



Information Documents

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

July, August 2005

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

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Yerevan

1. Political and legislative developments

1. By decree of the President, a **special session of the National Assembly (NA)** was convened on 5 July to discuss international agreements and conventions. The opposition did not participate in that session.
2. Representatives of the **Justice Bloc** (a coalition of Opposition parties) stated on 15 July that their parties would continue to take part in the process of constitutional reform only if the authors of the draft Constitution (the ruling Coalition) accept the Opposition's proposals.
3. On 18 August, the political council of the Opposition **Republic (*Hanrapetutyun*) Party** announced that it would not participate in the coming Parliamentary hearings of the Constitutional amendments and would continue to boycott parliamentary activities.
4. On 26 August, the **NA ad hoc Commission on European Integration**, led by Tigran Torosyan, proposed that the draft Constitutional amendments be adopted in the second reading.
5. An **extraordinary session of the NA** commenced on 29 August to discuss the proposed amendments to the Constitution; the session was attended by MPs across the political spectrum with the exception of the Opposition Republic (*Hanrapetutyun*) Party. On 31 August the NA voted on the proposed amendments to the Constitution. 92 MPs voted "for", one voted "against"; however, 16 MPs (from the opposition Justice bloc and National Unity Party) did not participate in the voting process.
6. On 19 July Garegin Azaryan, appointed as the representative of the President of Armenia, was re-elected chairman of the **Central Electoral Commission (CEC)**. The CEC also comprises various political parties represented in the NA.
7. The Agency of the State Register of Legal Entities of the Staff of the Ministry of Justice stated on 10 August that **six political parties were subject to dissolution**, among them two Opposition parties: National Democratic Party and National Unity. The aforementioned parties had not submitted data on the number of the members as required by law. The relevant official subsequently confirmed receipt of the necessary data from the National Democratic Party.
8. On 6 July, the Court of Appeal declared ineffective the results of the March elections of the Head of the **Chamber of Advocates of Armenia**. The date of new elections has not yet been determined.
9. By a Presidential decree dated 28 July, Armen Tumanyan, Judge of the Court of Appeal on Civil Affairs, was appointed a member of the **Council of Justice** for a term of five years.
10. On 7 July the official website of the **Human Rights Defender (HRD)** (www.ombuds.am) was presented to the public. The website was developed with the assistance of the UNDP

Project on Public Awareness Raising, the NA and the Cooperation Development Ministry of the Netherlands.

11. On 12 July the HRD held a meeting with the Minister of Justice, Prosecutor General and the Head of the National Security Service to discuss their reactions to the HRD's annual report (cf. SRSR June Report).
12. The **International Crisis Group** (ICG) announced on 19 August that it will issue two reports on the situation regarding Nagorno Karabakh in September; the reports will include proposals on a possible settlement of the conflict.
13. The Presidents of Armenia and Azerbaijan held talks on 26 August in **Kazan** concerning the Nagorno Karabakh conflict.
14. The Prime Minister instructed the relevant unit of the Government to allocate new premises to **A1+ TV Company** (cf. SRSR June report).
15. On 7 July Armenia signed the European Convention on the Promotion of a Transnational Long-Term **Voluntary Service** for Young People (CETS No. 175).

2. Council of Europe action

16. **The Venice Commission** published its Draft Final Opinion On the Constitutional Reform in Armenia on 21 July. Opposition leaders and a number of NGOs took issue with the Commission's generally positive assessment of the amendments to the Constitution proposed by the ruling Coalition.
17. At an extraordinary session of the NA on 29 August, the SRSR delivered the statement of **Venice Commission** Secretary, in support of the constitutional reform process.
18. From 18 to 19 August **PACE President** Rene van der Linden visited Armenia within the framework of his first visit to the South Caucasus region. He held meetings with representatives of the authorities, opposition parties, civil society and mass media.
19. Staff members from the Directorate of Strategic Planning, together with the SRSR, held on 18 July several meetings with the Armenian authorities (Central Electoral Commission, Ministry of Justice, Ministry of Foreign Affairs, Office of the Prosecutor-General, Human Rights Defender) and representatives of the international community (Ambassadors from EU States, OSCE) to develop a **framework for co-operation between the Council of Europe and Armenia** with a view to bringing legislation and practice into line with CoE statutory commitments and European (CoE/EU) standards.
20. On 2 July the SRSR gave a presentation on the activities of the CPT at the **Yerevan School of Political Studies**.
21. The European Steering Committee for Youth (CEDJ) organised a Summer University in Armenia with the topic "Active Participation of the **European Youth in Politics**" from 11 to 13 July.

22. On 15 July the SRSB took part in the launch of the Armenian-language version of the Guidelines on **Users' Involvement in Social Services**, prepared by the CS-US (Group of Specialists on Users' Involvement in Social Services), set up by the CDCS (European Committee for Social Cohesion).

3. Other action / coordination and cooperation with partner organisations

23. On 3 August the SRSB held a joint press conference focusing on **constitutional reform** together with the EU Presidency represented by the British Embassy, the **OSCE** Office, and the US Embassy. The speakers welcomed the assessment of the Venice Commission that the revised draft constitutional amendments presented by the Armenian authorities amounted to a clear improvement.
24. On 27 July a Round Table Discussion was organised by UNICEF Armenia as a follow-up to the Regional Consultation in Ljubljana for the UN study on **Violence Against Children**. On this occasion, the SRSB outlined the CoE Programme of Action on Children and Violence.
25. On 3 August the SRSB attended the meeting of the **International Working Group on Elections**, chaired by the **OSCE** Office. The meeting concerned recent developments in constitutional and electoral reform, as well as the international activities in these areas.

Baku

1. Political and legislative developments

26. On 4 July President Ilham Aliyev instructed that **Parliamentary elections** be held in Azerbaijan on 6 November 2005. Until the end of August registration of candidates has been smooth. It is estimated that there will be well in excess of 2,000 registered candidates for the 125-seat Parliament by the registration deadline of 6 September. The actual campaign period will start as soon as registration is concluded. At the end of August there are some concerns about whether the new identity cards and voter cards, required for voting, will have been disseminated to the entire population by polling day.
27. The new **Public Service Broadcasting Channel (Public TV)** was inaugurated on 29 August. The same day it started its full daily 14 hour broadcasts.
28. Azerbaijani President Ilham Aliyev held a **bilateral meeting** with his Armenian counterpart Robert Kocharian on 26 August, during a CIS-summit held in Kazan. The agenda of the Kazan meeting had been given the final touches at a meeting held 24 August in Moscow between the foreign ministers of the two countries. Presidents regarded the Kazan meeting as positive.
29. During July and August the political **opposition** conducted a number of **rallies** in Baku and in some Azerbaijani regions. The rallies in Baku took place without incident. The reason why the authorities did not allow rallies in some regions apparently stemmed from disagreements between opposition and authorities regarding the venue of the rallies.
30. In July six opposition leaders, who were sentenced in connection with the October 2003 events and then pardoned by Presidential decree in March 2005, had got their **sentences annulled** by court decision. Later in August also Mr Rauf Arifoglu, Editor in Chief of Yeni Müsavat and deputy chairman of the Müsavat party had his sentence removed. This allows them to run as candidates in the parliamentary elections.
31. The fourth working meeting of the task force of Azerbaijani authorities and representatives of human rights NGOs, established to address and to try to find a solution to the issue of **political prisoners** or alleged political prisoners in Azerbaijan was held on 16 August in the Azerbaijani Parliament. The next meeting is foreseen for mid-September.
32. A much publicised incident occurring at the end of July concerned Mr **Ruslan Bashirli**, a **youth leader** arrested for planning the violent overthrow of the Azerbaijani government and for co-operation with Armenian secret services. Mr Bashirli is the leader of the Yeni Fikir youth movement, which is close to the Popular Front Party. Following the incident, the party offices of the Popular Front Party were attacked by demonstrators in several parts of Azerbaijan.
33. The meetings referred to as **dialogue between position and opposition parties** have continued, with meetings held on 29 July, 5 August and 11 August. However, the participation has been faltering and the atmosphere between the parties to the dialogue has deteriorated, largely because of the Ruslan Bashirli incident. The OSCE office in Baku plans to host a next round of dialogue on 12 September on the theme of freedom of assembly.

2. Council of Europe action

34. The **President** of the Council of Europe Parliamentary Assembly (**PACE**), Mr Van der Linden, visited Azerbaijan 21-24 August to assess the pre-election situation. He held meetings with political parties, media representatives, NGOs and the main religious communities present in Azerbaijan as well as state authorities, including President Ilham Aliyev.
35. On 4 July the Council of Europe Parliamentary Assembly (**PACE**) Sub-Committee on Refugees held a seminar on **population displacement** in the South Caucasus. The next day the PACE Committee on the **Honouring of Obligations and Commitments** by Member States of the Council of Europe held a one-day meeting during which its members had exchanges of views with Azerbaijani political parties, media representatives, NGOs and President Ilham Aliyev.
36. The Council of Europe Media Division together with the Venice Commission secretariat held **two media seminars** in July. The first event was the second round table organised in Baku by the Council of Europe on relations between the media and state authorities (11 July). The second was a seminar on media and elections (12-13 July). The round table produced a memorandum of understanding about relations between State Authorities and the media, whereas the seminar on media and elections resulted in a code of conduct for media as regards reporting on elections. There was a preliminary agreement that, supported by the Council of Europe, the Azerbaijani Press Council, the Central Election Commission and the National Radio and TV Council would monitor compliance with the code of conduct.
37. In the framework of the Council of Europe Action Plan for Parliamentary Elections in Azerbaijan, a DG II Equality Division seminar was held in Baku on 13-14 July to promote **women's candidatures in elections** and their individual voting rights.

3. Other action / coordination and cooperation with partner organisations

38. From 29 August to 3 September two parallel training seminars were held jointly by the Council of Europe and **OSCE** for **police** on freedom of assembly and association. The target groups were Azerbaijani police and internal troops, who at the seminars were advised by international experts on how to carry out policing, in particular within an election context, while respecting international human rights standards. Police presence and conduct during rallies constituted one of the central elements of the training.

Sarajevo

1. Political and legislative developments

39. Tens of thousands of people gathered near the Bosnian town of **Srebrenica** on 11 July to mark the 10th anniversary of Europe's worst massacre since World War II, and to bury the remains of some 600 victims. The remains were found in mass graves, more than 60 of which have been uncovered in the area since the end of the war. Over 1,300 bodies, identified by DNA analysis, have so far been buried at the cemetery but there are still more than 4,500 body bags filled with human bones awaiting identification. Numerous dignitaries, including the Deputy Secretary General of the Council of Europe, joined massacre survivors and families of victims at the ceremony. For the first time a high level Serbian delegation attended the Srebrenica commemoration, the delegation being led by President Boris Tadic.
40. **Police Reform** talks resumed on 17 August, in Mrakovica, near Banja Luka. Unlike previous talks held under the auspices of the Office of the High Representative (OHR), these discussions between representatives of the State- and Entity-level institutions were convened by the Prime Minister of Republika Srpska (RS). However, the Prime Minister of the Federation of Bosnia and Herzegovina (FBiH), responded to the invitation by delegating the FBiH Minister of Interior to represent the FBiH Government, which has been perceived as a lack of confidence in the fruitfulness of the talks. Positions have altered little since the discussions collapsed in May this year. To further complicate matters, doubts were raised as to whether the negotiations should be continued at governmental or party political level, a question which remains unanswered in the spirit of 'constructive ambiguity' that characterises many such discussions in the country. No public statement was issued at the end of the talks. Further discussions took place on 23 August in Hutovo Blato, near Mostar, again with no details released, except that the negotiations would continue at Mount Bjelasnica on 31 August.
41. The **restructuring of the country's police forces and the adoption of a new Public Broadcasting System (PBS) Law** remain two outstanding European Commission conditions the country must fulfil before the EC can recommend opening negotiations on a Stabilisation and Association Agreement (SAA). The latter now seems to be on its way to a speedy resolution, after the BiH Constitutional Court, at its session held on 22 and 23 July, established that the Draft Law on the Public Broadcasting System was "not destructive of a vital interest of the Croat people in Bosnia and Herzegovina". The matter was brought before the Court following the invocation of the Vital National Interest procedure by the Croat Caucus of the House of Peoples of the BiH Parliamentary Assembly. The votes needed for the PBS Law to be adopted in forthcoming parliamentary procedure seem to be secured at this moment, leaving police reform as the main stumbling block to an EC recommendation on SAA talks.
42. On 13 August, the BiH media reported that FBiH President Niko Lozančić (a deputy president of the Croat Democratic Union of BiH - HDZ) had issued a **presidential decision reducing the sentence of Miroslav Prce**, former FBiH Minister of Defence (HDZ), by one year, making him immediately eligible for conditional release. Prce is currently serving a five-year sentence issued by the State Court following a plea bargain

agreement by which he admitted guilt and responsibility in criminal activity involving the mis-use of public funds, an offence carrying a maximum penalty of 15 years.

43. On 15 August, the High Representative Lord Ashdown asked Lozančić to clarify the media reports and explain, if those media reports were true, the reasoning behind his action. Since the BiH Law on Pardon is still in preparation¹, Lozancic's decision is seen as political **interference in a sentence issued by the BiH State Court**. Following reactions from OHR, BiH Minister of Justice stated that Lozančić had no authority to issue the pardon, noting that he expected that the HR would annul Lozančić's decision.
44. FBiH Vice-President Desnica Radivojević (of Serb background, member of the Main Board of the largest Bosniac nationalist party, the Party of Democratic Action - SDA) reacted immediately by defending Lozančić's **decision**, noting that it was **based on established procedures**, including recommendation by the FBiH Minister of Justice, and was not based on the fact that Miroslav Prce is a public figure, or a member of a certain political party.
45. The **detention of Milan Lukić** on 8 August 2005 in Buenos Aires in Argentina attracted huge public and media attention in BiH. The ICTY has charged Lukić with crimes against humanity and violations of the laws or customs of war for events in Višegrad in 1992. In July this year, Lukić was sentenced in Serbia and Montenegro to 20 years of imprisonment for war crimes, capture and murder of 16 Bosniacs in Serbia and Montenegro and BiH in 1992. Lukić's extradition to the Hague remains pending, although press reports indicate that the Argentine courts are looking favourably upon such an extradition. On 31 August the Russian Prosecutor's Office confirmed the **arrest of** ICTY indictee **Dragan Zelenović Khanty-Mansiysk**, in Western Siberia. Zelenovic is indicted for violating the laws and customs of war and crimes against humanity committed in Foca.

2. Council of Europe Action

46. As noted above, the Deputy Secretary General together with the SRSG, attended the commemoration of the 10th anniversary of **Srebrenica** massacre on 11 July.
47. Following a public and press launch by the SRSG, the Office continued the distribution of the **Commentaries on Criminal Legislation** in BiH in July and August.
48. On 27 July, the SRSG had talks with **Foreign Minister Ivanic** which centred on unfulfilled post-accession commitments.
49. From 1 to 2 July at a workshop organised in Sarajevo, Action Plans for the Development of the **Faculties of Law** in BiH were discussed. Progress was reviewed in the implementation of the review recommendations aimed at modernising Law Faculties,

¹ The HR annulled the previous BiH Law on Pardons on 26 November 2004 and suspended the granting of pardons until a new BiH Law on Pardons is enacted.

focusing on assessment system, admittance, teaching methods and learning. (CEAD 12 032)

50. On 1 July, the **higher education** working group met in Banja Luka. Topics discussed included curricula developments and their relationship with the Bologna Process, the situation regarding the Higher Education Framework Law, an update on the Joint EC/CoE Project for University Management and a discussion on future activities.
51. From 3 to 8 August, BiH and SCG Education Project Managers undertook an EDC **Fact Finding Mission to Skopje**, during which developments of EDC in beneficiary countries of the recently completed EC/CoE JP were compared. EDC experts from BiH, Serbia and Montenegro and “the former Yugoslav Republic of Macedonia” were also present at a team-building session, which produced a report on the feasibility of drawing up Joint Strategy Guidelines on the introduction and development of EDC in schools in the region. This report is available from the Sarajevo office.
52. On 8 August, the Higher Education project team met the Head of the Austrian Development Agency’s office in Sarajevo to coordinate assistance to the Ministry of Civil Affairs in setting up a **BiH European Network of Information Centres (ENIC)**. This was followed on 15-16 and 25-26 August by the first regional training course for the South Eastern European Network of Information Centres (ENIC) and Network of National Academic Recognition Information Centres (NARIC) and BiH universities in Sarajevo. This provided an introduction to the legal and institutional background of the network and a hands-on training exercise in assuming the relevant tasks. (CEAD 7757). There then followed a meeting with representatives of the Ministry of Civil Affairs and the Head of the Estonian ENIC/NARIC office to draft the Terms of Reference for the future BiH ENIC office.
53. From 21 to 24 August, the future BiH ENIC staff, accompanied by the Higher Education project officer, visited the ENIC/NARIC offices of Estonia and Finland as a part of their preparatory training for their future tasks related to the recognition of academic qualification. (CEAD 7759)
54. The Education Project Manager gave a presentation on the **European Year of Citizenship through Education** to a group of 80 young people from all over Europe attending the AER Mostar Youth Summer School on 29 August.
55. On 29 July, within the **PACO Impact** project, a Workshop on Corporate Liability was held in Sarajevo to discuss the provisions of the criminal law in BiH which regulate the liability of legal entities for criminal offences, their application in practice and possible difficulties and constraints, as well as international instruments related to Corporate Liability. The Workshop was attended by 32 prosecutors and judges from all parts of the country and from all levels of the BiH judicial system. (CEAD 9378).
56. In August the Local Project Officer (LPO) briefed the representative of the Swedish International Development and Cooperation Agency (SIDA) on implementation of the PACO IMPACT project and representatives of the European Union Police Mission in BiH (EUPM) on the CARDS POLICE project and activities foreseen for the upcoming period.

57. A Workshop on Strategies for the Ratification and Implementation of the 2nd Additional Protocol to the European Convention on **Mutual Assistance in Criminal Matters** (ETS 182) and Assessment of Training Needs was also held in Sarajevo on 10 August, with officials from the Ministry of Justice of BiH, State Court and Interpol present. (CEAD 12402)
58. On 18 July, the CoE-supported **prison staff training** team launched a three-month training course on core competence elements for prison staff BiH-wide (CEAD 12399). Seeking to reach the whole of the prison staff via a train-the-trainers approach, the aim is to raise the level of competence, bringing it closer to European human rights and professional standards.
59. On 24-25 August, under the guidance of the resident prison reform expert, a workshop on **strengthening the prison service authority** was held in Sarajevo (CEAD 12448). Agreement was reached on a number of proposed actions that the relevant government officials and prison directors might undertake in order to strengthen their authority among the prisoner population, particularly in the following areas: security and control, activity and stimulation and justice and fairness.
60. The SRSG also had talks with the High Judicial and Prosecutorial Council on the merger of the two Entity JPTCs.

3. Other action / coordination and cooperation with partner organisations

61. From 30 June to 1 July in Bjelašnica, in the framework of the **joint EC/CoE project Support to the Centres for Judicial and Prosecutorial Training**, the CoE Office organised a train-the-trainers course on the new aspects of the Entities' Civil Procedure Codes, in cooperation with the Judicial and Prosecutorial Training Centres and with the support of the German Foundation for International Legal Cooperation (IRZ) (CEAD 11766). This was followed on 11 and 12 July by working meetings with local trainers on curriculum development in two fields: judicial administration and court management; communication between justice and the media (CEAD 12212).
62. Throughout July and August discussions were ongoing with the EC delegation in BiH on the contents of a future **joint EC/CoE project in Higher Education** in BiH.
63. On 5 July, the SRSG hosted a meeting for **EC and OSCE Heads of Mission** at which Don Hays, former Principal Deputy High Representative, presented the results so far of the political initiative on **Constitutional Reform** that is being orchestrated by the US Institute for Peace.
64. At meetings on 5 and 26 July, respectively, of the **CARDS POLICE** project, the Organised and Economic Crime Situation Report and the draft Regional Strategy on tools against organised and economic crime were finalised.
65. The SRSG and the **OSCE HoM** collaborated and made joint representations to Ministers and politicians concerning the **Ombudsman Law** and merger/restructuring, and the SRSG took part in a meeting of the OSCE-organised Human Rights Think Tank. The SRSG met with OHR regarding prison reform and legislation, and was involved in close

discussions with the Principal Deputy High Representative regarding the RS Minister of Education. Links with OHR and OSCE, and indeed other members of the IC, remain close, cordial and constructive.

66. On 6 July, in Sarajevo the **Heads of Agencies** met under the joint chairmanship of the OSCE and OHR. Topical issues in **education reform**, namely the lack of HE legislation and signing of the History and Geography Guidelines were discussed, and the SRSG was co-signatory to a letter addressed to all Ministers of Education and the Minister of Civil Affairs adverting to the concerns of all Agencies at the slow pace of education reform.

Tbilisi

1. Political and legislative developments

67. The Parliament approved on 1 July the government-backed proposal over the **new rule of electing a City Council and the Tbilisi Mayor**. The opposition parties condemned this new rule as undemocratic. The ensuing amendments to the election code were approved on 7 July. Opposition parliamentarians boycotted these discussions.
68. The Parliament approved, on 8 July, the **National Security Concept**. The adoption of a National Security Concept was among those commitments undertaken by the government under the Individual Partnership Action Plan with NATO.
69. On 27 July the Central Election Commission set 1 October 2005 as the date for holding **parliamentary by-elections** in five single-mandate constituencies: in Kobuleti, Batumi and Shuakhevi, single-mandate constituencies in the Adjara Autonomous Republic, as well as in the Tkibuli constituency in western Georgia, and in Tbilisi's Isani constituency.
70. **The New Rights, the Conservative Party, the Labour Party and the Freedom Party signed a memorandum on cooperation** on 5 August envisaging the holding of primaries for the five open parliamentary majoritarian (single mandate constituency) seats to be filled in 1 October by-elections.
71. President Mikheil Saakashvili said on 27 August that **Georgia does not think the possibilities of the Commonwealth of Independent States (CIS) "have been exhausted,"** adding that Georgia's withdrawal from the CIS is not on the agenda. He also denied speculation that deepening of bilateral ties between Georgia and Ukraine is a precondition to creating an alternative to the CIS.
72. On 28 August parliamentarian from the ruling National Movement party **Koba Bekauri denied the existence of compromising materials against him** and said that he agreed to pay to Shalva Ramishvili, a co-founder of 202 TV, USD 100,000 in order "to uncover corruption in the Georgian media." Shalva Ramishvili, who also anchors a popular political talk-show "Debates" on 202 TV, was arrested on 27 August and charged with extortion of USD 100,000 from MP Bekauri.

2. Council of Europe Action

73. The **SRSB held several meetings with members of Parliament** to prepare their visit to Strasbourg to discuss in detail the law on Tbilisi.
74. Council of Europe **Parliamentary Assembly (PACE) President René van der Linden arrived in Tbilisi**, on 20 August, where he held talks with Prime Minister Zurab Noghaideli, Deputy Speaker of Parliament Mikheil Machavariani as well as representatives of parliamentary opposition and civil society. The constitutional situation, the independence of the judiciary, freedom of expression and association and media pluralism were the focal points of discussion.
75. A seminar on **"training of teachers of the Georgian Police Academy on Police organisation and human rights"**, organised by the Georgian Police Academy at the

Ministry of Internal Affairs in co-operation with the “Police and Human Rights –Beyond 2000” Programme and the Information Office of the Council of Europe, was held from 11 to 15 July in Tbilisi.

76. A **training seminar on the European Convention on Human Rights** was held from 1 to 4 July as well as on 20-21 August in Tbilisi. Organised by the Council of Europe Information Office in Tbilisi, the SRSG, Directorate General II and the Institute of the State and Law of the Academy of Science of Georgia, the seminar examined universal and regional mechanisms of the protection of human rights, institutional mechanism, protected rights and concepts of the ECHR, application to the European Court of Human Rights and application of the case law by the national institutions.

3. Other action / coordination and cooperation with partner organisations

77. A **national workshop on the decentralisation strategy of Georgia** was held in Tbilisi on 5-6 July. The workshop was organised within the framework of the **CoE/EC Joint Programme**, by the Council of Europe Directorate of Co-operation for Local and Regional Democracy, DGI, in cooperation with the Parliament of Georgia. The SRSG participated in the workshop.
78. A two-day conference on “**the role of the Office of the State Representative to the European Court of Human Rights**” was held on 6 and 7 July in Tbilisi. The conference was organised in the framework of the **CoE/EC Joint Programme** by the Ministry of Justice of Georgia in co-operation with the Directorate General of Human Rights and the Information Office of the Council of Europe in Georgia.
79. The **6th Executive Board Meeting of the National Association of Local Authorities of Georgia (NALAG)**, organised with the support of the **CoE/EC Joint Programme** in the framework of a joint activity implemented by the Congress of Local and Regional Authorities, with the contribution of the Directorate of Co-operation for Local and Regional Democracy, was held on 20-21 July in Tbilisi. Among issues discussed during the meeting were: the draft law on “citizens’ participation in the local self-governance”; NALAG’S resolution on the procedure of election of mayors; code of conduct for locally elected officials; activities of the statutory commissions; activities of regional offices and partner regional associations and the plan of activities for 2005-2006.
80. On 30 August the **SRSG met the representatives of the OSCE** to discuss the human rights trainings conducted by the OSCE throughout Georgia and future plans for a joint conference on the topic of trafficking in human beings.
81. The **European Union ‘Rule of Law’ mission**, which assisted the Georgian authorities reform its criminal justice system, **has completed its activities in the country**. Georgian Justice Minister Kote Kemularia said at a news briefing on 14 July that a concept on reforming the criminal justice system has already been submitted to President Saakashvili for approval. According to the concept, two experts from the EU Rule of Law mission will continue to assist Georgia in developing an action plan. The ‘Rule of Law’ mission, called EUJUST THEMIS, was the first Rule of Law mission launched by the EU in the context of the European Security and Defence Policy.

Chisinau

1. Political and legislative developments

82. On 10 July, **the elections for the post of Mayor** in the municipality of Chisinau and 13 other settlements took place. Due to low voter turnout in Chisinau (26.9%), these elections were declared invalid and the CEC fixed 24 July as the date for repeated elections. By 19 July, 8 of the 10 candidates had withdrawn their candidacy, leaving the communist candidate and the candidate of Ravnopravie-Patria-Rodina in the race. Due to the participation of only 19.7% of the electorate, the elections were again declared invalid. By the end of August, the CEC had not set a new date for municipal elections.
83. On 10 July, Mr Oleg Serebrian was re-elected to the post of head of the Social-Liberal Party at the 11th party congress.
84. On 14 July, due to the absence of Mr Urechean and three other deputies (for health reasons - health certificates being presented), Parliament postponed examination of a decision regarding the **withdrawal of their immunity**. The president of the Juridical Commission for Appointments and Immunities mentioned that as soon as they come to a session of Parliament, the issue will be examined.
85. Former President Lucinschi testified in the **Pasat case** on 4 July. On 11 July, former speaker of the Parliament Mr Motpan and several members of the Governmental commission that dealt with preparation of the documents necessary for the transaction of MIG-29 airplanes, were heard in the case. On 13 July, Mr Braghis was heard.
86. On 12 July, 11 media NGOs signed a declaration in which they expressed their concern about the draft **Law on access to information**, which was elaborated by the Ministry of Informational Development shortly before. The Government submitted it for opinion to the ministries and departments and other public institutions.
87. On 22 July, Parliament adopted, in first and second reading, the law “On the main provisions of the special legal status of the settlements on the left bank of the Dniester river (**Transnistria**)”. At a special meeting on 29 July, the government passed a list of principal guarantees for Transnistrian residents.
88. At the same Parliamentary session on 22 July, Parliament adopted **several law amendments** in first and second reading: amendments to the electoral code, the law on Secret Service, the Criminal Procedural Code, the law on the organisation of the judiciary, on the status of judges, on the Supreme Court of justice, Superior Council of Magistrates, legislation on the Court of Accounts, the Parliamentary Regulations.
89. On 27 July, several hundred convicts of the (Transnistrian-controlled) **Tiraspol prison No. 2** staged an uprising, stating that the conditions of imprisonment were not acceptable. The uprising had been organised by a network of known individuals.
90. In July, a **Tiraspol** court recognised two Moldovan police officers (detained earlier) guilty of kidnapping a Tiraspol citizen and sentenced them to five and five and a half years, with a three-year probationary period.
91. On 2 August, representatives of the **Euronova Media Group** consortium stopped their two months of protests, announcing that they will seek justice from the courts. Euronova

accuses the Audiovisual Co-ordinating Council of unjust and biased treatment (e.g. granting of licences, applying legislation) and obstructing development in the sphere of the audiovisual, which the Council refutes. On 7 July, the Security and Information Service (SIS) had checked the bank accounts of the media institutions which are part of Euronova. Euronova has asked for a public explanation for these actions.

92. On 10 August, the local News Agency **Info Prim** ceased its activity following an earlier decision by the Chisinau Municipal Council to liquidate it (it was financed partially by the municipal budget). Since 11 August, the News Agency continues to operate as “Info-Prim Neo” and is hosted temporarily at the premises of the Independent Journalism Centre.
93. In August, the **TeleRadio Moldova** General Manager repeatedly made public statements, in which he announced that he is suing the Independent Journalism Centre (IJC) for falsifying the data of the monitoring report on the coverage of the electoral campaign in the local elections. The IJC has informed the SRSB’s office that they have not received anything in writing, neither from TRM nor a court, and thus do not know what the charges might be, or whether TRM has indeed sued them.
94. From 23 to 27 August, the **European Union’s Documentation Mission** led by the EU's Special Representative for Moldova, Ambassador Jacobovits, was on a visit in Moldova. Its work focused on Moldovan-Ukrainian frontier issues including visits to several Moldovan-Ukrainian border crossing points (on both territories).
95. On 23 August, a letter was issued by the Moldovan Associations of District Heads and Councillors and of Mayors and Local Communities, asking international organisations to make representations to Russia for ceasing actions of intimidation and blackmail of the head of the **Dubasari district** and the mayor of **Dorotcaia village**. According to the head of the Association of Mayors and Local Communities, the letter was also sent to CLRAE and the President of PACE.

2. Council of Europe action

96. The CoE Committee of Ministers adopted on 13 July a new resolution regarding the carrying out of the decision of the European Court of Human Rights dated 8 July 2004 in the case of *Ilascu and others vs. the Republic of Moldova and Russian Federation*. Also in July, the Court decided to consider, as a matter of priority, a new complaint from Ivantoc and Petrov-Popa who are still kept in a Tiraspol prison. On 28 July, Petrov-Popa received Romanian citizenship. Also, the ECtHR condemned Moldova regarding the non-execution of a court’s decision in the case of Alexei Scutari vs. Moldova.
97. On 5 July, the SRSB met with Mr Musuc, member of Mr Braghi’s electoral staff, to discuss **election- and campaign-related issues**.
98. From 16 to 20 July, **Secretary General Terry Davis visited Moldova** on the occasion of its 10th anniversary of accession to CoE. He had meetings with high-ranking authorities, attended a solemn session of Parliament, a conference including the opening of an exhibition and dialogue with civil society, and gave a joint press conference with President Voronin.
99. On 20 July, the SRSB, the Joint Programme Manager and resident legal expert met with the Minister and Deputy Minister of Justice to discuss the next steps to be taken in the

creation of the **National Institute of Justice** (NIJ). On 25 July, they met with the State Principal Counselor and chief of cabinet of the Prime Minister to discuss the draft law on the NIJ and Budget.

100. On 29 July, SRSG and the JP Manager met the **Speaker of Parliament** to review the last session of Parliament and address current issues.

3. Other action / coordination and cooperation with partner organisations

101. From 8 to 12 July, a **CLRAE delegation** came to observe elections and conduct a monitoring visit on the state of local democracy, holding meetings with relevant authorities. After the elections, they issued a joint press release **together with the OSCE Mission**. From 22 to 26 July, the CLRAE delegation came again to monitor the elections. They also went to Transnistria for a stock-taking visit and gave a press conference on the elections and their findings of the monitoring of local democracy.
102. On 14 July, a **media meeting** to discuss the current situation was held with the OSCE, the US and German embassies and the SRSG and Joint Programme Manager.

Belgrade

1. Political and legislative developments

103. The **President of Croatia**, Stjepan Mesic, visited Serbia and Montenegro from 5 to 7 July and expressed readiness to further improve cooperation between the two countries. However, these good intentions did not work out when officials of the two neighbouring countries exchanged mutual accusations on the occasion of the tenth anniversary of “Operation Storm” carried out by the Croatian army in July 1995.
104. The ten-year commemoration of the victims of **Srebrenica** gathered numerous state delegations and representatives of the international community. The delegation of Serbia and Montenegro was represented by the Chair of the National Council for the Cooperation with ICTY, the President of Serbia, the Speakers of the Montenegrin Parliament and of Vojvodina Assembly.
105. The Serbian media extensively reported on the incarceration in Skopje of the Serbian **Archbishop Jovan of Ohrid** on 26 July, sentenced to 18 months of imprisonment for encouraging nationalistic and religious hatred and intolerance. Since the sentencing there have been many protests from Serbian politicians and strong appeals towards the authorities in Skopje for his release. This coincided with another dispute between Serbian and Montenegrin orthodox churches when the Metropolitan of the Serbian Orthodox Church in Montenegro Amfilohije inaugurated a small church in Rumija, Montenegro.
106. The Serbian government’s **Council for Kosovo** adopted on 29 July a document entitled “Standards for Kosovo – an evaluation of the level of implementation”. During presentation of the document, it was stated that the standards for Kosovo are still very far from being fulfilled, especially regarding basic human rights for non-Albanian communities. The Council also deemed as unacceptable the pilot project for decentralisation of UN SRSG Mr Soeren Jessen-Petersen. The Serbian political leaders from Kosovo subsequently rejected this proposal as well offering their own plan for decentralisation.
107. On 5 August, the Pozarevac District Court dropped all charges and proceedings against Slobodan Milosevic’s son, **Marko Milosevic**, while all other persons charged for taking part in the same alleged crime of coercion remained indicted. A few months ago, the international warrant for the arrest of Slobodan Milosevic’s wife, Mirjana Markovic, was also repealed.
108. Belgrade media reported on the failure of state union authorities to appoint the **Government Agent** of Serbia and Montenegro before the European Court for Human Rights. According to BETA new agency, the problem is caused by a delay in the nomination of the deputy agent who must be from Montenegro.
109. On 25 August, Prime Minister Kostunica **dismissed Mr Nebojsa Covic**, leader of Social Democratic Party from the position of Head of Coordination centre for Kosovo and Coordination body for South Serbia. In a public statement in the same day, another Serbian political party, the G17, announced that the assignment to the position of

Minister of Defence of Prvoslav Davinic, who is from the same party, was a mistake, and called for his resignation.

110. The Serbian Parliament adopted proposed **amendments to the Broadcasting Law**, despite numerous criticisms coming from media and professional associations. The amendments concern the extension of deadlines for the transformation of Radio Television Serbia into a public broadcasting service and the privatisation of broadcasters operated by local government authorities. During the same session a new **Law on Higher Education**, which adjusts University studies to the criteria of the “Bologna Declaration”, was adopted
111. The **latest attack on Serbs of Kosovo**, resulting in the deaths of two youngsters, provoked harsh reactions from state officials and media in Belgrade. The President of Serbia said that the attack was a message that Serbs do not belong to Kosovo, while the Prime Minister blamed the international community for tolerating the terror against Serbs in the region. The Serbian Parliament paid one minute silence in honour of “the victims of Albanian terrorism”.

2. Council of Europe action

112. An information seminar on the **Revised European Social Charter (RESC)** took place in Belgrade on 1 July (CEAD 12010). Representatives of the state authorities, trade unions and employers associations took part.
113. “Preparations of Serbia and Montenegro for ratification of the Revised Social Charter” (CEAD 9139) was also the subject of a conference organised on 13 July in Belgrade. The event aimed to present the Compatibility study of domestic law and practice with the RESC and to contribute to the planning of a national strategy in preparation for its ratification.
114. A training seminar on the **European Convention on Human Rights (ECHR) and the reform of criminal legislation in Montenegro**, was organised on 1-2 July in Igalo, Montenegro (CEAD 12018). The seminar was an opportunity for the participants, mostly judges, public prosecutors and lawyers, to discuss progress in the implementation of the new criminal legislation. The conference was co-organised by the CoE, AIRE Centre, CEDEM and Judicial Training Centre of Montenegro.
115. The CoE Belgrade office, in cooperation with Judicial Training Centre of Serbia, organised on 4-5 July in Palic, Serbia, an **introductory training for public prosecutors** on relevant articles of the ECHR (CEAD 9370). The seminar provided an opportunity for public prosecutors to learn more about the practice of the European Court of Human Rights and the experience of other countries regarding compatibility between domestic laws and the ECHR.
116. In cooperation with ABA CEELI, the CoE Belgrade Office organised on 5 July in Novi Sad a seminar on **mediation** for judges from the Municipal and District courts of Novi Sad (CEAD 5639). Participants were introduced to the relevant CoE recommendations and a mediation model applied in Belgium. In the final session participants discussed the current model applied by the Belgrade District Court.

117. In the framework of the **PACO Impact** Project (CEAD 9493), a final meeting to choose the Pilot Activity for Serbia took place at the CoE Belgrade office on 7 July. “Integrity plans” for courts and prosecutor’s offices were chosen as a first activity that after a pilot phase should be implemented in prosecutor’s offices throughout Serbia.
118. The CoE Belgrade Office organised from 11 to 14 July in Nis a training seminar on **management for prison governors** from Serbia (CEAD 5582). CoE experts introduced the methodological prison management system and discussed with participants the potential applicability of such methodology in Serbian prisons.
119. Two CoE experts for penitentiary reform visited Serbia in July in order to get an overall view of the prison system and enable them to draft recommendations on needs for assistance and further activities (CEAD 12045).

3. Other action / coordination and cooperation with partner organisations

120. The Head of the Belgrade Office met on 4 July with the Head of the ICRC Delegation for Serbia and Montenegro Mr Christian Brunner and the Head of the ICRC Communication Department Mrs Gordana Milenkovic. The ICRC delegate briefed the HoO on the progress related to the working group on **persons missing in connection with events in Kosovo**.
121. The Head of the Belgrade office met on 9 August with the new UNHCR Senior Protection Officer in Belgrade, Mr John Andrew Young. They discussed the forthcoming **joint CoE/UNHCR conference on the access to social rights of vulnerable groups**, the application of Serbia and Montenegro for the CoE Development Bank loan to support housing of refugees and the status of the draft law on Asylum.
122. The Ministry of Justice together with USAID organised on 1 July a presentation of the **National Strategy for Reform of the Judiciary**. International organisations were invited to send their comments. On 12 July, the OSCE convened a meeting to discuss the Strategy. The CoE informed participants that their comments will be available in mid-September.
123. On 13 July the Belgrade Office met with representatives of the Prosecutors Association of Serbia in Belgrade who wanted to convey their concerns regarding the **National Strategy**. According to the association a number of proposed solutions are detrimental to the independence of prosecutors, particularly in the investigation of corruption and organised crime cases.
124. The Judges Association of Serbia and the Anti-Corruption Council organised on 2 July a conference on “**Corruption and Judiciary**”. The Belgrade office presented the CoE standards and the PACO Impact Project which is currently implemented in Serbia.
125. On 5 July the Head of Belgrade Office attended a round table on **war crime trials** organised by the National Council for Cooperation with ICTY, the State Union Ministry of Human and Minority Rights, **and OSCE**. The aim of the event was to show the active support of the State institutions for the trial of acts against humanitarian law. Senior officials of the Serbian Government, representatives of the Serbian Orthodox Church and Army, participated in the round table.

126. The Belgrade Office participated in the conference “**Improving legal education**” organised by the Open Society Fund and Young Lawyers of Serbia, on 5 July in Belgrade. The Office staff presented the CoE standards relevant for the initial training of lawyers and continuous training of judges and prosecutors.

Podgorica

1. Political and legislative developments

127. On 22 August the Minister for European Integration, Ms Gordana Djurovic, launched an initiative for incorporation of a clause within the Directives for negotiations on stabilisation and association of Serbia and Montenegro with the European Union making possible a **political “double track”** if Montenegro becomes an independent state after the referendum.
128. President Filip Vujanovic on 21 August announced his intention to invite the leaders of the Parliamentary parties for **talks on his proposal for a referendum** on the future state status before its submission to the Parliament. The Socialist People’s Party and the People’s Party would prefer the President talks with EU representatives first, while the Serbian People’s Party and the Democratic Serbian Party excluded the possibility of accepting this proposal.
129. The requirements of the opposition for scheduling an extraordinary Parliamentary session found **agreement from the political Parliamentary groups and the President of the Parliament**. The session will be held on 19 September and debate will focus on: responsibility of the President of the State in relation to the agreement on compensation for war damage to Croatia, adoption of the Law on taxation of extra profit, establishment of an ad-hoc Parliamentary Committee on the murder of Mr Dusko Jovanovic, Editor in Chief of the daily DAN.
130. The Movement for Independent Montenegro on 23 August called on the authorities **to fix a concrete date for holding the referendum**. The Movement’s infrastructure is completed in 16 out of a total of 21 municipalities. Its pre-referendum campaign also includes activities aimed at the other member state, the diaspora and the international community.
131. The sharp debate about **the current state and perspectives of inter-religious relations** occupied the public interest following the Serbian Orthodox Church’s continuing action, including: imposing religious leadership, raising a religious monument in co-operation with the military in a multi-confessional environment, requirements for restitution of property, an initiative for inclusion of religious education in the standard curricula, and restoration of religious heritage in disregard of the competent institutions.
132. The Government adopted the **Programme for Combating Organised Crime and Corruption** at its session held on 28 July.
133. The **Law on Capital** and the **Law on Public Notaries** were approved by the Government on 2 and 7 July.
134. **To be watched next month:** the process of harmonisation of the Directives for negotiation of **stabilisation and association to the European Union**.

2. Council of Europe action

135. An expert mission was conducted from 4 to 6 July in order to launch the new Pilot Project "**Strengthening operational capacities and increasing effectiveness of the Special Prosecutor's Office**". A Report, including Assessment and Recommendations will be sent to the relevant institutions for further reform reference. (PACO Impact)
136. The final Expert comments on the **Draft Code of Civil Servants** were submitted to the Ministry of Justice on 11 August (CEAD 10891). This should contribute to approval of the code and its application in practice, providing the basis for "good administration".
137. Assistance was given to the preparation of a **Study Visit of Crime Analysts and Officers from the Department for Combating Organised Crime** to Europol in the Hague, the Netherlands from 5 to 7 July (CARPO).
138. Following the conclusions of the Regional Meeting held in Strasbourg in June and the follow-up of the Third Advisory Board meeting, the activities of the CARPO Working Groups to prepare **Comments on the Economic and Organised Crime Situation Report** were coordinated and assisted. A draft document was submitted to Strasbourg for finalisation (CARPO).
139. The Draft Law on **Access to Secret Files**, the Draft new **Law on Conflict of Interest** and the Draft **Law on the Bar** were subjects of Council of Europe expertise at the beginning of August.
140. A Ministry of Justice Working Group was provided with an Expert Opinion on the **Draft Law on Extra-Judicial Proceeding** on 17 August.

3. Other action / coordination and cooperation with partner organisations

141. Within the **Joint Programme of the Council of Europe and the European Commission**, a Conference on **Ratification of the Revised European Social Charter by Serbia and Montenegro** took place on 12 July. The Study on compatibility of legislation and practice of Serbia and Montenegro with the RESC was presented to participants. It is aimed to speed up the process of ratification of the RESC and assist in harmonising legislation with RESC provisions and the practice of the European Committee for Social Rights (CEAD 9139).
142. Within the aforementioned Programme, a seminar on the same Study for **Social Centre employees and representatives of various social, health and educational institutions** was held on 19 July in Podgorica, with the purpose of facilitating implementation of the RESC in domestic practice (CEAD 12010).
143. Within the **Joint Programme of the European Commission and the Council of Europe**, an International Summer Camp "**Living and learning democracy**" for high school students from Serbia and Montenegro, Croatia, Bosnia and Herzegovina, Albania and "the former Yugoslav Republic of Macedonia" was organised in co-operation with the Ministry for Education and the Bureau for Educational Services from 17 to 23 July to contribute to integration of civic and human rights education and improve school networking (CEAD 12372).

144. As part of regular information exchanges, a meeting regarding fulfilment of the commitments and criteria of the **feasibility study**, including the general political situation, was held on 11 July with **EC Delegation** representative Mr David Hudson.
145. A **joint CoE/OSCE meeting with the Minister of Interior** on progress in drafting the Law on Access to Secret Files, and adoption of the Programme for combating organised crime and corruption, including further co-operation, was held on 12 July.
146. **In the context of periodic inter-organisational CoE/OSCE consultations**, a meeting took place on 22 July to identify possible future fields for joint action in areas such as organised crime, minorities, ombudsman, prison reform, etc. The next such meeting is scheduled for 28 October.
147. The Head of Office contributed to an **International Media Programme Operators Meeting organised by the OSCE** on 27 July, speaking on the status, implementation of the CoE Expert's recommendations and perspectives for adoption of the Law on Free Access to Information.

Pristina

1. Political and legislative developments

148. Political life in Kosovo in the past two months was still focused on **standards implementation and decentralisation**. The UN SG's Special Envoy, Ambassador K. Eide, visited Kosovo three times, to assess the situation with regard to standards implementation. The report is due to be debated in New York at the end of September, or mid-October at the latest. After debating the report, the UN Security Council will take a decision whether to start negotiations on Kosovo's future status.
149. In preparation for negotiations, in which UNMIK will not take part, UNMIK Head, Mr Soren Jessen Petersen, paid visits to **Contact Group** States' capitals.
150. The **Political Forum**, a body established on the SRSG's initiative, held several meetings, but never came close to its main immediate objective: to form a group that will represent Kosovo in talks on status.
151. On 22 July UNMIK Head, S. Jessen Petersen, signed an administrative decision on **decentralisation**, officially giving the green light for the implementation of the Pilot Projects in five yet to be created Municipal Units. Nevertheless, the process is still pending. The PISG (Provisional Institutions of Self Government) in its proposal for boundaries of the new municipalities was firmly defending a "one cadastral zone" principle, which could in no way satisfy minorities and was rejected by UNMIK and the Serbian community. In an attempt to solve the problem a "plan B" was introduced but again it was leaving Serbs in a minority in both municipalities where they live. A proposal was then made by representatives of Serbs, rejected this time by the PISG. Until a solution is found for this issue, the Pilot project will only begin to be implemented in 3 out of 5 Municipalities.
152. **Tensions** in Kosovo are becoming more evident as the date of negotiations approaches. The slogan "No negotiations – Self Determination" is visible throughout Kosovo. At the initial stage of their campaign, members of the NGO responsible for posting the slogan were arrested by police. Only after Kosovo Ombudsperson, Marek Antoni Nowicki, sent a letter to Head of UNMIK expressing his concern over arrests of the activists and stressing that the form of expressing their opinion was perfectly within the limits accepted in a democratic society, were arrests stopped. Some unknown groups made known that in case K. Eide's report is negative, they will start massive actions.
153. More than once there had been declarations from different Kosovo **Serbian politicians** that they would be joining political bodies but until now this has not been done. Freedom of movement for minorities and returns remain a serious issue, mainly for security and safety reasons.
154. In July and August several **political personalities** visited Kosovo, among which former State Secretary Madeleine Albright, President of Croatia Stjepan Mesic, Foreign Minister of Poland Adam Daniel Rotfeld.

155. A decision was taken by UN officials to **transfer responsibilities to the PISG** in the field of Justice and Police, which means creation of Ministries of Justice and of Internal Affairs, presumably before the end of the year.

2. Council of Europe action

156. The Secretariat of the **Reconstruction Implementation Commission (RIC)**, that operates under CoE aegis and is chaired by a CoE Expert, met twice. Tenders were prepared and published. Results will be known by mid-September. A website was created (www.rickosovo.org) where all information concerning reconstruction of destroyed religious and historical monuments will be displayed.

157. In the framework of the **PACO Impact** project and in cooperation with the Advisory Office for Good Governance, the Council of Europe office organised a Round Table Discussion on the Issues of Implementing the new Anti-corruption Law in Kosovo. The discussion, which was kicked off by the Prime Minister and the SRSG, proved highly fruitful.

158. The Head of Office visited Poduevo Municipality, where he had meetings with representatives of the Askhali community and the Vice-President of the Municipality in order to discuss problems of minorities in the region.

3. Other action / coordination and cooperation with partner organisations

159. The EAR-funded **Legal Aid Project** (which provided legal aid in civil and administrative cases) came to an end in August after being extended for two months. The Council of Europe has supported legal aid in general and the project in particular from its outset. Currently legal aid in criminal cases is provided for in the Provisional Criminal Procedure Code, but legal aid in civil and administrative cases is not provided for until a new regulation, currently in the final stages of drafting, is passed. The regulation foresees an integrated legal aid system and another EAR project is now being implemented to ensure a comprehensive legal aid system in Kosovo. The office attends working group meetings in that framework and further collaboration is foreseen with EAR and other partners in this field.

160. Care International, with the support of UNICEF, organised a Round table discussion on the problem of **Violence against Children in Kosovo** with a specific focus on violence happening at school settlements. The Deputy Head of Office informed participants of efforts of the Council of Europe in this field, highlighting the recent Regional Consultation for the UN Secretary General's Study on Violence against Children and the Conference on Yokohama review combating sexual exploitation of children. Information was subsequently sent to the coordinator of the round table for distribution among participants.

4. General Security Situation

161. On 2 July, three successive **explosions** were heard at night in Pristina: one destroyed 3 UN vehicles in the UN parking lot, another damaged a shop opposite OSCE HQ and the third bomb blast occurred near the building of the Kosovo Assembly. No claims of

responsibility were made. Apparently, it was a demonstration of force by radical groups of Kosovo.

162. Several **ethnically motivated incidents** against the Serb population, including automatic weapons' shooting and hand grenade explosions were reported in different regions of Kosovo.
163. KFOR Command decided to raise the **military readiness** stage, to prevent any unexpected action.

Tirana

1. Political and legislative developments

164. On 3 July, the electoral campaign for the renewal of the Albanian Parliament concluded in **Election Day. Counting operations** in the Zonal Election Commissions took a number of days, sometimes with interruptions in the counting process and the tabulation of results, so that final results in 97 constituencies out of 100 were published on 14 July.
165. After processing **over 300 complaints** and requests for invalidation, the Central Election Commission (CEC) and the Electoral College, the appeal body for claimants, validated elections in 97 zones and the distribution of proportional votes for another 40 seats.
166. The CEC decided **re-runs in 3 zones** on 21 August. All three seats were won by candidates of the Democratic Party (DP).
167. The final distribution of seats gives to **the coalition of the DP and its new allies in Parliament a majority of 81 seats** out of 140.
168. The **final publication of results** by the CEC is expected to take place on 2 September, and the Parliament will be able to convene upon convocation by President Moisiu.
169. In the new Parliamentary majority, **the coalition of DP and other right-wing parties is reinforced** by the Union for Human Rights Party (UHRP) and the Agrarian Environmentalist Party (AEP), formerly allied to the Socialist Party.
170. On Election Day, an Albanian observer, member of the Republican Party and brother of a candidate, was **shot dead in front of a polling station** in Tirana.
171. Two men were also **killed on 4 July in Lushnjë** (Central Albania), one of them in apparent revenge shooting by relatives of his victim.
172. The **body of a local DP leader** in North-East Albania, disappeared since 7 July, was found on 27 August in a lake of the area. The case is being investigated by the Prosecution of serious crimes.
173. The **Mayor of the municipality of Kamëz**, near Tirana, was **dismissed** by Prime Minister Fatos Nano on charges of having issued fake birth certificates; such certificates were accepted as proof of identity in polling stations. The Mayor is also subject to a lawsuit.
174. On 24 August, a quarrel between prisoners in the **prison of Peqin** (Central Albania) ended up with a general **fight with knives and razors** between some 50 detainees. Twenty of them were wounded, three seriously.
175. The High State Audit valued at over **14 million euro** the **damage** suffered by Albanian institutions because of financial violations and irregularities in the State budget and related institutions.

2. Council of Europe action

176. From 7 to 9 July, the last workshop session for members of the Chamber of Advocates of Shkodra on the **ECHR and Court jurisprudence** took place. The local trainees were given general information on the ECHR and Court jurisprudence, its main principles and approaches, and admissibility criteria and specific information on articles of the ECHR and their application in the domestic legislation. The training was jointly conducted by Albanian trainers and CoE experts.
177. Albanian newspapers reported on **GRECO's Second Round Evaluation Report** published in July, which they said mentioned that Albanian authorities have made important steps forward in the fight against economic crime, fiscal evasion, smuggling and money laundering.
178. "The Action Plan for the Prevention and **Fight against Corruption 2005**", including the Inventory of Achievement with respect to anti-corruption efforts/measures carried out during 2003-2004 and Action Plan 2005, was published in booklet format in July with funding from the PACO Impact project. The Action Plan constitutes the government's anti-corruption strategy and is now available in both English and Albanian versions.
179. A regional seminar took place in Strasbourg on 29 August to give its final shape to the main documents of the CARPO project, namely: "Regional Strategy on Combating **Organised and Economic Crime** in the Region"; and "Report of the Council of Europe on the Situation of the Economic and Organised Crime in the Region of South-East Europe".
180. The following day, the Mid-Term Review of the **PACO Impact Project** in Strasbourg, the Second Semi Annual Report of PACO Impact Project was presented and discussed between the PACO Impact Project Management Unit and SIDA representatives. The report presents an update of achievements, activities carried out up to now in each project area, including Albania, as well as priorities and actions/activities still to be carried out.
181. The **Special Adviser** observed the electoral process before, during and after E-Day and assisted the delegation from the Parliamentary Assembly who officially observed the elections. The SA **left his post at the end of his mandate on 31 August**.

3. Other action / coordination and cooperation with partner organisations

182. A **study visit to Europol** headquarters in The Hague was organised under the CARDS-Police programme from 5 to 7 July for two members of the Albanian police forces.
183. Co-ordination between the CoE and **OSCE Presence** in Albania as well as with the **EC Delegation** in Tirana was permanent during the pre- and post-elections periods. There are currently also a number of projects under examination for joint or co-ordinated action in Albania between the OSCE Presence and the Council of Europe.

Skopje

1. Political and legislative developments

184. On 1 July Prime Minister V. Buckovski met representatives of the Association of the Units of Local Self-Government (ZELS) to officially mark the first stage of **decentralisation**, which started formally on 1 July 2005. According to the detailed national action plan of transfer of competences and resources, 489 institutions and almost 27,000 employees, buildings and facilities will be transferred from the central level to the 84 municipalities. The transfer will concern personnel from education, culture, social care, fire brigade and transport and communications. One of the key issues faced by the local authorities is the handling of the overall municipal debts. In a joint statement, the European Union, OSCE, NATO Ambassadors and the United States praised “this important day for the country”, however “full implementation will require sustained efforts extending well beyond a year”.
185. On 15 July, Parliament adopted the **Law on Use of Flags** by 50 votes for, four against and eight abstentions, with the opposition, which decided to boycott the vote, absent. In their respective statements, the ambassadors of the EU member states, the European Union High Representative for Common Foreign and Security Policy and the Head of the OSCE Mission in Skopje welcomed the adoption of the law which marked the completion of the “legislative agenda set out in the 2001 Ohrid Framework Agreement”. Concretely, the ethnic communities flags will be displayed along with the state flag in municipalities with an ethnic majority, which includes 16 municipalities for the Albanian flag, two for the Turkish and one for the Roma flag.
186. On 15 July, Parliament appointed the **six new Deputy Ombudsmen**, each to head up one of the new regional offices, among them two ethnic Albanian deputies and four women. The appointments are an important step in fulfilling the requirement in the Ohrid Framework Agreement for the Ombudsman to establish decentralised offices. However, according to the Law on Ombudsman, adopted in September 2003, the deputies should have been appointed more than fifteen months ago.
187. On 18 July, DUI, the Albanian party of the ruling coalition, requested creation of a **post of Vice-President of the State** in accordance with the Framework Agreement. The Vice-President should be elected by direct vote and the proposal should get through the draft constitutional amendments under discussion at the current parliamentary session. The Minister of Justice asserted that anything which is not within the existing electoral system “will not be accepted.”
188. On 24 July, the Court of Appeal in Bitola rejected the appeal lodged by the **schismatic priest Jovan Vraniskovski** against his prison sentence for instigating religious, national and racial hatred, discord and intolerance. The defrocked Macedonian Orthodox Church priest has been appointed exarch of the Orthodox Ohrid Archbishopric by the Serbian Orthodox Church. Confirmation of the imprisonment of Archbishop Vraniskovski triggered fierce reactions by Serbia-Montenegro officials and strained relations between the two churches.

189. Over the past weeks, the dispute escalated between the authorities of the two countries. On 31 August, Prime Minister Buckovski and Serbian President Tadic stated that the dispute between the Macedonian and the Serbian Orthodox Churches over the imprisonment of the priest Vraniskovski will not affect relations between the two countries.
190. At the closing session ahead of the summer recess on 5 August, the Parliament adopted with no vote against and no abstentions the **draft constitutional amendments related to the judiciary**. Prior to the vote, the Prime Minister held a series of consultations with all political parties present in the Parliament. The decision paved the way for a period of two months for public debate. Within 30 days after the adoption of the amendments, the government will review and integrate proposals and suggestions in the new draft to be tabled.
191. On 16 August, VMRO-DPMNE, one of the opposition parties, officially announced that it will organise a **protest rally** on 15 September to express dissatisfaction with the overall situation in the country, in particular with the economy.
192. On 22 August, the State Election Commission declared that none of the three candidates won an outright majority in the first round of the by-election held in the unique **Roma municipality** of Suto Orizari on 21 August. (On 21 June, the Supreme Court had annulled the election of Amdi Bajram as mayor of Suto Orizari as he was due to serve a four-year prison sentence.) Erduan Iseni from the United Party for Emancipation of Roma, won the largest number of votes ahead of Shaban Saliu, a lawyer of the imprisoned former mayor. According to local observers, the polling went without incident. However, the vote was characterised by a very low turnout (23.37%).
193. On 24 August President Crvenkovski officially expressed deep concern about the decision of the Basic Court of Skopje to withdraw the **international warrant against Agim Krasniqi**, leader of the armed group in Kondovo, a small municipality in the vicinity of Skopje. He asked for the “Kondovo case” to be “cleared in order not to lose the trust in the legal state and to remove all doubts that somebody violated the Constitution and the law intentionally”. At the same time, the Government requested the Ministry of Interior and the Ministry of Justice to deliver a full report on the circumstances of the dropping of the case.
194. In an interview to a local newspaper on 25 August, Andrej Petrov, the newly elected President of the **Association of Units of Local Self Government (ZELS)**, stated that the **transfer of competences** officially ongoing since 1 July was satisfactory. However, some issues are to be solved in the forthcoming months, in particular, the insufficient allocation of funds for maintenance and heating of schools. Other concerns relate to the capacity of the smaller municipalities to cope with financial problems. Moreover, discussion is still ongoing between the Ministry of Transport and Communications and the mayors who are still reluctant to accept the overall transfer of employees from the Ministry.

2. Council of Europe action

195. From 4 to 8 August the Skopje Office hosted the Team Building exercise in **Education for Democratic Citizenship** for a group of 10 experts from BiH and Serbia and Montenegro, joined by local experts. Besides the discussions related to the on-going EDC

programmes in BiH and Serbia and Montenegro, the meeting aimed at assisting harmonisation of the EDC curricula in the region, but also enhancing the networking of experts, through partnership cooperation between the Council of Europe offices in Sarajevo, Belgrade and Skopje.

196. In the framework of the **Joint CARDS Programme** between the European Commission and the Council of Europe to support social institutions in South East Europe, the **First Summer School on Social Security** was organised in Ohrid from **22 August to 2 September**. The main objective of the Summer School was to provide in-depth social security training during a limited period in a comprehensive, multidisciplinary and multinational way. The target group for these training activities was broad, including civil servants, managers of social institutions, social partners, non-governmental social policy actors and quality journalists from the region. The Summer School played a key role for the gradual development of the social security debate within the participating countries and for the networking between social security experts throughout the region.