



Information Documents

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Reports from the Council of Europe Field Offices
and Other Outposts*

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* For a more complete list of activities, see Council of Europe activities database (CEAD) – <http://dsp.coe.int/CEAD>

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Baku

1. Political and legislative developments

1. On 2 March the **editor of the Monitor magazine**, Mr Elmar Husseinov, was murdered by an unknown assassin. The editor of the Monitor, a magazine which is not affiliated with any political party, was an outspoken critic of the Azerbaijani government and the ruling Azerbaijani elite. The murder caused upset in Azerbaijan. The memorial session held in memory of Mr Husseinov two days after the murder gathered thousands of people and some opposition leaders used the opportunity to make political statements against the government. The Secretary General of the Council of Europe issued a statement condemning the killing and calling it an attack against the free press. The European Union Presidency and the OSCE issued similar statements. The investigation into the murder had not produced any results by the end of March.
2. About a week after the murder of Mr Husseinov, Azerbaijan was rocked by the **uncovering of a criminal gang**, which for years had been kidnapping people for ransom, one of the most recent victims being the wife of the International Bank of Azerbaijan. On 10 March in the morning, Special Forces of the Ministry of National Security raided a number of different locations in Baku, arresting a group of suspected gang members, including high ranking officials of the Ministry of the Interior. In the wake of these events, Deputy Minister of the Interior, Zakir Dunyamaliev resigned, while President Ilham Aliyev publicly declared his confidence in the Minister of the Interior, Mr Ramil Usubov.
3. 114 prisoners were released by a **Presidential pardon** on the occasion of the Novruz holiday on 20 March. Six were considered political prisoners by the Council of Europe experts who examined the cases of 716 alleged political prisoners and whose final report was published in 2004. After the pardon, three prisoners considered as political ones by the experts remain in prison. 36 people arrested and imprisoned after the October 2003 events were also set free by the 20 March pardon, including the seven political opposition leaders. Six people arrested in connection with the October 2003 events remain in prison. Finally, four prisoners from the so called list of 88 were also pardoned on the same day. Notwithstanding the pardon, the Azerbaijani Supreme Court on 29 March confirmed the correctness of the sentence delivered by the appeal court against the seven political leaders. The seven are expected to bring the case to the European Court of Human Rights.
4. The report of the **OSCE Minsk Group fact-finding mission** carried out in February to investigate the reported settlement of Armenians into the seven occupied Azerbaijani provinces around Nagorno-Karabakh (NK) was submitted to the OSCE Permanent Council on 17 March.
5. On 2 March the **European Commission** presented its **country report on Azerbaijan**, drafted in preparation of an Action Plan under the European Neighbourhood Policy (ENP). The country report provides a comprehensive overview of the political and economic situation in Azerbaijan and the state of its bilateral relations with the European Union. The ENP goes beyond the existing Partnership and Co-operation Agreement to offer the prospect of an increasingly close relationship with the EU,

involving a significant degree of economic integration and a deepening of political cooperation. According to the European Commission, key objectives of the Action Plan should be, *inter alia*, strengthening the rule of law and protection of human rights, as well as democratic structures and pluralism.

6. The appointments of the nine members of the **public TV board** were confirmed by the Azerbaijani parliament on 15 March. Two days later the board elected Mr Jahanghir Mamedli of the Press Council chairman of the board. On 23 March President Ilham Aliyev decreed that the first State TV channel shall be transformed into a joint stock company. According to a high official of the Presidential administration, public TV will become operational in April, based on the former State TV second channel.
7. The second stage of the **entrance exam for the Azerbaijani Collegium of Advocates**, i.e. the oral exams, started on 28 March and will continue up to 7 April. Representatives of the OSCE, ODIHR, the Council of Europe and the American Bar Association monitored the oral exams. At present the number of members of the Collegium is very low by international standards, in relation to the size of the Azerbaijani population. The exam was organised by the Collegium. 144 candidates took part in the oral exam, most of whom passed. Training will be provided for the newly accepted members of the Collegium.

2. Council of Europe action

8. PACE member Malcolm Bruce, **rappporteur on political prisoners** in Europe visited Azerbaijan from 14 to 15 March. He held meetings with civil society representatives and representatives of the international community as well as with President Ilham Aliyev. He also visited places of detention. The Presidential pardon was announced less than a week after Mr Bruce's visit.
9. A staff member of the Council of Europe Directorate General of Legal Affairs visited Baku accompanied by an expert for the fourth working group meeting on the **independence, selection, appointment and evaluation of judges**. The recruitment examinations for judges will probably be held in summer 2005.

3. Other action

10. On 22 March the SRSG chaired a meeting of the **International Legal Reform Group**, which is a co-ordination group of representatives of international organisations and embassies involved in legal reform in Azerbaijan. The group has requested the next meeting with the Minister for 11 April.

Sarajevo

1. Political and legislative developments

11. On 6 March, the **World Bank** warned BiH that it could lose 102 million USD in loans for the social welfare sector. The Bank is demanding that benefits to war veterans be frozen (they currently consume 30% and 12% respectively of the F BiH and RS budgets) and pension fund reforms continue.
12. The **European Commissioner for Enlargement, Olli Rehn**, said on 8 March that the EU could commence negotiations on the Stabilisation and Admission Agreement with BiH in summer. He added that progress in BiH is obvious, while additional efforts are needed in the field of cooperation with the **ICTY** and **police reform**. At the same time, the High Representative told the RSNA that it is not possible to implement police reform in BiH according to the present constitution.
13. The **BiH Court War Crimes Chamber** and the special department for war crimes of the BiH Prosecutor's Office were inaugurated in Sarajevo on 9 March, paving the way for BiH to take over war crimes trials – both those transferred by ICTY and potentially some of the outstanding 700 category A “Rules of the Road” cases. A 21-cell pre-trial detention facility for war crimes suspects was also inaugurated.
14. **Serb war crimes suspects Gojko Jankovic** and **Drago Nikolic** surrendered to the Hague Tribunal on 14 and 17 March, respectively, bringing to 20 the number of BiH war crimes indictees to have been transferred since October 2004.
15. At a conference in Pale on 25 March, RS Prime Minister, **Pero Bukejlovic**, said that both the RS Government and NGOs are committed to **proving that genocide was committed against the Serbs**. He stated that “perhaps” a bigger genocide was committed against people in Sarajevo than in Srebrenica. The statements provoked outrage in Sarajevo. While no one would deny that some Serbs were explicitly targeted, not only are the numbers comparatively small but many of the Serb casualties in Sarajevo were inflicted by the besieging RS army.
16. On 29 March High Representative **Paddy Ashdown removed the Croat member of the BiH Presidency, Dragan Covic**, when the latter refused to resign after being indicted on charges regarding **abuse of authority** while he held position of F BiH Finance Minister, forging of documents, customs fraud, tax evasion and bribery in connection with the company “Lijanovici”. Ashdown stated that the decision was necessary to preserve BiH’s reputation within the international community. The removal from office will not influence Covic’s membership in the HDZ, and he is not banned from future political life.

2. Council of Europe action

17. From 21 to 24 March, the Director of Strategic Planning led a **Monitoring Mission** to Sarajevo and Banja Luka in order to assess fulfilment of post-accession commitments and to gather information for the presentation of the Tenth Monitoring Report to GREDS.

18. On 17 and 18 March, the SRSG briefed the Board of Principals and Steering Board Ambassadors on the **Venice Commission opinion on Constitutional change and the High Representative powers**. The general reaction was that the opinion was realistic and should stimulate discussion. The CoE was asked to provide information about how it would promote/follow-up the opinion in BiH.
19. On 31 March, in Neum, the SRSG opened the 3rd year of the **BiH School for Political Studies**, managed by the Centre for Promotion of Civil Society and largely funded by CoE.
20. Throughout March, the CoE Office worked on a number of activities in the area of **civil society, youth** (DGIV youth policy advisory mission) and **local government** - both legislative reform in FBiH and Best Practices Programme (CEAD 11336).
21. From 3-4 March, the third workshop to draft Prototype **Statutes for BiH universities** was organised in Sarajevo, within the framework of the joint EC/CoE project (CEAD 7764). The workshop was dedicated to the joint elaboration of standardised chapters and the organisation of university studies and awards.
22. From 10 to 11 March, in Brcko, CoE experts held a two-day workshop for **primary school children's rights** multipliers from the RS. This was the third seminar in the series of five planned activities that will result in the introduction of obligatory in-service teacher training on children's rights for primary school teachers in the RS. (CEAD 10906)
23. The **Rectors** from Banja Luka, East Sarajevo and Sveuciliste Mostar have suggested that the CoE could temporarily provide the Secretariat of the Rectors' Conference until a permanent secretariat is established and a seat agreed upon. Discussions continue to find a solution acceptable to all.
24. On 29 March, the Heads of Agencies (CoE, OSCE and OHR) met with Safet Halilovic, Minister of Civil Affairs, to discuss the impasse over the **higher education law**. Given the absolute necessity to adopt a law, the Ministry of Civil Affairs will prepare a draft containing the minimum standards related to the Bologna Process. Once this draft is ready, a selected group of politicians and experts will discuss it before it is submitted for adoption by the Council of Ministers and thereafter Parliament.
25. A training workshop on the **ECHR** was organised for **criminal lawyers** in Zenica from 3-5 March (CEAD 5511) and from 24-26 March on civil cases for **lawyers** in Fojnica (CEAD 5512). The workshops provided an opportunity for the participants to receive a basic knowledge on application of the ECHR.
26. The Working Group on the **ECHR compatibility exercise** met in Sarajevo from 9-11 March to discuss the revised draft report with CoE experts (CEAD 5497). The BiH authorities still do not accord adequate priority to this exercise which is a post-accession commitment. Therefore, the SRSG and Director General of Human Rights addressed letters to Minister Kebo informing him of the lack of progress and the need to appoint additional members to the Working Group.

27. The CoE Office is playing an active role in the Working Group on the **Organisation and Jurisdiction of the Constitutional Court** of Bosnia and Herzegovina established by the State Minister of Justice.
28. On 8 and 9 March, a series of meetings took place with senior BiH representatives to advance the implementation of the **CARDS POLICE Project**. In particular, the SRSG and Project team met with Barisa Colak, Minister of Security, to urge the appointment of a senior coordinator and members of the various working groups. The local project officer took part in other activities to promote the PACO and CARDS Police projects.
29. On 23 March, the SRSG launched the **publication of the Commentaries on Criminal Legislation in BiH** (CEAD 11322) at a ceremony in Sarajevo attended by some 250 judicial and criminal law practitioners, representatives of the State, Entities and Brcko District, distinguished academics and members of the international community. The commentaries were drawn up in the framework of a joint CoE/EC Project. Further launches are planned in five cities across the country in April-May.
30. From 29 to 30 March, the CoE Office, in cooperation with the Judicial and Prosecutorial Training Centres in BiH, organised a workshop in Neum on **court management** (CEAD 10905). The workshop was the third in a series for selected presidents of courts from throughout BiH.

3. Other action

31. On 16 March, the SRSG participated in a brainstorming in Sarajevo with OHCHR, UNHCR, IOM, UNDP, World Bank and the NGOs, Vasa Prava and ICHR, to develop a more concerted coordination and monitoring of **human rights issues in BiH**. Specific follow-up on all the issues discussed will take place with the CoE taking the lead for ECHR and prison issues.

Chisinau

1. Political and legislative developments

32. On 1 March President Voronin visited President Yushchenko in Kyiv, where they signed a statement confirming mutual integrity of borders, territorial integrity and efforts to solve the Transnistrian conflict. Georgian President Saakashvili paid a visit to Chisinau on 2 March and together with Voronin signed a Declaration on the fight against black holes in Europe and separatist regimes as well as on common European aspirations.
33. On 5 March, 233 Russian CIS-EMO persons travelling to Moldova were stopped and detained. Later they were expelled.
34. **The Parliamentary Elections** were held on 6 March. At a press conference the next day, ODIHR/OSCE PA, PACE, EP declared the preliminary findings and results of the observation mission: that the elections met the CoE and OSCE standards. Coalition 2005 also presented its preliminary findings. On 10 March, the Social Democratic Party (PSDM) and “Patria-Rodina” Bloc (BPR) stated that they did not recognise the results since the elections were rigged. On 11 March, the CEC approved the results of the elections and the lists of MPs. They were validated by the Constitutional Court on 17 March.
35. The **new Parliament** sat for the first time on 24 March. Marian Lupu was elected Speaker and the presidential elections were set for 4 April. Democratic Party leader Diacov declared his own faction of 8 MPs. Voronin and Gheorghe Duca, chairman of the Moldovan Academy of Science, were registered as presidential candidates (both proposed by PCRM). At the Parliament’s second session a week later, one of two vice-speakers was elected (PCRM - Ms Postoico), as well as members of the permanent bureau and chairpersons of the 9 standing parliamentary committees.
36. **V. Pasat**, advisor to the Russian holding RAO EES (Chubais), **former SIS-director and Minister of Defence**, was **detained** on 11 March for allegedly having damaged the state budget by having sold MIG 29s. On 22 March, the Prosecutor General instituted another criminal suit against Pasat for selling missiles and equipment to a Slovak company.
37. On 28 March, the “United opposition” in Gagauzia asked **Bashkan Governor G. Tabunschik** "to voluntarily resign" within three days. If not, they would organise a referendum on dismissing him.
38. In a judgment delivered on 22 March, in the case of **Ion Roşca vs Moldova**, the European Court of Human Rights found a violation of article 6(1) and article 1 Protocol 1 of the Convention. In a case filed by **Vladimir Sarban**, the deadline given to the Moldovan Government by the Court for the collection of evidence expired on 14 March.
39. On 16 March, Adriaan Jacobovits de Szeged was appointed by the European Council as **Special Representative of the European Union** to Moldova.

2. Council of Europe action

40. Observers from the Parliamentary Assembly of the Council of Europe and the PACE Rapporteur arrived in Moldova on 4 March to **monitor the elections**. The SRSG's office offered assistance in setting and accomplishing their programme. On 5 March, the SRSG and the PACE delegation met the Director of the Security and Information Service (SIS). Among the topics they discussed were the recent expulsion of Russian citizens /observers and searches at a newspaper headquarters and a Party's office.
41. The SRSG gave an interview to **TV Moldova 1** on 5 March, calling on citizens to vote, and on 6 March visited polling stations in Varnita to observe the polling and counting procedures.
42. ODIHR/OSCE PA, PACE and EP held a **press conference** on 7 March to present the preliminary findings and results of the observation mission. The PACE Rapporteur was interviewed by "Euro TV" on pre-electoral developments, shortcomings and achievements of the Parliamentary poll, and concluding observers' reports.
43. In the following days, the SRSG had a **series of meetings on the post-electoral situation**, including with Serafim Urechean and PPCD leader Roşca. He gave interviews to "Europa Libera" on recent events and to the TV channel ORT on Moldova's perspectives after the elections.
44. Throughout the month a representative of the SRSG's Office attended the sittings of the **Central Electoral Commission and party press conferences**.
45. The **Chairman-in-Office of the Committee of Ministers**, A. Rotfeld, visited Moldova from 30 to 31 March, holding meetings with President Voronin, the Chairman of Parliament, Prime Minister, Minister of Foreign Affairs, leaders of Parliamentary factions and Transnistrian authorities. Issues discussed included the state of democracy in Moldova, European integration, collaboration with the CoE and EU, and settlement of the Transnistrian question. A press conference concluded the visit.
46. The middle of the month saw the arrival in the Chisinau Office of a **Resident Expert** to advise and assist the Ministry of Justice in carrying out the EC/CoE Joint Programme on the **functioning and efficiency of justice** and to ensure coordination with other international partners.

Belgrade

1. Political and legislative developments

47. Following two separate meetings of the President and Prime Minister of Serbia with EU high officials in Brussels, both State officials expressed their optimism regarding the achievement of a positive **Feasibility Study** by the end of the month. The fulfilment by Serbia of all international obligations in a short period of time, including cooperation with ICTY, was also announced.
48. The National ICTY Cooperation Council will discuss soon the proposal of **freezing all bank accounts and assets of ICTY Serbian indicted persons** that are currently at large. This should be done in the form of a law in accordance with the recommendation of the European Union of October 2004.
49. The State Union Minister for Human and Minority Rights, Rasim Ljajic, signed in Strasbourg on 22 March the European **Charter on Regional and Minority Rights** and European **Social Charter**. The visit of the Minister also provided an opportunity for meetings with the Secretary General and Committee of Ministers on the progress of cooperation with the ICTY. Two additional CoE treaties – the European Charter on Local Self-government and the European Outline Convention on Transfrontier Cooperation - remain to be signed by Serbia and Montenegro by April 2005 in accordance with the “post-accession” commitments.
50. A Government meeting was convened to discuss a unified stance on Serbia and Montenegro’s action regarding **Kosovo**. No public statements were released after the meeting but official sources reported that an expert group will draft a strategy paper to be discussed later.
51. After almost a year, negotiations between Belgrade and Pristina on the issue of **missing persons in Kosovo** resumed on 16 March in Belgrade. Members of the joint working group agreed to work during the next three months on a common list of missing persons prepared by the ICRC.
52. The State Union parliament adopted the **Law on asylum** on 21 March. The law sets out the basic principles of refugee protection, rights and obligations of asylum-seekers and refugees as well as the minimum procedural safeguards. The adoption of this law closes a long process initiated with the creation of the State Union and the struggle to secure a harmonised approach within the two Republics. Implementation laws at the Republic’s level should now follow.

2. Council of Europe action

53. On 17 March, an expert meeting on the Draft **Law on Religious Organisations** took place in Belgrade (CEAD 11316). The event was co-organised by the CoE, OSCE and the Ministry of Religion Affairs of Serbia, with the participation of the Prime Minister's Office. It was agreed that the Ministry will revise its draft in accordance with the CoE/OSCE comments and submit the new text to religious organisations for further comments.

54. CoE experts and staff members (DG I) met with the advisor to the Minister of Internal Affairs on 11 March to discuss future areas of cooperation in the **field of Police**.
55. A meeting with the PACO project director regarding the coming high level regional conference in Skopje dedicated to the **anti-corruption council services** was held on 11 March. A follow-up meeting then took place on 23 March to discuss issues to be presented by the Serbian delegation at the conference in Skopje.
56. The CoE Office had a meeting with representatives of the Serbian Ministry for Diaspora on 24 March in order to strengthen cooperation. The Ministry representatives required CoE expert assistance in relation to the forthcoming draft **Law on the protection of kin-minorities**.
57. Meetings with the CARDS working group dealing with **financial investigation** were held on 22 and 29 March, to assist the working group in the preparation of a Draft Strategy to be discussed and presented at the Regional Conference.
58. On 29-30 March, DG I and CoE Office staff members met in Belgrade with representatives of the Minister of Justice, judges and prosecutors to discuss future joint activities on fight against **organised crime in Serbia**.

3. Other action

59. Representatives of the Secretariat of the Venice Commission and Belgrade Office participated in a conference on “**Effective Regional Self-government**”, organised by the Assembly of European Regions in Novi Sad on 1-2 March. Discussions were focused on a comparative overview of the present state of regionalisation in Europe.
60. Expert groups involved in draft proposals and representatives of the state authorities participated in a conference on **constitutional reforms** and decentralisation process, organised by the Centre for Regionalism in Belgrade on 4 March. The conference focused on two proposals for constitutional reform, which were drafted separately by the Government and by the President’s Office of Serbia.
61. The CoE Office participated in a round table on “**The opening of security services files**”, which was organised by the OSCE on 5 March in Belgrade. Although the event did not end with concrete conclusions, all participants agreed on the need to speed up the legislative procedure on this matter and to combine all draft proposals in one single draft which should be in line with European standards.
62. On 11 March a meeting with **EC representatives** took place to exchange information on joint areas of interest in the **justice and home affairs** field. Slowness of reforms and the need for joint political pressure on the Government from both organisations were discussed. It was agreed to hold such meetings on a regular basis.
63. The Belgrade Office took part in a round table on victims and **witness protection**, organised by USAID on 14-15 March, in cooperation with ICTY, local War Crimes Department, NGOs and Minister of Internal Affairs.

64. The CoE Office contributed to a seminar organised for the staff of the **Ombudsperson** of Vojvodina in Novi Sad on 17 March.

Podgorica

1. Political and legislative developments

65. The early **local elections in the municipality of Niksic** held on 26 March, which were treated as having **crucial importance for the future state status**, ended with the sound victory of pro-independence political parties. The distribution of power is as follows:
- mandates in the Municipal Assembly - Coalition Democratic Party of Socialists/Social Democratic Party 21, Socialist People's Party 10, Serbian People's Party 5, Liberal Party 2, People's Party 1, Serbian Radical Party 1 and Liberal Alliance of Montenegro 1; and
 - the candidate of the coalition Democratic Party of Socialists/Social Democratic Party, Mr Nebojsa Radojic was elected Mayor after gaining the support of 54,5% of voters.
- The turn-out was 69,9 %** or 38,500 out of total 55,057 voters.
66. The early local elections in the municipality of **Budva** will be held on 22 May.
67. The Parliament adopted the changes and amendments on the **Law on Prevention of Money Laundering** and the **Law on Conflict of Interest** at the session held on 16 and 17 March. The latter prescribes a ban on membership of the steering committees of state-owned enterprises for members of the Government, judges and prosecutors, including their deputies, while it is permitted for elected representatives at Republic and local level.
68. The election and appointment procedure of judges, including the President of the **Court of Appeal**, was completed at the Parliament session held on 16 March. The respective Court was created as well. The President of the Supreme Court was released from his duty.
69. After inter-institutional consultation, accompanied by essential civil society comments, **the Draft Law on Free Access to Information** should soon be finalised. Additional expertise should be provided, if requested.
70. The **Law on Police** and **Law on National Security Agency** were adopted by the Government at its session on 31 March.
71. The Liberal Alliance of Montenegro, at its 9th Extraordinary Conference held on 24 March, made the decision to close down.
72. To be followed next month: **possible changes in the leadership of the Socialist People's Party** and the next session of the Parliament scheduled for 12 April which should focus on **adoption of the Laws on Police and National Security Agency**.

2. Council of Europe action

73. The participation of the members of the CARPO Working Group on Crime Analysis and other officials at the regional seminar to finalise the Preparation of a Situation

Report on Economic and Organised Crime in South-Eastern Europe, held in Strasbourg on 15 and 16 March, was facilitated. The work done should assist in an improvement of the replies to the questionnaire about **organised and economic crime situation** which should be submitted no later than 17 April 2005. (CEAD 11194)

74. The CARPO Working Group on Financial Investigations completed the **Draft Strategy on Financial Investigations** which, after being endorsed by the Ministry of the Interior, was sent to the Programme Management Unit in Strasbourg. The forthcoming CARPO regional seminar on financial investigations to be held on 6 and 7 April in Sarajevo will focus on further analysis and possible improvements of the strategies to be presented by the CARPO project areas delegations. (CEAD 11408)
75. Appropriate participation in the regional thematic seminar and high level meeting on **Strengthening Anti-corruption Services in South-Eastern Europe** held in Skopje on 31 March and 1 April was provided. The templates containing the **anti-corruption reform proposals** were filled out during the working group sessions and also elaborated during the second day of the seminar. The high officials expressed **full commitment and support** to the **Joint Declaration** on establishment and further strengthening of the independent specialised anti-corruption services. (PACO Impact)
76. A study visit for members of the Witness Protection Unit of the Ministry of the Interior aimed at presenting good practices and lessons learned in Germany on legal, institutional, training, policy, and operational aspects of witness protection in view of procedural and non-procedural protective measures was carried out from 14 to 16 March. Following the exchange, the **Draft Strategy on witness protection** was completed and subsequently sent to the Programme Management Unit in Strasbourg. (CEAD 10665)
77. The CoE experts' comments on the **Draft Code of Police Ethics** were presented and modalities of its adoption were discussed on 9 March. These aim to contribute to establishing ethical standards for police professionals. The revised Draft should be submitted for final appraisal next month. (CEAD 11163)
78. Comments on the Draft **Law on Asylum** were forwarded to the Ministry of the Interior on 29 March. They should bring it in compliance with European and other international standards.
79. The experts in charge of drafting the report on the compatibility of Montenegrin legislation and practice with the provisions of the Revised European Social Charter have submitted the revised and amended first part of the study related to the **RESC hard-core provisions**. The second part of the study should be completed after the experts meet again on 12 and 13 April. (CEAD 5762)
80. Under the Stability Pact and within the Joint Programme of the Council of Europe and European Commission, in co-operation with the **OSCE ODIHR**, a round table on **"Roma Access to employment in Montenegro"** was held on 22 March. This promoted the Council of Europe consultants' reports on Roma Access to Employment and good practices, both at the level of Roma entrepreneurship and state and local initiatives. (CEAD 7261)

3. Other action

81. An **Inter-organisational CoE/OSCE coordination team** met on 14 March to identify possibilities and determine modalities for joint action. Regular meetings every two months will continue.
82. A **Joint CoE/OSCE Press Release** related to the political negotiations on the modality for appointment of Heads of Police and National Security Agency was issued on 21 March. Consensus was achieved soon after its release. The respective laws should be included in the agenda of the Parliamentary session scheduled for 12 April.
83. **CoE and OSCE representatives held a meeting with the Minister for Protection of National Minorities and Ethnic Groups** on 23 March. A final joint CoE/OSCE round table discussion on the Draft Law for Minority Rights should be held during the second half of May.
84. The regular meeting to exchange information between the **CoE and the EC** was held on 10 March.

Pristina

1. Political and legislative developments

85. **Ramush Haradinaj** Prime Minister of Kosovo, stepped down from office on 8 March following an indictment by the **ICTY** and surrendered voluntarily to the tribunal on 9 March. According to ICTY, Mr Haradinaj faces 17 counts of crimes against humanity and 20 counts of war crimes, all connected to his role as a commander of the Kosovo Liberation Army (KLA) in the Dukagjin area. The charges, which cover the period between March and September 1998, include murder, rape, deportation of civilians, unlawful detention, harassment and destruction of property. Mr Haradinaj pleaded not guilty to the charges in a first hearing on 14 March. **PACE** President, René van der Linden, welcomed voluntary transfers to The Hague Tribunal as a step towards justice
86. The Kosovo Assembly elected a **new government** on 23 March. The new government is led by Prime Minister **Bajram Kosumi**, Vice-President of the Alliance for the Future of Kosovo (AAK) and former Minister of Environment and Spatial Planning. Only two new ministers were appointed – **Ibrahim Selmanaj** as Minister for Labour and Social Issues and **Ardian Gjini**, who used to be Haradinaj's first Advisor, will be in charge of the Department of Environment and Planning.
87. Delegations from Pristina and Belgrade resumed their direct dialogue on the fate of **missing persons** on 16 March after a year of silence. The meeting, chaired by the ICRC, was welcomed by the international community.
88. A final meeting of the **Working Group on Decentralisation** was held on 2 March. In its stead it is foreseen that a Steering Board on Local Government Reform will be set up as well as five Working groups on the following issues: Legislation, Local Finance, Pilot Projects, Transfer of Competencies and Capacity Building
89. A new Memorandum of Understanding was signed between the Serbian Orthodox Church and the PISG paving the way for the **reconstruction of Serbian Orthodox religious sites**. The MoU is based on the same principles as those underlying the MoU agreed between the Church and PISG in June 2004 from which Bishop Artemij later withdrew.
90. Ambassador **Pascal Fieschi** ended his time as OSCE Head of Mission on 31 March. A new Head of Mission has yet to be appointed.

2. Council of Europe action

91. At the beginning of March the **incoming Head of Office**, Mr Zurab Katchkatchishvili, together with Mary Ann Hennessey, from Political Advice Department of DGAP and staff members from the CoE office, had a series of high-level introductory meetings including with the following:
92. **SRSB Søren Jessen-Petersen**, who emphasised the political importance of decentralisation and related to that the upcoming census to which CoE will be asked to contribute. He further expressed his desire to see the CoE chair the committee on

reconstruction of churches to ensure neutrality. Finally he stated the urgency of a Human Rights Advisory Panel and his intention to follow up on that.

93. **Prime Minister Ramush Haradinaj**, stated that he was fully engaged in implementing standards in cooperation with UNMIK's Standards Coordinator. He expressed his appreciation for the work of the CoE in Kosovo and asked specifically for CoE mediation on the issue of reconstruction of churches. He also expressed specific concern that the international community clearly exclude any partition of Kosovo in future.
94. Further meetings were held at a high level with representatives of the **OSCE Mission**, the **EU High Representative Javier Solana's** envoy to Kosovo and the Head of UNMIK Pillar I (Justice and Police).
95. On 3 March, in cooperation with the OSCE and the Kosovo Judicial Institute (KJI), the CoE held a training session on the application of the European Convention on Human Rights in domestic law. The training constitutes part of the "**training of trainers on human rights**" programme, for the benefit of local judges and prosecutors, as well as of professional trainers of the KJI (CEAD 6834).

3. Other action

96. The Council of Europe provides continuing **support to local NGOs**, such as the Human Rights Centre of the University of Pristina and the Criminal Defense Resource Centre (CDRC). The CoE has stressed in various meetings with the University and the Kosovo Chamber of Advocates the need for local institutions to contribute actively to the daily life and activities of these NGOs, originally established and funded by the international community but now self-sustainable. The Human Rights Centre of the University of Pristina carries out research and works as a Documentation Centre on human rights. The CDRC helps local lawyers to improve their advocacy skills and enhance the application of human rights instruments in criminal proceedings.

4. General Security Situation

97. Following Mr Haradinaj's resignation as Prime Minister and his surrender to ICTY, there was concern about possible deterioration of the situation, but no trouble was noted.
98. On 15 March an **explosive attack** was directed against **President Ibrahim Rugova's** convoy. SRSJ Søren Jessen-Petersen strongly condemned the attack while **CoE Secretary General Terry Davis** said that "This attack on the President of Kosovo, at a time when all democratic forces in the province should be working together to safeguard and promote the fundamental values of democracy and human rights, is an unacceptable act of terrorism."
99. An elderly couple were severely beaten up on 28 March in the village of Crkolez/Cërkolez. The **Head of Office** expressed shock and disappointment at the attack calling on "all the representatives of civil society and of communities in Kosovo to speak out against intolerance and to reinforce the message of dialogue and reconciliation."

100. Apart from these isolated cases, the overall security situation remains calm.

Tbilisi

1. Political and legislative developments

101. Georgian Foreign Minister Salome Zourabichvili and NATO Secretary General Jaap de Hoop Scheffer signed an agreement on 2 March in Brussels, envisaging the use of Georgia's air space, road and rail infrastructure for transit purposes by NATO to send necessary supplies for NATO forces in Afghanistan.
102. On 11 March, the Georgian Parliament discussed the **first hearing of draft amendments to the Criminal Procedural Code** of Georgia, which envisage the reduction of pre-trial custody from the current nine months to four.
103. The President of the breakaway republic of Abkhazia **Sergey Bagapsh held talks with UN Secretary General's Special Representative to Georgia Heidi Tagliavini** in Sokhumi on the forthcoming Georgian-Abkhaz talks planned in Geneva for 7-8 April. The meeting, known as the 'Geneva format,' also involves France, Germany, the Russian Federation, the United Kingdom and the United States.
104. According to a decree by the President of Georgia, a **special commission** has been set up to work on the issue of **repatriation of Meskhetian Turks to Georgia**. Georgian State Minister for Conflict Resolution Issues Goga Khaindrava will chair the commission. The newly established governmental commission held its first session on 28 March and decided to send a mission to those places in the former Soviet republics, mainly Russia, where Meskhetians currently reside. The commission decided to establish a small group, which will travel to the current residences of the displaced Meskhetians in an attempt to identify their exact number. It decided to draw a map of potential places in Georgia where they can be repatriated. The commission will also develop an action plan to be presented to the Georgian President for approval by 15 April. On 22 March Goga Khaindrava held talks with Suleiman Barbakadze, head of Vatan, an international organisation of Meskhetian Turks, who urged the adoption of a law for repatriation. Goga Khaindrava stated that the Meskhetian Turks should return to Georgia on a voluntary basis.
105. The **2004 Human Rights Reports**, released by the **US Department of State** on 1 March, stated that "although there were improvements in some areas, serious problems remained" as regards the government's human rights record in Georgia.
106. The Special Affairs Minister of breakaway South Ossetian Boris Chochiev said on 2 March that the **South Ossetian side demands the expulsion of Bulgarian diplomat Gancho Ganchev**, who heads the OSCE office in the capital of the unrecognised republic Tskhinvali.
107. The **European Commission (EC) recommended** on 2 March to **significantly intensify relations with Georgia** through the development of an Action Plan under the EU's Neighbourhood Policy (ENP).
108. The **IMF mission visited Georgia** from 24 February to 7 March. While noting that Georgia's macroeconomic performance continues to be strong, the mission warned

that the current estimate for real GDP growth – 8.4% - “may be overstated because of methodological problems”.

109. White House press secretary Scott McClellan said on 24 March that President George W. Bush plans to visit the Netherlands and the ex-Soviet republics of Georgia and Latvia in May this year, as part of a previously announced trip to Russia to mark the 60th anniversary of the end of World War II. McClellan said Bush’s trip to Tbilisi, Georgia, will “underscore his support for democracy, historic reform and peaceful conflict resolution”. **George W. Bush is expected to arrive in Georgia on 10 May.**

2. Council of Europe action

110. From 4 to 8 March, the **Director General of Political Affairs**, Mr Klaus Schumann, visited Georgia. He presented a lecture on the Council of Europe example of stability and security through effective multilateralism at the **seminar on democracy and civil society** organised by the **Tbilisi School of Political Studies**, held from 4 to 6 March in Bakuriani. Later he held meetings with the Minister of Justice, Minister of Education, Head of the EC Delegation to Georgia and Armenia, Head of the EUJUST THEMIS Mission to Georgia and Resident Representative of UNDP. In addition he met Deputy Minister of Foreign Affairs, Mr Kakha Sikharulidze, with whom he discussed the issue of South Ossetia. With the Head of the OSCE Mission to Georgia, Ambassador Roy Reeve, Mr Schumann also discussed the problem of South Ossetia as well as the situation at the Georgian-Russian border.
111. On 7 March, a meeting of the **Monitoring Group on Party Financing** was held in Tbilisi, organised by DGI with the participation of two CoE experts, Mr Marcin Walecki and Ms Antonina Cherevko.
112. A plenary session of the Council of Europe’s **Venice Commission**, 11-12 March, Venice, discussed **judicial reform** in Georgia and the status of breakaway **South Ossetia**. At the request of the Georgian authorities, the Venice Commission became involved in helping the Georgian side with the process of drafting a plan over South Ossetia’s status within the Georgian state.
113. Boris Cilevičs, member of the Parliamentary Assembly of Council of Europe (PACE) **Committee on Migration, Refugees and Population** visited the country. He stated on 28 March that problems regarding the IDPs and refugees are very serious in Georgia. The PACE officially welcomed the Georgian Government’s decision to establish a special commission dealing with issues relating to the repatriation of Meskhetians.
114. On 30 March, the SRSB held a meeting with Tom Trier and Marc Weller from the European Center for Minority Issues discussing issues concerning South Ossetia, Abkhazia and East Georgia.

Tirana

1. Political and legislative developments

115. The **electoral reform** in Albania was still the focus in March 2005. After a last minute consensual agreement was reached on 28 February between the Socialist Party and the Democratic Party, the new draft electoral map was agreed in Parliament on 3 March by 93 votes to 9 with 5 abstentions.
116. The next item on the electoral agenda was the completion of the **registration of citizens** on the whole Albanian territory in order to prepare the ground for the revision of voters' lists. This was achieved at the end of March.
117. On 24 March, Ambassador Vacek, Head of OSCE Presence in Albania, signed with Minister Ben Blushi a Memorandum of Understanding to assist the Ministry of Local Government and Decentralisation in the "cleaning-up" of **voters' lists** by identifying and eliminating duplicates. A few days earlier, a political controversy had appeared over the issue that the Central Election Commission (CEC) had given the Ministry a copy of the electors' national registry to help with the cleaning-up. The copy of data was then returned to the CEC by the Minister.
118. At the time of reporting, an election date has not yet been set.
119. While there is intense diplomatic activity between **Albania and Greece**, soccer matches have triggered respective xenophobic outbursts in both countries. After an Albanian flag was torn from a stadium mast in Athens, anti-Greek behaviour was shown in Albania.
120. There have been fierce debates inside the Parliamentary Media Committee on amendments proposed by two MPs, also media owners or executives, to a draft law on **print media**. Given the issues at stake in the period of forthcoming elections, the draft law is no longer expected to be presented in Parliament.
121. This also holds true for the draft law on **digital broadcasting**, which was prepared with assistance of the CoE and OSCE. It has become quite unlikely that it will be discussed and voted in the present Parliament.
122. After lengthy debates, the Parliamentary Legal Committee approved the draft law on **conflicts of interest**. Currently, the draft law is now awaiting its final review and reading at the forthcoming plenary session of the Parliament. The draft law had been subject to Council of Europe and OECD/SIGMA expertise.
123. At the end of the legal period for the **legalisation process of illegal buildings**, only 54,000 declarations have been made out of an estimated 300,000 illegal buildings.
124. The High State Audit proposed **fiscal amnesty** for state institutions which have not returned to the State budget misused funds in the last ten years; the total amount of misused funds reaches about 206 million euro.

125. According to the Albanian General Prosecutor, Mr Theodori Sollaku, the number of **criminal cases** grew by 18% in 2004 over 2003. Crimes in the economic sphere increased by 49%.

2. Council of Europe action

126. **Parliamentary Assembly Monitoring Committee co-rapporteurs** Messrs Smorawinski and Søndergaard visited Albania from 1 to 4 March and held meetings with the Speaker, the Prime Minister and several members of the Government, as well as with heads of Albanian institutions and representatives of the international community. Their visit was given wide coverage by the Albanian media, which insisted on concern expressed about the preparation of the Parliamentary elections.

127. On 16 and 17 March, a seminar on **curriculum reform** in Albanian Higher Education took place as a joint activity between DG I, DG IV and the Albanian Ministry of Education and Science. Mr Luan Memushi, Minister of Education and Science, addressed the seminar, stressing the importance of the Bologna process and the commitment of the Albanian government to reform in higher education.

128. On 19 March, the second training session on “Contracts in the Perspective of European Private Law” for **law faculty** teachers was organised with teachers from Tirana, Shkodra and Vlora Law Faculties.

129. From 21 to 25 March, 8 teachers from the three **public law faculties** in Albania took part in a study visit to Strasbourg in the framework of the Action Plan for the law faculties in Albania. Participants were hosted by the University Robert Schuman and European Institutions.

130. On 18 March 2005, the Council of Ministers of Albania approved the final version of the “Action Plan of the **Fight against Corruption (2005)**”. The Action Plan is expected to be published at the end of April 2005 under the PACO Impact project.

131. In accordance with the PACO Impact work plan, a CoE regional thematic seminar and a high level meeting on **anti-corruption services** in South-eastern Europe was held in Skopje, from 31 March to 1 April. The Albanian delegation, composed of Anti-corruption Unit members, was headed by Deputy Minister of Justice Anastas Duro.

132. From 15 to 16 March 2005, a **regional seminar** was held in Strasbourg with the aim of finalising participating countries’ situation reports on organised and economic crime and corruption. Albania has presented a national report, prepared by the Working Group established in this framework. (CARDS-Police)

3. General Security situation

133. A U.S. C130 Hercules military plane crashed in mountainous southern Albania on 31 March. All nine military personnel on board were killed.

Skopje

1. Political and legislative developments

134. The first round of the **local elections** took place on 13 March. The turn out was 56.36%. Under the new legislation adopted in 2002 and 2003, by separate and direct voting, citizens had to choose a mayor and a municipal council for each of the 84 municipalities throughout the country. According to the ODIHR/OSCE statement, the “elections were largely in accordance with international standards, but significant irregularities were observed in some areas”. In the same statement, the head of the delegation of the Congress noticed that “polling went smoothly in many parts of the country. However, the numerous cases of group voting and signatures missing on voters’ lists are disappointing”. 16 mayors were elected in the first round.
135. The second round was held on 27 March in 57 municipalities, including repeated first rounds in some municipalities or in some polling stations, where the results had been declared invalid by the Supreme Court. The most outstanding re-run took place in 11 polling stations in the city of Skopje where Mr Penov, the incoming mayor of the town, leader of the Liberal Democratic Party and part of the ruling coalition, and Mr Kostovski, independent candidate with the support of the opposition, were the two main contenders. The turn-out for the second round was 52.66%. However, “the authorities failed adequately to address electoral shortcomings”, according to the ODIHR statement where, as the Head of the Congress delegation added, “it is crucial that all the country’s citizens are properly represented in its official and elected institutions and all citizens’ right to vote is respected”.
136. A report on the last round will be given in the report for April. However, it can already be said that despite the remarks outlined by ODIHR, the first local elections held under the decentralisation framework were characterised by a quiet campaign as the main political forces agreed on a Code of Conduct and mostly by a deep climate of election fatigue.

2. Council of Europe action

137. On 27 February, the Resident expert spoke at the second session of the **School of Political Studies** in Bitola. The topic of the seminar was “Decentralisation and Democracy”. Participants came from the Ministry of Interior, Ministry of Local Self-Government, the Police Academy, students, journalists and religious authorities.
138. On 8 March, the Resident Expert participated in a **seminar organised by the NGO Forum on the decentralisation process** on the eve of the upcoming local elections. The Minister of Interior and the Minister of Local Self-Government as well as some members of Parliament addressed participants. Representatives of international organisations were in attendance.
139. The **Rapporteur of the Political Affairs Committee** in PACE, Mr Gerardo Bianco, visited Skopje from 23 to 25 March. The visit was organised in cooperation with the national Parliament and its delegation to PACE. The Council of Europe Information Office and the Resident Expert helped in the organisation of the event. Mr Bianco held

meetings with members of Parliament, the President, Foreign Minister, members of the Government, and the Ombudsman. He also met with the EU Special Representative, the Head of the OSCE Mission and the Ambassadors of the United States and Greece.

140. A six-member delegation of the Council of Europe's Congress of Local and Regional Authorities of Europe, led by Mr Keith Whitmore, observed the first round of elections on 13 March as part of **the International Observation Mission** conducted by OSCE/ODIHR for the **local elections**. Eight delegates were present for the second round on 27 March. The Resident Expert helped organise the visits and was integrated in the delegation as International Observer for the last two rounds.
141. The **Paco Impact Programme against Corruption and Organised Crime in South Eastern Europe** organised a two-day regional thematic seminar meeting on anti-corruption services in south-eastern Europe on 31 March and 1 April. The seminar topic was strengthening anti-corruption services and their role in implementing national anti-corruption strategies. The seminar was opened by Prime Minister Vlado Buckovski and resulted in the signing of a Memorandum of Understanding for establishment of a prosecutors' network. This Memorandum should provide the possibility for direct communication among Western Balkans countries through quick and efficient exchange of information on concrete acts, activities and evidence in the pre-trial procedure.
142. A regional office for the joint CARDS project between the European Commission and the Council of Europe (DGIII) for **Support to Social Institutions in South East Europe** was officially opened in Skopje on 17 March. The office will host the project implementation team and serve as a central point for regional co-operation. The CARDS programme is intended to strengthen the legislative framework and policy-making process for social protection policies, improve co-ordination of social security systems for migrating and moving persons, and build capacities in the public administrations with respect to social security and social policy-making. The programme will establish and develop inter-country networks of key professionals to promote the reform agenda, creating one or more focal points in each state with emphasis on social reform as well as on cross-border issues and improving the capacity by targeted training in the field of social security. The project's Regional Steering Committee met for the first time the following day, 18 March.