23 April, with the Minister and prospective members of the national working group that will prepare the study on compatibility of Serbian legislation and practice with the **Revised Social Charter**. It was agreed that the working group will meet soon to prepare the report for the end of the year.
84. The Belgrade Fund for Political Excellence, the Serbian-Montenegrin member of the CoE network of **Schools of Political Studies** in South-East Europe, launched its activities with the first seminar for the year 2004 in Fruska Gora from 21 to 25 April. The Director General of Political Affairs participated in the inaugural session.

### **3. Other actions**

85. The Open Society Fund is planning to establish a research centre to deal with **organised crime and corruption**. A meeting was held with the head of the project in order to discuss cooperation with CoE activities in the same field.
86. The Ministry of Education organised a meeting with IOs conducting or planning programmes in the area of **education**. Representatives of the Ministry did not give clear answers on its strategy, priorities or eventual reforms. The Ministry asked for one month to make an assessment and decide on the future of training activities, as well as of the educational reform as such; the question is put whether they should continue and, if so, in which direction. It remains to be seen whether the Ministry will be able to come up with a comprehensive, in depth strategy within a month.

# Podgorica

## 1. Political and legal developments

87. The opposition parties' **boycott of Parliament** continued, reflecting deep division within Montenegrin society. The initial reason for the boycott is not valid, since parliamentary debates are fully broadcast by the RTVCG.
88. Discussion continued on the majority needed for adoption of the **new Constitution**: simple or qualified.
89. Public attention is also occupied with the three year trial period for **referendum on independence**. The question is whether it should be considered either from the date of signing the Belgrade Agreement, 14 March 2002, or from the date of adoption of the Constitutional Charter, 4 February 2003.
90. The initiative for the establishment of **four Albanian regions** in Montenegro (Tuzi-Malesija, Ulcinj, Gusinje and Plav), supported by the Albanian-American National Council, the Institute Albanika from Ljubljana Slovenia and the local NGO "UNITAS", is also an issue of wide public interest. It is not supported by the Democratic Union of Albanians-ruling coalition party.
91. The winner in the second round of early local **elections in the Municipality of Tivat** held on 2 May was Mr Miodrag KANKARAS, candidate of the ruling coalition DPS/SDP. Out of the total turn out of 57.47%, 54.13% voted for the new mayor. The election of the mayor was conducted for the first time in accordance with the provisions of the new Law on local self-government.
92. There was still no agreement on the proposal made by SDP for inclusion of an additional mutual control mechanism, i.e., **Parliamentary Control**, over the appointment of the Directors of the Police and Agency for National Security.
93. The inter-ministerial working group prepared a Plan of Action for fight against **Trafficking in Human Beings**. A Shelter for protection of victims is being established as a joint effort of the authorities, IOM and NGO Montenegrin Women's Lobby. Within the Ministry of Interior there is a Special Unit for the fight against trafficking in human beings.
94. After the adoption of the law on 21 April 2004, the President of the Republic of Montenegro refused to sign the Decree on the **Law on Prevention of Conflict of Interest** and sent it back to the Parliament for further review. Article 15 (2) of the law provides that public officials may be members of the boards of enterprises of state or local government units ownership.
95. With regard to the **reform of the judiciary**, the Courts of Appeal and Administrative Courts have not yet been established in accordance with the 2002 Law on Courts. The proposal for appointment of judges of the High Judicial Council envisaged for the last parliamentary session was postponed. The Judicial Rules of Procedure have not yet been signed by the Minister of Justice.

96. The draft text of the **Broadcasting Development Strategy** was discussed at a Round Table organised on 28 April. Amendments should be incorporated by 6 May. The most sensitive issue concerns the licensing of broadcasters coming from the other constituent of the State Union. The Local Public Broadcasters established in accordance with new media legislation faced a number of problems: economic sustainability due to the restricted municipal budgets, independence of programme and editorial policy, over-employment and delay in signing contracts with the Radio Broadcasting Center. The process of transformation is not yet completed.
97. The drafting of a Strategy for resolving the **status of refugees and IDPs** was announced.
98. In the coming month, attention should be given to the follow-up of the agreement between the Ministers of Justice of Serbia and Montenegro for the establishment of a Permanent Consultative Group to co-ordinate co-operation of both Institutions in relation to the **transformation of military courts** and regulations on the **State Agent/Co-Agent before the European Court of Human Rights**.

## 2. Council of Europe Actions

99. April began with a 2-day **visit by the Secretary General**. The Programme included meetings with Mr Filip Vujanovic, President of Montenegro, Mr Milo Djukanovic, Prime Minister, Mr Dragisa Burzan, Minister of Foreign Affairs, Mr Ranko Krivokapic, Speaker of Parliament. The visit ended with a Joint Press Conference by the Secretary General and President Vujanovic.
100. A CoE **monitoring** delegation paid a visit to Podgorica on 7 April and met with the Prime Minister, Minister of Foreign Affairs, Minister of Interior, Minister of Justice and Minister for Protection of National Minorities, with the National Coordinator for Fight against Trafficking in Human Beings, the Speaker of Parliament, and the Ombudsman, as well as representatives of NGOs.
101. The Team of Experts working on the **compatibility** of Montenegrin law and practice with the requirements of the ECHR visited Strasbourg from 5 to 9 April, with a view to finalising their report, for publication and presentation to a conference in Podgorica in late October. The Office continues to support them in their efforts and to follow the matter closely. Meanwhile the selection procedure for members of the Expert Team to work on a study of Compatibility of Montenegrin legislation with the European Social Charter was completed. The Expert team will pay a study visit to Strasbourg from 10 to 15 May.
102. The implementation of the Joint Project CoE/EAR “**Support of the Parliamentary Institutions** of Serbia and Montenegro” was initiated. Upon the request of the Parliament of Montenegro, the CoE will provide expert opinions on the Draft Rules of Procedure.
103. With regard to **legal advice**, the CoE is currently consolidating experts’ opinions on the finalised text of the Draft Act on Exercise of Rights and Freedoms of National and Ethnic Groups. Preparations are being made for the second Experts meeting on the

Law on territorial organisation, including the Law on Capital and Law on Historical Centre.

104. The Government, including the President of the Republic, were made aware that the CoE could provide additional expert assistance on the alternatives for the **mutual control mechanism**. No request as yet has been addressed to the CoE. The programme of **Human Rights and Police-Beyond 2000** was introduced on 22 April 2004 to Montenegrin officials: Minister of Interior of Montenegro, Dragan Djurovic, Director of the Police School, Husnija Redzepagic, and to other potential partners: European Agency for Reconstruction, OSCE, Humanitarian Law Fund and CEDEM. A comprehensive project within the programme will be operationalised from June to October covering the training of senior police officers (two 10-day sessions) and expert assistance in drafting curricula of the Police School/Academy. It could be extended to 2005 and supported by the EAR. Agreement was reached with the Ministry of Interior on expert assistance in the drafting of the new Code of Police Ethics.
105. Following the entry into force on 7 April of the Criminal Code, Law on Criminal Procedure, Law on amendments to the Law on execution of criminal sanctions and Public Prosecutors Act, a seminar titled "The **new criminal legislation** and the ECHR", was organised for prosecutors, judges, lawyers and police officers from 16 to 17 April.
106. A second Steering Group meeting on **prison reform** was held in Podgorica on 28 April. The project on "re-socialization" will continue, including profiling of prisoners, taking into consideration their needs and providing human rights training materials. The next Steering Group Meeting on prison reform will be held in November.
107. The **draft Law on Witness Protection** was submitted to the Office by the Ministry of Justice and is currently the subject of CoE expertise. Preparations were launched for the implementation of several new projects: Action against trafficking in human beings in Montenegro, PACO-IMPACT and CARDS Police Capacities. The Code of Civil Servants, after being finalised will be submitted for CoE Expertise.
108. Within the context of the **Independence and Efficiency of the Judiciary**, on 23 April experts visited for the purpose of preparing a Report on Curricula of Judicial Training Institutions and relevant norms of initial training of judges and prosecutors. The representatives of the main judicial stakeholders should pay a study visit to Strasbourg in July. The Draft Law on Notaries is the subject of a CoE expertise that should be completed on 4 May. There is a possibility that the drafting of Law on Mediation may again be subject to CoE expertise.
109. Agreement was reached with the Ministry of Interior on the provision of expert opinions on the draft laws on Asylum, draft Law on Foreigners, on Citizenship and on Personal Identification Documents.

### **3. Others actions**

110. The Head of the EC Delegation to Serbia and Montenegro, Ambassador Jeffrey Barrett, presented the Report on Stabilization and Association for 2004. The part covering the political situation fully corresponds with the CoE monitoring reports.

# Pristina

## 1. Political Developments

111. Following the tragic events caused by the **ethnically related violence** from 17 to 19 March, over 200 people have been arrested by KFOR and UNMIK police for their part in the violence, including officials from 3 political parties: the PDK, AAK, and LPK. SRSB Hari Holkeri requested an additional 100 investigators and six prosecutors, to ensure that those who perpetrated the violence can quickly be brought to justice. Irresponsible reporting by the Kosovo media during the March violence was denounced by the Temporary Media Commissioner Robert Gillette, and the OSCE.
112. The PISG of Kosovo put a fund of 5 million Euros at the disposal to rebuild houses destroyed in the March violence.
113. Prime Minister Bajram Rexhepi has stated that if there is not substantial progress for the future of Kosovo by September 2005, then a referendum will be organised for independence, or a declaration of independence.
114. **Decentralisation** is becoming an issue of public debate. The authorities of Serbia were promoting proposals, the PISG of Kosovo has presented a draft law on local government, and the Council of Europe the recommendations of the Civiletti report; are all being considered as a basis for future local government reform.

## 2. Council of Europe Actions

115. With regard to the ongoing **legal reform**, the new Provisional Criminal Code and Provisional Code of Criminal Procedure entered into force on 6 April. The new codes, replacing the old Yugoslav codes, were drafted by members of Kosovo's legal community and international experts, including experts from the Council of Europe. The CoE Office in Pristina had played a central role in finalising the drafts. A meeting was organised with the coordinator of the Legal Unit of the International Judicial Support Division within the Department of Justice to discuss the content and format of a workshop on the new Criminal Procedure Code for international judges and prosecutors coming from civil and common law systems.
116. Legal advisors from the Department of Judicial Administration discussed with the CoE Office other future cooperation, particularly in the execution of civil judgments. The Office visited the municipal courts of Pec/Peja and Mitrovica respectively, in order to have a first hand evaluation of the situation. (In Pec/Peja it was claimed that there were 14,000 civil cases in which final judgment had not been executed.)
117. The Office continued to participate as appropriate in meetings of the Kosovo Judicial and Prosecutorial Council. Members of the KJPC were informed that the Judicial Assessment Report, prepared jointly by CoE and US experts, was now complete, and that its translation into Albanian and Serbian was in progress.

118. The Principal International Officer at the Ministry of Public Service requested CoE support in respect of **civil status documents** for Roma, Askhali, and Egyptians. A request was also made to obtain clarification on legislation from other countries.
119. The **Working Group** of UNMIK on **decentralisation**, includes a representative from OSCE, EU, and the Council of Europe HoO.
120. The CoE and the UN OHCHR held further in-depth discussions on the lack of official translations of international legal instruments that are part of the national law, as provided by the Constitutional Framework.
121. The HoO took part in a seminar of the **Pristina School of Political Studies**, in Navrovo (“the former Yugoslav Republic of Macedonia”) from 22 to 25 April.

### **3. Others actions**

122. A meeting was held at the **Kosovo Judicial Institute** with relevant stakeholders acting in the field of Human Rights and Rule of Law, including the CoE.
123. At a **Rule of Law Donors Meeting**, the UNMIK DSRSG provided participants with priorities in the light of the Standards Implementation Plan. Information was given to the meeting on the Council of Europe CARDS project which will be launched on 18 May, and its aims in strengthening police capacities in the fight against economic and organised crime.
124. The report of the Temporary Media Commissioner on the **role of the media** during the violence in mid-March was the subject of a debate. Journalists present attempted to respond to criticism in the report.

### **4. Security**

125. While increased security measures are in place, the situation remains calm but tense.
126. The incident in which two US police officers and a Jordanian were killed in an exchange of gunfire, and eleven others were injured, is considered to be unconnected to the general situation.



# Tirana

## 1. Political developments

127. Prospects of concluding negotiations with the **EU** on a **Stabilisation and Association Agreement** diminished. EU member states appear worried in particular about organised crime and the lack of political will to tackle it.
128. The Albanian Parliament rejected a draft resolution by the representatives of the **Cham community** to require the Greek government to resolve the problem of ethnic Chams' property which had been confiscated in Greece. During the debate, clashes took place outside the Parliament between Cham demonstrators and police forces; TV showed pictures displaying brutal behaviour of police. Further to the rejection of the text, representatives of the Cham community announced their decision to create their own political party. The Democratic Party said it supported the move and would back a new presentation of the draft resolution in Parliament.
129. **Protests** organised by the **Opposition** on the theme "Nano Go!" have continued in various parts of Albania; this has become a common feature now and is not taken very seriously by the Government.
130. At the end of the legal registration period, the High Inspectorate of Declaration and Control of Property made the statement that almost all those requested to do so by law (elected politicians, members of the Government, of the national institutions, senior civil servants, etc.) had deposited their **declarations of property**. The High Inspectorate will examine the contents of the declarations. No lists have so far been published.
131. The Minister of Justice decided on the re-opening of special institutions (which existed under the Communist regime) for the **re-education of delinquent minors**, in order to prevent their being mixed with adult criminals. This decision seems to result from consultations with civil society. The setting-up of a working party of lawyers has been announced, to deal with the drafting of specific legislation for minors, defining the range of offences and the gradation of punishment. Further information will be sought.
132. An agreement was reached between Mr Ben Blushi, Minister of Local Government, and Mr Ilirjan Celibashi, Chairman of the CEC, to **computerize the civil status offices** of Tirana, Durrës and Shkodra with a full transfer of data existing in paper form until the end of 2004.

## 2. Council of Europe action

133. The **debate on Albania in the PACE** (29 April) was given prominence by the media. It was reported in particular that if in 2005 Albania does not comply with the requirements for free and fair elections, its membership in the Council of Europe would be questioned.

134. The media have widely publicized the view that the opinion given by the Venice Commission on the **draft law on property** was negative; the Special Adviser issued a press release stating what the main reservations contained in the Opinion were, and that they bore mainly on requests for clarity.

135. A **training seminar on "Taking a Case to the Strasbourg Court** with particular emphasis on Article 6 and Article 1 of Protocol 1", intended for Albanian lawyers and staff members of the Government Agent Office, was held in Durrës from 5 to 8 April in the framework of the Joint Programme Albania IV with the European Commission.

### **3. Other developments and actions**

136. The media widely commented the statement by the President of the European Commission, Romano Prodi, that the Socialist Party and the Democratic Party are an obstacle for Albania on the road to the European Union.

137. Written press and TV are increasingly confusing the Council of Europe and the Union and this may account for erroneous comments made on CoE action.

# Skopje

## 1. Political developments

138. **Prime Minister Branko Crvenkovski was elected President** on 28 April. This, *inter alia*, means that work on the implementation of the Ohrid Agreement, which was de facto suspended pending the election of a new president, can be resumed. In particular, the process for the adoption of the key decentralisation laws on municipal boundaries, the financing of municipalities and the city of Skopje may continue.
139. Investigation of the alleged responsibility of the former Minister of Interior, Mr Boskovsky, in the killing of 6 Pakistanis and 1 Indian in 2002, continued to make the news.

## 2. Council of Europe actions

140. A workshop on the physical integrity of detained persons was organised in cooperation between the Council of Europe, the OSCE and the Centre for Continuous Education of Judges on 25-27 April. The workshop brought together 90 judges and prosecutors and focused on the obligations arising from international treaties and national **legislation as regards the rights of detained persons**. The United Nations Special Rapporteur on Torture Mr Theo van Boven was the keynote speaker. The Council of Europe made available two members of the CPT as experts, as well as a representative of the Registry of the European Court of Human Rights.
141. The national module of the PACO Impact programme against **corruption and organised crime** in South-East Europe was launched at a workshop on 29 April. Participants included a range of key government officials and international community representatives. The objective was to establish contacts with the relevant local counterparts and agree on a programme of activities.

## 3. Other actions

142. On the initiative of the EU Special Representative, the international community present in Skopje is seeking to facilitate progress in the field of **judicial reform** through closer dialogue with the authorities and increased coordination among the large number of organisations and delegations active in this field. An International Community Strategic Contact Group has just been established, led by the European Commission. The group will seek to support a domestically-owned strategy for judicial reform, taking as its starting point *inter alia* the 2004 EU Stabilisation and Association Report and the recommendations set out in the European Partnership proposed by the European Commission. The Council of Europe is considered an important partner in these efforts, notably by providing legislative expertise when needed, and by virtue of its “acquis” of standards in the field of the judiciary.

**APPENDIX**  
**Additional details not included in the main report**

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**SARAJEVO**

**I. EDUCATION**

- 13 April, Mostar, At the meeting of the Higher Education Working Group held at the premises of the University of Mostar West, the CoE as a co-chair of the meeting updated the higher education stakeholders on current developments on the status of the Framework law on Higher Education and the beginning of work on lower level legislation. All participants received an update on higher education projects in BiH run by the bilateral donor organisations. The University of Sarajevo student representatives presented their vision of the draft law on student organization.
- 20-21 April, Strasbourg. The Director of School, Out of School and Higher Education signed a Framework agreement of co-operation between the CoE (Directorate of school, out of school and higher education) and CIVITAS (US Senate-sponsored NGO dealing with the promotion of citizenship education in BiH). According to the agreement, the two organizations agreed to work together on the improvement of human rights and democratic citizenship education in the schools in BiH. Based on the Action plan of assistance to Bosnia and Herzegovina, the CoE will work together with US colleagues on the improvement of the current in-service training capacities, curriculum development and projects of certification of teachers of these subjects in BiH schools.
- 21-22 April, Ljubljana. BiH and CoE experts met to continue drafting lower-level higher education legislation. The former Slovenian Minister of Education also joined the meeting and provided advice on how to implement Bologna Process reforms.
- 22-23 April, the second seminar for the Peer support group conductors, module developers for the 11 grade teachers of Democracy and Human Rights in BiH was held at the In-service Teacher Training Centre in Brcko District of BiH. Participants revised the first version of the draft text of the module book and made initial corrections. They submitted further amendments to the text which would serve as a guideline to the CoE experts drafting the final version of the module book.
- 24-25 April, Istanbul: 3rd Informal CoE Conference of Ministers of Education of South-East Europe, with the theme “Strengthening the teaching profession as a driving force for development”. The Minister of Civil Affairs and the Ministers of Education from the RS and the Federation attended accompanied by two Secretariat members from the CoE Sarajevo office. A side-meeting was also organised with the Ministers of Education from former Yugoslavia and a draft declaration was discussed, focusing on mobility of students in higher education.

**Modernising the Management and Governance Capacities of BiH Universities**

- 21-28 April: Main institutional review visit by the team of the European University Association (EUA) to Sarajevo and Srpsko Sarajevo. Key challenges in the reform process were discussed. Evaluation results highlight the strengths and weaknesses of both universities: Universities need to define their academic profile before they can start strategic change. The need for integrated universities has been underlined, as well as the importance of developing Statutes based on a wide consultation process at the universities.

- 20 April: Higher Education Coordination Board (HECB) meeting in Banja Luka. First HECB review feedback from CoE experts discussed with the Board. The Board developed a SWOT analysis to discuss strength and weaknesses of the Board with experts during the second visit in May.

## **II. HUMAN RIGHTS**

- 19 April, Strasbourg: CoE Secretariat and the Venice Commission organised a one-day meeting to examine and agree upon the principles for developing a single Ombudsman institution in BiH. The Ministry of Human Rights and Refugees should now oversee the drafting of a plan for such a single institution before end of May 2004.
- 20 April, Sarajevo: Council of Europe / Communications Regulatory Agency Conference: Media Coverage of Judicial Proceedings

## **III. RULE OF LAW**

- 22-23 April, Sarajevo: CoE Office organised the Start up Workshop to launch the PACO-IMPACT regional project: «Implementation of Anti-corruption plans in South-Eastern Europe» in BiH, in addition to a series of bilateral meetings with potential beneficiaries/interlocutors of the Project.
- 27 April, Sarajevo: COE Office organised the Start up Workshop under the joint CoE/EC programme, CARDS Police regional project: «Development of reliable and functioning policing systems, and enhancing of combating main criminal activities and police co-operation», organised with the main purpose of presentation of the project to the BiH beneficiaries/interlocutors and preparation of a list of potential activities (workplan).

### **Joint CoE/EC Project on criminal commentaries**

- 15-16 April, Sarajevo: At the express request of the members of the BiH commentaries team, a meeting was organised to discuss a number of disputable provisions in the new criminal procedure code. CoE experts participated.

### **Joint CoE/EC Project on Judicial and Prosecutorial Training Centres in BiH**

- 14-15 April, Neum: pilot training course on court management for presidents of courts and court secretaries.
- 23 April, Sarajevo: meeting on establishing the initial training system for future judges and prosecutors, attended by JPTCs directors, CoE and EC Delegation representatives, HJPC vice-president and one international advisor from HJPC secretariat. A concept paper on the initial training programme will be drafted by the CoE office together with the JPTCs directors, to be submitted to the HJPC.

### **Local Government**

- 7-8 April, Sarajevo: Conference on the Madrid Outline Convention and cross-border co-operation of territorial authorities: the case of Bosnia and Herzegovina, was organised with the Ministry of Foreign Affairs.
- 20-21 April, Sarajevo: Working meetings were held between the Directorate of Local Government (DGI) RS Minister of Local Government on finalising the draft law on local government and with the Federation Parliament and Ministry of Justice in respect of the new legislation on local self-government to be drafted within the Federation. Meetings were also held with counterparts from the OHR and OSCE.

## V. ADMINISTRATIVE

- 7 April, Sarajevo: Amna Muharemovic joined the Office as the new assistant to the SRSG.

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### BELGRADE

- **Freedom of Expression, Privacy and Fair Trial in Serbia and the ECHR**, 23-25 April 2004, Belgrade, for judiciary and public administration.
- **ECHR and 1951 UN Convention relating to the Status of Refugees**, 26-27 April 2004, Palic, Serbia, for state officials dealing with asylum seekers and refugees.
- **Training for Judiciary on the ECHR, Articles 5 and 6**, 29-30 April 2004, Sombor, Serbia, for judges.

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### PODGORICA

Project: Study on the compatibility of Montenegrin legislation with the **Revised European Social Charter**. On 21 April the Secretariat of the European Social Charter held meetings with representatives of the Ministry of Labour and Social Welfare, the main counterpart in this project, as well as potential members of the expert team who would write the compatibility report.

On 23 April CoE experts met the main counterparts dealing with the **training of judges and prosecutors**: Mr Petar Stojanovic, Supreme Court Judge, Ms Vesna Rackovic, MoJ, Ms Ana Spasic, JTC, Mr Ivan Stankovic, Association of Judges, Ms Vesna Medenica, Public Prosecutor and Mr Stanko Maric, Association of Lawyers.

An Office member took part in the **seminar on the ECHR and the newly adopted criminal legislation**, organised by the Aire Centre from London, Centre for Democracy and Human Rights (CEDEM), Judicial Training Centre and the Council of Europe, 15-17 April in Becici, Montenegro. The participants in the seminar were judges, prosecutors, barristers, and lawyers.

On 28 April 2004, the Second Steering Group Meeting for **Prison Reform** took place at the Institute for Enforcement of Criminal Sanctions. The meeting was attended by CoE experts, the OSCE Office in Podgorica, Ministry of Justice and participants from the Institute for Enforcement of Criminal Sanctions, Montenegro.

As a follow-up to the Round Table held in Podgorica on 16 March 2004 on the working version of the Draft Act on Exercise of **Rights and Freedoms of National and Ethnic Groups**, the finalised version of the Act was sent on 19 April for additional expertise by the CoE.

The Montenegrin expert team in charge of writing a Study on the **compatibility of Montenegrin legislation with the ECHR**, accompanied by office staff member, paid a visit to Strasbourg from 5 to 9 April. The aim of the visit was for the CoE experts and Montenegrin experts to meet and discuss the first draft of the compatibility report as well as modalities for its improvement.

Visibility: Articles published in April in the Montenegrin press on CoE issues:16.