



# Information Documents

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Reports from the Council of Europe Field Offices  
June 2003

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## **June 2003 in Tirana**

### **SUMMARY**

#### **Political Overview**

- **EU Thessaloniki Summit**
- **Talks on the Stabilisation and Association Agreement**
- **Implementation of the project on the Pan European Corridor VIII**
- **Electoral reform**
- **Non-extradition Agreement with United States**

#### **Office Activities**

#### **Political Overview**

##### **Thessaloniki Summit**

1. Prime Minister Fatos Nano and President Alfred Moisiu praised the results of the EU Summit in Thessaloniki. At a press conference on 21 June, the two said "a worthy representation of the country's entire efforts towards EU membership was successfully crowned" at the summit. Mr Nano also promised to step up efforts in fighting organised crime, corruption and trafficking

##### **Talks on the Stabilisation and Association Agreement**

2. Albania and the EU continued talks on the Stabilisation and Association Agreement on 26 June in Brussels at the 6th meeting of the joint Albania-EU panel. Integration Minister Sokol Nako stressed Tirana's readiness to step up efforts to combat organised crime and curb trafficking.

##### **Implementation of the project on the Pan European Corridor VIII**

3. The Foreign Ministers of Albania, Greece, Italy, "the former Yugoslav Republic of Macedonia" and Turkey together with the representatives of the European Commission held a meeting in Tirana to work out plans on Corridor 8, linking the Black Sea and the Albania's ports along the Adriatic Sea. The so-called corridor number 8 is part of European Union plans of international transportation network in Europe.

##### **Electoral reform**

4. On 19 June, the Albanian Parliament has adopted the final amendments to the electoral law, which must lead to improved local elections to be held in October 2003.

##### **Non-extradition Agreement with United States**

5. On the same day, the Parliament voted overwhelmingly to ratify the reciprocal agreement signed in May by Prime Minister Fatos Nano and US Secretary of State Colin Powell, on non-extradition of Albanian and US citizens to the International Criminal Court. Parliament members stressed that it does not amount to a choice between the EU and the United States.

**Office Activities**

6. Following the departure of the acting Special Representative of the Secretary General, reports on on-going activities have been suspended pending the appointment of a programme co-ordinator.

# June 2003 in Belgrade

## SUMMARY

### Political overview

- **Co-operation with ICTY**
- **Law on Court of the State Union**
- **EU relations**
- **Independence**
- **Constitutional Court ruling**
- **Constitution**
- **Media**

### Office Activities

- **Monitoring Mission**
- **Judicial reform**
- **Constitutional reforms**
- **Human rights**
- **Media**
- **Youth**
- **Education**
- **Culture**
- **Other**

### Political Overview

## SERBIA AND MONTENEGRO

### **Co-operation with ICTY**

7. Former Yugoslav Army Major Veselin Slijvančanin was arrested in Belgrade on 12 June. Some 1,000 supporters had rallied to prevent his arrest and transfer to The Hague, but the police force prevailed.

### **Law on Court of the State Union**

8. This law was enacted by the State Union Parliament on 18 June, 12 judges are to be elected after publication of the act in the official gazette. The Court was the last State Union level institution stipulated in the Constitutional Charter to be decided upon. It will be based in Podgorica.

### **EU relations**

9. The Action Plan on Harmonization, which is a prerequisite for a later Association and Stabilisation Agreement with the European Union was ratified on 5 June (Serbia) and 12 June (Montenegro) respectively.

### **Independence**

10. While much effort is put into assisting both Serbia and Montenegro in developing a constructive and cooperative basis for their joint State, politicians and parties in both States continue to claim independence. Thus, the G17+ party of former FRY Prime Minister and signatory of the Belgrade Agreement, Miroljub Labus has started a

"Serbia First" campaign, and Montenegrin Prime Minister Milo Djukanovic declared on 27 June, that "international recognition of our independence is only a matter of days" (source: B92)

## **SERBIA**

### **Constitutional Court ruling**

11. The Constitutional Court of Serbia has ruled that Parliamentary mandates belong to the elected representatives, not to any coalition their parties may belong to. Those whose mandates were taken away from them can now claim them back. This settles a question which dominated the political scene last summer, when 22 DSS Parliamentarians were stripped of their mandates after DSS left the DOS coalition.

### **Constitution**

12. Under the chairmanship of Minister of Justice Vladan Batic, the Constitutional Commission and various sub-committees meet on a regular basis. They face major difficulties both concerning content and political power struggles.

### **Media**

13. Most of the members of the Serbian Broadcasting Agency, which had been established without full respect for the legal provisions, have now resigned. This renders the body unable to work (distribution of frequencies). No solution for this conflict is in sight. Relations between the media and the government are generally tense, with individual politicians favoring or attacking different media outlets. Vladimir "Beba" Popovic, Head of the Serbian Government's Communication Bureau has sued several of the best reputed media, including Studio B and the weekly "Vreme".

### **Office Activities**

#### **Monitoring Mission**

14. The 1<sup>st</sup> Monitoring Mission for Serbia and Montenegro took place from 10-13 June. Some 35 interlocutors representing parliaments, the public authorities, the international community, civil society and the media were consulted in both Serbia and in Montenegro, and on State Union level.

#### **Judicial reform**

15. A Memorandum of Understanding on co-operation between the Council of Europe and the Ministry of Justice was signed by MoJ Vladan Batic and the HoO on 6 June, with the aim of speeding up the reform process, especially where CoE commitments are concerned.

16. Throughout the month, a great number of meetings attempting **to move forward judicial, reform and the fight against organised crime** were held with a great number of international and local partners.

17. On 18 June, agreements on **the implementation of the Memorandum of Understanding** were reached with the MoJ.

18. On 20-21 June, a legal advisor of the Belgrade Office participated in the **Criminal Law School of the Judges' Association**.

**Constitutional reforms**

19. The Belgrade Office observes all meetings of the Constitutional Commission and its sub-commissions, and regularly reports to the Venice Commission secretariat. So far, no substantial progress has been made. It is obvious, that the initial time plan (six months after ratification of the Constitutional Charter) will not be respected.

**Human rights**

20. On 6-7 June, the Council of Europe and Judicial Training Center organised the last seminar on the ECHR and other relevant standards for judges of the Belgrade District Court.
21. On 13-14 June, training seminars in Nis and Novi Sad for judges from the local district courts took place.
22. On 16-18 June, a study session on the ECHR and on the European Social Charter took place in Strasbourg for persons giving legal assistance to Roma.
23. On 23 June, an Office representative participated in a donor conference for support for the Ministry of Human Rights and Minorities.
24. On 25-29 June, a training seminar on the ECHR and procedure before the Court, including implementation of its rule in the domestic legal system, was organised by the Council of Europe, Belgrade Centre for Human Rights and the AIRE Center, UK, for some 35 practicing lawyers from Belgrade, Novi Sad and Nis.

**Media**

25. On 20 June, a Round Table with editors-in-chief of the main Belgrade print and electronic media discussed the impact of the irregularities in constituting the Serbian Broadcasting Agency, and the amendments on Public Information Law, on the freedom of media.

**Youth**

26. A training activity on how to form a national youth council was offered for youth leaders and civil servants in Zlatibor from 22-28 June. The activity had been planned in close co-operation with the Youth and Sports Department of the Serbian Education Ministry. Participants from Montenegro were invited.

**Education**

27. Several meetings with representatives of the Ministry of Education and other international organisations took place in the general context of the Steering Committee of the Joint Programme. The education advisors of the Belgrade and the Podgorica Office met in order to coordinate the activities in both States.

**Culture**

28. On 27-28 June, the Cultural Policy and Action Division, together with the Serbian Ministry of Culture, organised a public debate of the "Cultural Policy in Serbia", which was opened by the Serbian Minister of culture, and the HoO.

**Other**

29. The legal adviser participated in the second part of a conference on domestic war crime trials with representatives of the Croatian and the Serbian judiciary on 13-14 June in Zagreb/Croatia.
  
30. A week later, she participated in a regional conference on "Domestic War Crimes Trials", which was held in Montenegro with judges, prosecutors, police officers and lawyers in order to prepare them for the domestic trials and to discuss necessary legislative changes in the area of substantive and procedural criminal law.



## June 2003 in Podgorica

### SUMMARY

#### Political overview

- **CoE experts invited to investigate the trafficking case**
- **Opposition boycotts the work of the Parliament**
- **New Montenegrin President inaugurated**
- **Montenegro shall compensate Roma people**

#### Office Activities

- **Legislative developments and legal co-operation**
- **Fight against trafficking in human beings**
- **Prisons**
- **Education**
- **Media**
- **CoE Monitoring Mission**
- **Co-operation with other international organisations**

#### Political Overview

##### **CoE experts invited to investigate the trafficking case**

31. This month was marked by further developments in the case of human trafficking, initiated in late November 2002. The final decision of the Podgorica prosecutor to suspend prosecution of four suspected sex traffickers, one of whom is the Montenegrin deputy state prosecutor, has come under increasing criticism from international organisations and local NGOs. One of the first and the strongest reactions was from the US, but the issue has been equally addressed by the EU, OSCE, Stability Pact officials, and UNHCHR. Even though Montenegrin authorities claimed that they will not, or could not, interfere with the legal aspects of the case, they invited experts of the Council of Europe, and OSCE experts, to investigate the case and to verify if legal procedures were properly conducted.

32. Consequently, the whole issue became a subject of political bargaining, since the Social Democratic Party, which is supposed to take over the position of the President of Parliament, conditioned participation in that capacity with the replacement of the state prosecutor.

33. A non paper produced by the Montenegrin Foreign Ministry has been distributed and a new National Co-ordinator for the fight against human trafficking, Mr Aleksandar Mostrokol, has been appointed. Also, the Deputy Prime Minister took part at the OSCE Permanent Council session and presented his official standpoint, calling CoE and other experts to verify the case.

##### **Opposition boycotts the work of the Parliament**

34. Due to the closing down of the Parliamentary Channel by the decision of the RTVCG Council and discontinuance of live coverage of the parliamentary sessions, the Montenegrin opposition is boycotting the work of the parliament for a month.

**New Montenegrin President inaugurated**

35. The new Montenegrin President, elected at the presidential elections on 11 May, officially commenced his term of office. President Vujanovic, in his speech, reiterated the aim of having an “internationally recognised, sovereign Montenegro”

**Montenegro shall compensate Roma people**

36. On 19 June the Montenegrin Government agreed to pay in compensation 985, 000 EUR to 74 Roma victims from the Danilovgrad tragedy - a notorious 1995 pursuit involving mob-violence and the total destruction of an entire Roma neighbourhood. It follows a decision adopted by the UN Committee against Torture on 21 November 2002 expressly finding the Montenegrin authorities in violation of the relevant Convention.

**Office activities****Legislative developments and legal co-operation**

37. During June, a series of meetings were held with the representatives of MoJ regarding various fields of co-operation. The CoE experts submitted their comments on the Draft Law on the Public Prosecutor, which is expected to be adopted during the summer.
38. A Draft Protocol on co-operation between the CoE and MoJ has been developed, with the aim to define in more detail the specific legislation on which joint efforts will be focused.

**Fight against trafficking in human beings**

39. On 22 and 23 June, the CoE Office, in co-operation with the OSCE Office, organised a seminar on procedural and substantive aspects of the new criminal legislation in Montenegro concerning the fight against trafficking in human beings. The seminar was attended by members of the working groups for drafting of the Criminal Procedure Code and Criminal Code, as well as by the CoE and OSCE experts.

**Prisons**

40. From 8 to 14 June, a study visit of the prison administration officials to the United Kingdom was organised in the framework of the prison service reform in countries and regions of South Eastern Europe. The aim was to familiarise Montenegrin prison administration officials with the functioning of different prison systems.

**Education**

41. On 10 and 11 June, the CoE office representative participated in the Steering Committee meeting in Belgrade, as well as in the meeting in the Ministry of Education of Serbia. In addition to this, a separate meeting with the Minister of Education of Montenegro was organised in Podgorica in the framework of the Monitoring Mission. The aim was to introduce further CoE activities in this regard and to identify other needs in the field of education.

**Media**

42. The CoE representative took part in several meetings organised by the Working Group for the implementation of media laws, in particular with the NGO community and media owners.

**CoE Monitoring Mission**

43. The first Monitoring Mission for Serbia and Montenegro visited Montenegro on 12 June. The Mission had a series of high level meetings with Montenegrin officials.

**Co-operation with other international organisations and Montenegrin authorities**

44. The extensive co-operation with other international organisations continues.

## June 2003 in Pristina

### SUMMARY

#### Political overview

- **Brutal murder of three Serbs in Obilic/Obiliq and political reactions**
- **Fourth anniversary of entry of KFOR into Kosovo**
- **Third Conference on Local Government Reform: presentation of CoE draft model for local government reform**
- **Establishment of special chamber of the Supreme Court**
- **EU-Western Balkans Summit in Thessaloniki attended by delegation, composed of SRSG Michael Steiner, President Ibrahim Rugova, PM Bajram Rexhepi and Inter-ministerial Co-ordinator on Returns, Milorad Todorovic**
- **NATO SG George Robertson visits Kosovo**
- **Second EU Stabilisation and Association Process Tracking Mechanism meeting in Pristina**

#### Office Activities

- **Minorities/inter-ethnic dialogue**
- **Legal co-operation**
- **Human Rights**
- **Media**
- **Local government**

#### Political Overview

##### **Brutal murder of three Serbs in Obilic/Obiliq and political reactions**

45. On the night from 3 to 4 June, an elderly Kosovo Serb couple and their adult son were killed in their house in Obiliq/Obilic. On the following day, SRSG Steiner and PM Rexhepi visited the scene, condemning the attack. The SRSG announced the formation of a special squad to investigate the crime, and a 50,000 Euro reward for information leading to the arrest of the perpetrators. UNMIK police and KFOR increased their security measures in Obiliq/Obilic municipality. Kosovo Serb neighbours of the murdered family threatened to leave Kosovo, but could be convinced otherwise by Nebojsa Covic, Deputy PM of Serbia and Chairman of the Kosovo Coordination Centre (CCK). Covic said that the CCK would send a team to evaluate the community's situation and liaise with UNMIK on improving security. The Serb Coalition Return (K Povratak) walked out on the 5 June Assembly Session, protesting the events and the fact that Assembly President Daci refused to hold a minute of silence for the victims of the attack. KP chairman Krstovic requested the Assembly to adopt a declaration on the murder, however, the request was not followed up. The majority of Kosovo Albanian political leaders and media have condemned the murder. Kosovo Serb communities in other parts of Kosovo have expressed their decreasing confidence in their security.

##### **Fourth anniversary of entry of KFOR into Kosovo**

46. On 12 June, the fourth anniversary of entry of KFOR into Kosovo was commemorated in a ceremony hosted by COMKFOR Fabio Mini.

### **Third Conference on Local Government Reform: presentation of CoE draft model for local government reform**

47. From 12 to 14 June, the Third Conference on Local Government Reform took place, co-organised by OSCE and the Kosovo Institute for Policy Research and Development (KIPRED). The CoE decentralisation mission presented their draft model for local government reform.

### **Establishment of special chamber of the Supreme Court**

48. On 17 June, UNMIK established a special chamber of the Supreme Court, which will deal with disputes and claims related to the privatisation process. After the establishment of the Kosovo Trust Agency and the promulgation of the land use regulation earlier this year, the special chamber is the third important element in UNMIK's privatisation strategy.

### **EU-Western Balkans Summit in Thessaloniki attended by delegation, composed of SRSG Michael Steiner, President Ibrahim Rugova, PM Bajram Rexhepi and Inter-ministerial Co-ordinator on Returns, Milorad Todorovic**

49. The EU-Western Balkans Summit in Thessaloniki on 21 June was attended by a delegation composed of SRSG Michael Steiner, President Ibrahim Rugova, PM Bajram Rexhepi and Inter-ministerial Co-ordinator on Returns, Milorad Todorovic. The EU stated its support for the 'standards before status' policy and full implementation of UNSC resolution 1244. There was no separate meeting between the Kosovo representatives and the Serbia and Montenegro delegation, however, it is assumed that direct talks will go ahead in September.

### **NATO SG George Robertson visits Kosovo**

50. On 26 June, SRSG Steiner briefed NATO SG George Robertson and Ambassadors of 19 NATO member states and seven future members on the present situation in Kosovo.

51. **Second EU Stabilisation and Association Process Tracking Mechanism meeting in Pristina** On 30 June and 1 July, the second high-level European Union Stabilisation and Association Process Tracking Mechanism (STM) meeting took place in Pristina. STM 2 will focus on the current state of affairs in media, justice, and home affairs, energy, transport and telecommunications.

## **Office Activities**

### **Minorities/inter-ethnic dialogue**

52. On 4 June, the HoO participated in the 12<sup>th</sup> Plenary Meeting and first Civic Forum of 2003 of the European Centre for Minority Initiatives (ECMI; international NGO). The return and integration process in Kosovo and ECMI's recommendations in this regard were examined.
53. On 5 June, the HoO participated in the OSCE-led Working Group on inter-ethnic dialogue.
54. On 25 June, the HoO took part in a one-day conference on "Albanians and their Neighbours", organised by the Project for Ethnic Relations (PER) and supported by the CoE's CBM programme and OSCE. The event brought together the Kosovo

Albanian leadership and high-level representatives of all major ethnic communities in Kosovo (Serbian, Turkish, Bosniak, Roma, Ashkali, Egyptian) for a constructive dialogue on future possibilities for returns of Serbs and integration of minorities in Kosovar society.

### **Legal co-operation**

55. The Legal Aid Project of the Kosovo Chamber of Advocates in collaboration with the CoE held a two-day seminar in Pristina and Peja on 2-3 June about "Free Legal Aid in Kosovo".
56. Between 4 and 16 June, the HR Advisor conducted interviews, followed by reports, with presidents of municipal courts, and with civil, criminal, investigation and executions judges, in order to gather data for the UNMIK Dept. of Justice-US Office-CoE conducted assessment of the judiciary. The data served as a basis for discussions between various focus groups, CoE and US experts, during the second half of the month, with the purpose of elaborating a mechanism for restructuring and consolidating the present Kosovo judiciary.
57. On 12 and 16 June, the Deputy HoO and the Human Rights Advisor met with Kosovo Judicial Institute and Criminal Defense Resource Centre representatives to start the preparation of a series of training events on the new Criminal Code and Criminal Procedure Code (to take place in autumn).
58. On 13 June, the Legal Assistant participated in a meeting of the Kosovo Anti-corruption Working Group, led by the PM's Office of Good Governance. The CoE has recently been appointed member of this working group.
59. On 16 June, the Deputy HoO and the Legal Assistant participated in a Legal Aid Board meeting. On 30 June, the Legal Aid Project of the Kosovo Chamber of Advocates presented their report to the public. The HoO and the Legal Assistant participated.
60. On 16 June, the HoO and the Deputy HoO met with representatives of the Criminal Defence Resource Centre (CDRC), USAID and Professors Sahiti and Salihu (who co-drafted the new Kosovo CC and CPC) regarding the recently started CDRC-led work on annotated versions of the two codes.
61. On 17 June, the Deputy HoO met with the Programme Manager of the Legal Education Programme for Children of the Kosovo Law Centre (OSCE-founded body) to provide documents for a broad activity related to Legal/Civic Education for Children which will be carried out by KLC with a wide range of potential partners (UNICEF, Ministry of Education, Soros Foundation, World Bank, etc).
62. On 27 June, the HoO and the HR Advisor met with the newly arrived first international judge of the recently established Special Chamber of the Supreme Court (see also 'political overview'), which will deal mainly with property-related cases.
63. On 23 June, Sonia Parayre, Deputy Head of Office, left Kosovo to take up a position in DGI in Strasbourg.

### **Human Rights**

64. From 1-6 June, a joint initiative by CoE and UNHCR on the rights of Roma, Ashkali and Egyptians (RAE) in Kosovo took place in Mitrovica, Gjilan/Gnjilane, Prizren, Peja/Pec and Pristina. Five workshops focused on housing, education, social rights and access to basic services. The main objective of the seminars was to assess the human rights situation of the RAE communities in Kosovo and to establish an action plan.
65. On 9 and 17 June, the HoO met with the Director of the local NGO Kosova Center for Human Rights (KCHR), to discuss possibilities for a CoE contribution (DGII) to a KCHR-UNMIK Mitrovica co-operation on human rights education for Kosovo Albanian and Serbian pupils and teachers in Mitrovica. More detailed discussions with UNMIK Mitrovica will follow in July.
66. On 17 June, the HoO and the Human Rights Advisor met with the OHCHR-engaged volunteer managing the photography project involving Kosovo Bosniak young people (follow-up to the HR awareness competition on HR Day 2002) and discussed the continuation of the project in September, at the beginning of the next school year.
67. On 18 June, the Human Rights Advisor participated in the final award-giving ceremony in Vushtrri (Pristina/Mitrovica region) for the ongoing CoE-OSCE calendar campaign in primary schools.
68. On 19 June, the Human Rights Advisor took part in a coordination meeting at the European Agency for Reconstruction (EAR) regarding a joint project on the assessment of civil society development needs.

### **Media**

69. On 3 June, the Human Right Advisor met with the managing director of the NGO Internews Kosova to evaluate the training needs for broadcasting and print media. A future meeting in mid July was fixed in order to set up a training proposal and to visit a few of the radio stations broadcasting in the minorities' languages in 90% of the Kosovo territory.
70. On 17 June, the HoO and the HR advisor met with the publisher of Kosovo's largest daily paper, Koha Ditore, for an exchange of views primarily regarding the draft law on the establishment of the Independent Media Commission, but also regarding training needs for journalists.

### **Local government**

71. On 26 June, the HoO met with a Dutch consultant preparing a tender for the European Agency for Reconstruction (EAR) on support to local authorities.

## June 2003 in Bosnia and Herzegovina

### SUMMARY

#### Political overview

- **Peace Implementation Council (PIC) Steering Board Meets in Sarajevo**
- **BiH Public Administration Expenditures**
- **South East European Co-operation Process (SEECP) Countries Meet in Sarajevo**
- **Ministers of Interior from Southeast Europe Meet in Sarajevo**
- **Feasibility Study on BiH Accession to the EU**

#### Office Activities

- **Human Rights and Legal Affairs**
- **Education Reform**
- **Other co-operation Activities**

#### Political Overview

##### **Peace Implementation Council (PIC) Steering Board Meets in Sarajevo**

72. From 11 to 13 June, the PIC Steering Board met at the level of political directors in Sarajevo to review BiH's progress with the European Union's Stabilisation and Association Process, the Education Reform Implementation, the transfer of responsibilities to the BiH Ministry for Human Rights and Refugees for the implementation of Annex VII of the DPA, and defence reform issues.

73. The Steering Board also examined ways to improve the domestic capacity for war crimes prosecution in BiH. The participants endorsed the approach outlined in a joint OHR/ICTY proposal on the establishment of a War Crime Chamber within the Court of BiH and a War Crimes Department within the State Prosecutor's Office.

74. The Steering Board agreed that the mandate of the Human Rights Chamber (HRC) should be transferred to the BiH institutions and that the HRC should cease accepting new cases in the near future (31 July 2003).

75. The PIC Steering Board also held a special session on economic issues and reviewed the work of the Indirect Tax Policy Commission and the Bulldozer Committee.

##### **BiH Public Administration Expenditures**

76. On 9 June, the HR called for a public debate on the cost of government in BiH, pointing out that the four levels of public administration in BiH are spending approximately 64% of the country's GDP, compared to 43% in Slovenia or 31% in Albania. An Inter-Governmental Task Force (IGTF) will be reviewing the current structure of public administration with a view to submitting concrete recommendations for change by the fall of 2004.

##### **South East European Co-operation Process (SEECP) Countries Meet in Sarajevo**

77. On 9 June, Foreign Ministers of the SEECP countries met in Sarajevo as BiH currently holds the chairmanship of this initiative. The forum serves as an important tool for co-ordinating activities related to European integration. The meeting was



concluded by signing a declaration on the importance of regional co-operation as an opportunity for good neighbourly relations, security, stability, economic and social development. The meeting also provided BiH the opportunity to sign bilateral agreements, notably an agreement between with Albania on the international transport of people and goods.

### **Ministers of Interior from Southeast Europe Meet in Sarajevo**

78. On 18 and 19 June, Ministers of Interior of the Southeast European Co-operation Process (SEEC) met in Sarajevo to discuss the fight against organised crime and protection of information and witnesses. The participants adopted the Sarajevo Declaration, which calls for further strengthening of regional co-operation and each country to develop institutions devoted to fight organised crime. The Declaration will enhance co-operation with the European Union (EU) and other relevant organisations. Harmonisation of legislation with the EU standards is one of the major objectives of the initiative and a precondition for successful co-operation with Europol.

### **Feasibility Study on BiH Accession to the EU**

79. Activities required to complete the Feasibility Study on the BiH accession to the EU are well under way. Positive recommendations coming out of the Feasibility Study would subsequently feed the negotiation process for signing a Stabilisation and Association Agreement (SAA). According to the EC Delegation to BiH, the SAA between the EU and BiH is likely to be signed in 2005 or 2006.

### **Office Activities**

#### **Human Rights and Legal Affairs**

80. On 2 June the DSR was invited to visit Zenica prison to discuss the ongoing prison reform project and to visit the prison.
81. From 23-28 June the Office organised a series of visits and consultations with the senior management of Banja Luka, Doboje, Foca, Tuzla and Zenica prisons as part of the process of developing a strategic approach towards training of prison staff.
82. On 26-27 June the Office organised a two-day practical training in Zenica prison for senior lawyers from the three Ombudsman institutions in BiH and prison inspectors from the Ministries of Justice on how to carry out comprehensive inspections of prisons.
83. The DSR met with representatives of the Dutch Embassy and OHR on 4 June in respect of a proposal to support the development of the Judicial Training Centres (c. 64,000 €).
84. The DSR took part in further consultations, primarily with OHR and OSCE but also with the EC, US Embassy, Ministries of Justice, Human Rights Chamber and Constitutional Court, on the question of ending the mandate of the Human Rights Chamber and the transfer of responsibilities to BiH institutions. The PIC meeting of 11-13 June endorsed the principle of ending the mandate of the Chamber and of the Chamber ceasing to receive new cases after 31 July 2003. However, a final draft Agreement is still being discussed.

85. A legal opinion on the draft Law on Minor Offences of the Federation of Bosnia and Herzegovina was provided by the CoE to the Independent Judicial Commission
86. The DSR also participated in several meetings concerning the process of nomination of candidates by the BiH Presidency for the BiH Ombudsman for January 2004; a video conference with Alberta Law Faculty on judicial reforms; conscientious objection; support for the European Year of Persons with Disabilities campaign that World Vision is leading in BiH.

### **Education Reform**

87. The framework law on primary and secondary education was eventually adopted on 30 June. This law fulfils one of BiH's main accession commitments in the field of education, namely the adoption of a state-level law on schools.
88. On several local TV channels, the Minister of Civil Affairs stressed not only the CoE's technical role in developing the legislation, and praised the relationship with the CoE as one of 'partnership and friendship'.
89. Regarding the state-level higher education law, a working draft was submitted officially by the CoE to the Ministry of Civil Affairs (MCA) on 16 June. Deferral of power from the cantons to the entities in the Federation is still an outstanding issue and the CoE, along with the OHR, OSCE and the MCA is developing a political strategy to address this issue.
90. At the PIC on 12 June, an update was given on the education reform agenda by the state and entity Ministers of Education. The two most pressing issues for the members of the PIC are the existence of two schools under one roof and the recognition of qualifications. On 18 June, a high-level meeting was held with the Federation President and the CoE/OSCE/OHR to discuss the issue of two schools under one roof and agree upon a timetable for action. The Centre for Recognition of Academic Recognitions is foreseen in the draft higher education law, but, given the priority of the PIC, the Centre may be established before the law is in place.
91. The final debriefing session after a series of 10 seminars for high school teachers of the Democracy and Human Right was held in Sarajevo on 20-21 June. The participants of the seminars evaluated it as very useful and asked for the extension of training.
92. Following the official ending of the seminar evaluation meeting, CoE experts and secretariat members agreed on the HR Education Programme for BiH and Serbia and Montenegro for the next 18 months. The programme is being implemented through a Joint Programme with the EC.

### **Other co-operation Activities**

93. The SRSG, in co-operation with the City Association of the Republic of Austria, launched a series of training seminars for representatives of BiH local structures aimed at increasing competences for the successful performance of duties and obtaining the tools for effective management of local democracy challenges.

94. The Office of the High Representative is prepared to cover travel costs to the training location in Austria. The CoE BiH Office is further relying on the support of our partners (OHR and OSCE) for follow-up training sessions to be held in Sarajevo. So far, training for two groups has been completed: from 25 to 29 May 2003 for Tuzla Municipality officials, and from 15 to 19 June 2003 for Sarajevo Region Mayors.
95. On 5 June 2003 in Sarajevo, DG I launched the project on “Development of Democratic Citizenship and Responsive Leadership at Local Level” in the Federation of BiH. This project will be implemented in co-operation with the Association of Local Democracy Agencies. The CoE BiH Office, in co-operation with OSCE partners, gave a briefing to the CoE team (DGI and experts) on the state of local democracy in BiH and models of project implementation.
96. The Council of Europe, in co-operation with the BiH Press Council, organised a training seminar and round-table for members of the BiH Press Council and editors of the BiH press, in Sarajevo on 24-25 June 2003.
97. The SRSG also opened the second International Conference for the Culture of Peace in Bosnia-Herzegovina, which took place in Sarajevo from 26 to 28 June 2003.

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## **MOSTAR OFFICE**

### **Meetings**

98. Several meetings and other contacts with representatives of the City Administration took place in order to arrange and prepare the meeting for the establishment of an LDA in Mostar, which is planned to be held on 12 July 2003 in the City hall.
99. The Head of Office attended the 20th session of City Council.

### **Seminars**

100. The Head of Office attended:
- the promotion of “Trade Union Challenges”, organised by the newspaper of Trade Union of secondary education of B&H;
  - a one-day round table and meeting of the interdepartmental working group on public administration reform in Bosnia and Herzegovina

### **Events**

101. The Head of Office participated in a one-day action of clearing up the ruins of RKUD Abrasevic, the building donated to Youth of Mostar following the organised campaign of NGO “Sunny Side”, the reconstruction of which has started thanks to mutual financial contributions of UMCOR and Mostar City Administration.

### **Youth in Building Civil Society**

102. Youths from NGO “Sunny Side” were working on establishing a partnership with Mobile Culture Container project supported by the Foundation “In Defence of Our Future” from Vienna.
103. The project of networking of radio stations in the area of South East Europe (Montenegro, Serbia, Croatia, Macedonia and B&H) has been included in the work of

Mobile Culture Container. Sunny Side is one of initiators of this Transborder co-operation which is planned to last two years. Sunny Side should continue the project of radio education for pupils from secondary schools after Mobile Container leave Mostar.

104. Nine pupils of Mostar Elementary schools have made several radio shows which were broadcast in local radio stations.

105. Project Urban patrol is continuing during the summer months.

### **Prevention of Violence**

106. Training within the project "Prevention of Violence against Children" was conducted continuously in four schools in the territory of the city of Mostar for children attending higher classes of primary schools.

## June 2003 in Baku

### SUMMARY

#### Political Overview

- **Election Code signed**
- **CEC nominated**
- **Political parties nominate candidates for the presidency**
- **Opposition holds further demonstrations**
- **Parliament closes Spring session**
- **Court of Appeal on three residents of Nardaran**
- **Pardon includes persons from the CoE list of political prisoners**
- **Follow-up to Hamidov's retrial**

#### Office activities

- **Judiciary**
- **Human Rights**
- **Social security**
- **Culture**

#### Political Overview

##### **Election Code signed**

107. On 2 June, President Heydar Aliyev signed the "Law on the approval of the Electoral Code" that was passed by the Parliament on 27 May. The Code's provisions concerning the Electoral Commissions are transitory and applicable until 2005.

108. An amendment, which has been introduced to article 179.1 of the Electoral Code has given rise to intense public discussion as the amendment provides that the presidential elections can be postponed if the incumbent president is unable to perform his duties. In the debate the opposition argued that the amendment was added after the Code had been approved by the Milli Mejlis and thus was illegal. Apparently it would also contradict the Constitution that rules out extension of the 5-year term of the presidency.

##### **CEC nominated**

109. On 14 June, the Milli Mejlis approved the 15 members of the CEC. Mazahir Panahov (Yeni Azerbaijan) was reappointed as Chairman of the Commission. Five other members represent the Parliamentary majority party Yeni Azerbaijan, three the parliamentary minority (Popular Front, Civil Solidarity, and Communist Party), three elected amongst the independent deputies and from single-mandate constituencies (Ana Vetən, Prosperity, Alliance in the name of Azerbaijan), as well as three from parties that gained the greatest number of votes amongst parties with less than 6 % of votes and that are not represented in the Parliament (Musavat, National Independence party and Azerbaijan Democratic Party).

110. At the first meeting, the CEC decided that the Presidential elections will be held on 15 October.

### **Political Parties nominate candidates for Presidency**

111. The following presidential candidates have been submitted and registered with the CEC so far: Isa Gambar (Musavat Party), Ali Kerimli (the Popular Front reformers wing), Gudrat Hasanguliyev (the Popular Front initiative group), and Ilyas Ismaylov (the Adalyat Party). Heydar Aliyev was nominated for the third presidential term on 23 June by his Party Yeni Azerbaijan

### **Opposition holds further demonstrations**

112. On 3 June, the Opposition Coordination Center organised an unauthorised rally in front of the Parliament where dozens of activists of the Democratic Party of Azerbaijan were injured or arrested and several observing journalists allegedly subject to physical pressure by the Police.

113. On 18 June during an authorised protest action in front of the CEC building, reportedly 11 activists were detained, and several injured during the clashes. The protestors from different opposition parties demanded the review of the Electoral Code and equal conditions for all presidency candidates.

### **Parliament closed Spring Session**

114. On 27 June, the Parliament had its last extraordinary session. During the spring session, 79 laws and decrees were adopted and 30 international conventions ratified. The Parliament will resume on 1 September 2003. As one of its last acts, the Parliament made amendments to the Law on Execution of Court Decisions.

### **Court of Appeal on three residents of Nardaran**

115. On 6 June, the Court of Appeal decided to change five years in prison to two years of conditional sentence for two Nardaran residents, and they were released in the court hall. Alikram Aliyev's (leader of the Islamic Party) punishment was reduced from nine to six years in prison.

### **Pardon includes persons from the CoE list of political prisoners**

116. On 17 June 2003, President Aliyev signed the pardon releasing 97 and reducing by half the sentences of nine prisoners. Two prisoners (ABDULLAYEV Galib and HUSEYNOV Huseynbala) were acknowledged as political prisoners (pilot cases n:o 16 and 25) by the independent experts of the Secretary General.

### **Follow-up to Hamidov's retrial**

117. Several hearings in the trial over Iskender Hamidov, former Minister of the Interior, were held in June. On 27 June, the prosecutor requested to sentence Hamidov to 12 years in prison.<sup>1</sup>

### **Office activities**

#### **Judiciary**

118. On 11-12 June, an expert meeting with the participation of the Office on the private notary system was held in Baku jointly organised by DG I and the Ministry of Justice.

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<sup>1</sup> In its final ruling on 1 July the Court sentenced Hamidov to 11 years in prison.

119. On 18-19 June, a seminar organized in co-operation with IFES and DG I on municipal budget and financial issues took place in Baku. The Office representative participated in the event.
120. On 11 June, a conference was held by the SOS Electoral League 2003, which consists of national opposition members and NGO's, to discuss international election monitoring in Azerbaijan.
121. On 17 June, a seminar was held by the Friedrich Naumann Stiftung and local NGOs on organisation and transparency of elections in Western democracies and the formation of Electoral Commissions

### **Human Rights**

122. On 4-5 June, a seminar on Human Rights, Rule of Law and Police was held in Baku together with the Institute of Human Rights of the National Academy of Sciences and DG II with the participation of an Office representative.
123. On 25-26 June, a seminar for young lawyers and NGOs which was held in Ganzlig on articles 3, 5, 6 and 13 of the European Convention on Human Rights by DG II in co-operation with Azerbaijan Young Lawyers' Union. The Office representatives participated actively.
124. On 27 June, the SRSG participated in the debate on the roles of women and men in "Conflict prevention, peace building and post-conflict democratic process" by presenting the outcomes of the 5<sup>th</sup> European Ministerial Conference on Equality held in Skopje in early 2003 on the above-mentioned topic.

### **Social Security**

125. On 23-24 June, the presentation of the report on the main features and emphasis of the Azerbaijan reform strategies in the field of social security took place in Baku. The event was organized jointly with DG III and the Ministry of Labour.

### **Culture**

126. On 23-24 June, a national debate within the framework of the cultural policy review of Azerbaijan was organised together with the Ministry of Culture and DG IV. This major event gathered over 100 cultural policy makers, cultural administrators, cultural non-governmental organisations and others to discuss and raise awareness of various aspects of cultural life. The SRSG participated in the event.

## June 2003 in Yerevan

### SUMMARY

#### Political overview

- **Creation of a coalition of political parties and formation of the new Government**
- **First session of the newly elected National Assembly**
- **Re-run of majoritarian elections**
- **Constitutional Court hearing on the results of the majoritarian elections**
- **Announcement of the results of a tender for TV frequencies**

#### Office activities

- **Seminar on the rights of national minorities**
- **Training course on the development of youth policy and youth work**
- **Training seminar for judges on the European Convention on Human Rights**
- **Field visit within the programme *Regional programme for Cultural and Natural Heritage in South Caucasus - Management of historic cities and institutional capacity building/Armenia.***
- **Visit of a delegation of the CLRAE**
- **Seminar on the state, self-governance and development of the relations in civil society**

#### Political developments

##### **Creation of a coalition of political parties and formation of the new Government**

127. On 11 June, a "Memorandum on Political Coalition" signed by three major parties represented in the newly elected National Assembly. The Coalition includes: Republic Party of Armenia, "Rule of Law Country" Party, and the Armenian Revolutionary Federation (Dashnaktsutyun). All three parties backed the incumbent President during the recent presidential elections and according to the text of the Memorandum, the formation of the Coalition is "supported by President Kocharyan".

128. The coalition parties agreed to share responsibility for the implementation of a joint program of government and the general course of reforms in the country. According to the Memorandum, the parties also decided on the formation of the Government - the President nominates candidates for the Ministers of Foreign Affairs, Defence and Justice. The Republican Party provided candidates for the post of the Prime Minister and six ministers; and the two remaining coalition parties nominated candidates for three ministerial portfolios each.

##### **First session of the newly elected National Assembly**

129. The first session of the new Armenian National Assembly was convened on 12 June. The Parliament members elected their Speaker and two Deputy Speakers as well as the Chairmen of the 6 standing committees. The new Speaker is the head of the "Rule of Law Country" Party. The opposition block "Justice" and the National Unity party boycotted the first session and did not participate in the elections of the NA Chairmanship and formation of the standing commissions.



**Re-run of majoritarian elections**

130. Majoritarian election results in three constituencies - 12, 29 and 41 - were annulled by the responsible Territorial Election Commissions in the week following the general elections (25 May 2003). In addition, re-runs in three constituencies were held on 14-15 June, where the original results were invalidated earlier by the Territorial Election Commissions. The elections in constituency 29 (Armavir) was re-run on 14 June, and the elections in constituencies 12 (Yerevan Shengavit) and 41 (Hrazdan) were re-run on 15 June. These elections were observed by observers from ODIHR Election Observation Mission. The results from TECs 29 and 41 produced the same winners as in the annulled elections, albeit with significantly different margins of victory. In constituency 12 result saw a reversal of the top two positions in the annulled results, by a large margin.

131. On 29 June, a re-run was held in the constituency of Artik.

**Constitutional Court hearings on the results of the majoritarian elections**

132. In total the Constitutional Court has received 19 applications regarding the results of the majoritarian elections: two pairs of applications concerning the same TEC were joined, and two applications were declared inadmissible. All cases must be decided by 7 July. One application, by the opposition Justice Alliance bloc, regarding the proportional election results was admitted on 16 June and the hearing was held on 27 June.

**Announcement of the results of a tender for TV frequencies**

133. On 7 June, the National Commission on TV and Radio heard the presentations of the bids of "Armenia TV" and "A1+". On 11 June the Commission announced the winner - "Armenia TV" who retained the frequency. A1+ lost its broadcasting frequency in April 2002 and since has been trying to restore its right to broadcast. A1+ currently participates in another tender announced by the Commission in October 2002, but suspended due to various reasons.

**Office activities****Seminar on the rights of national minorities**

134. On 3 and 4 June, a seminar on the rights of national minorities was organised by DG II, in co-operation with the Ministry of Foreign Affairs and with the active support of the CoE Information Office.

135. The need for a law on national minorities and a national strategy for a better protection of national minorities rights was discussed.

**Training course on the development of youth policy and youth work**

136. From 2 to 8 June, the Directorate for Youth and Sport, in co-operation with the Ministry of Culture, Youth Affairs and Sport organised the above-mentioned course. The aim of the course was to bring together an equal number of representatives from the governmental and non-governmental sectors to discuss the development of youth policy and youth work in Armenia.

**Training seminar for judges on the European Convention on Human Rights**

137. On 4 and 5 June, a seminar on the European Convention on Human Rights was organised by DG II, in co-operation with the Judicial Educational Centre. The following issues were discussed: the compatibility of Armenian legislation with the ECHR, the role of the case law of the ECtHR in applying the provisions of the Convention and the role of the case law in the development of domestic legislation, the limitations allowed and the margin of appreciation, the meaning of the separate opinion in the legal practice of the ECtHR.

**Field visit within the programme *Regional programme for Cultural and Natural Heritage in South Caucasus - Management of historic cities and institutional capacity building/Armenia*.**

138. From 6 to 11 June, took place the visit organised by DG IV, with the support of the Information Office and in co-operation with the Ministry of Urban Development. The aim of the visit was to assess the feasibility of carrying out a Pilot Project in one of the four proposed historic cities: Gyumri, Goris, Ashtarak, and Tzarkhadzor.

139. It was decided that the Pilot Project can not concern one single city. The CoE team recommended the creation of an Interministerial Commission at the national level.

**Visit of a delegation of the CLRAE**

140. From 18 to 23 June, the CLRAE rapporteur on local democracy on Armenia, a consultant of the Group of Independent Experts and a member of the Secretariat visited Armenia. It was the first official visit of the rapporteur with a view to establishing a report which is due to be presented at the autumn Institutional Session of the Congress (25 November 2003), together with a draft recommendation. The CoE Information Office and the Association of Local Communities supported the organisation of the visit.

**Seminar on the state, self-governance and development of the relations in civil society**

141. On 25 and 26 June, was held the above-mentioned seminar organised by DGAP (Civil society unit) in co-operation with the Helsinki Committee of Armenia. The aim of the event was to promote dialogue and co-operation between the public sector and the civil society. The participants discussed the following issues - training of NGO's members, access to information, the procedure of registration of NGOs, development of NGOs in the regions.

## June 2003 in Chisinau

### SUMMARY

#### Political Overview

- **Chisinau Mayor re-elected**
- **CLRAE critical of election**
- **Transnistrian issue**
- **IMF and Moldova**
- **EU and Moldova**

#### Office Activities

- **Round Table resumes meetings**
- **CoE Bank for Development offers credit**
- **Legislative promises**
- **Education mission**
- **TV training mission**

#### Political Overview

##### **Chisinau Mayor re-elected**

142. The most striking result in the second round of local elections, held on 8 June, was the re-election of the incumbent Mayor of Chisinau Serafim Urechean, who beat his Communist opponent by almost 54 percent to 46. Similar run-offs were held between leading candidates in almost half of the country's 898 local and regional authorities, because no candidate received more than 50 percent of votes cast in the first round on 25 May. The ruling Communist party held the position as the strongest political force in the country, receiving over 47 percent of the vote nationwide, and winning a majority of mayor-ships and a ruling majority in most local councils. But observers noted that a newly formed centrist block Our Moldova, formed by Dumitru Braghis' Social Democratic Alliance, the Liberal Party and Urechean's Alliance of Independents, obtained over 20 percent of the vote nationwide, and secured the re-election of Urechean in the capital. Our Moldova's leading figures state it is their intention to merge their forces into a regular party to run in the next Parliamentary election, to be held no later than early 2005. The conservative Christian Democrats obtained almost nine percent, and the Democratic Party slightly under eight. The wealth of small parties also running got insignificant support.

##### **CLRAE critical of election**

143. The CoE's Congress of Local and Regional Authorities (CLRAE) had four observers to monitor the second round, and, along with the monitoring mission from OSCE's ODIHR, found the actual voting process on election-day to be largely satisfactory. But like in the first round in late May both missions pointed to disappointing features in the campaign. News coverage in the media, especially the electronic media, was found to be extremely biased. Although in the process of being transformed into an independent public service station, the national TV heavily favoured the communist candidate in Chisinau, and broadcast a barrage of attacks on Urechean. Because of irregularities Moldovan Courts ordered re-runs of elections in a few smaller locations,

but the Appeals Court turned down a Communist request for a partial re-run in Chisinau.

### **Transnistrian issue**

144. The Joint Constitutional Commission, formed by the government in Chisinau and the break-away authorities in Tiraspol, held several meetings during the month with the assistance of the appointed mediators, OSCE, Russia, and Ukraine. The two sides still did not get beyond discussions of technical issues. However, there were growing signs that the Tiraspol-regime is suffering under economic pressure, caused by an agreement some months ago between the Chisinau-government and Ukraine. This forces Transnistrian exporters to register in Chisinau to obtain valid customs papers, and this, observers said, will make it possible for Chisinau to gradually get a grip on economic activity in the breakaway region. At the end of the month the Tiraspol authorities had held back for over two weeks a 20 wagon train, loaded with Russian ammunition. The train is part of the Russian withdrawal of its 14 Army from Moldovan territory. Tiraspol said the train was held back because Russia had not paid promised compensation.

### **IMF and Moldova**

145. The IMF representative in Moldova said agreement had been reached with the government concerning disbursement of a tranche of credits worth 13,6 million SDRs which had been delayed since last autumn.

### **EU and Moldova**

146. President Vladimir Voronin, on a two day visit to Brussels, received confirmation from Commission President Romano Prodi and Commissioner Christopher Patten, that the EU is ready to work out an action plan for co-operation with Moldova. But no firm assurances were given for inclusion of Moldova in the Stabilisation and Association Process. President Voronin stressed after the visit he had received firm EU support for efforts to solve the Transnistrian issue. The President also saw NATO Secretary General Lord Robertson. Another sign of increased EU interest in Moldova was a visit to Chisinau by a delegation from the European Parliament, led by Mr. Jan Wiersma.

### **Office activities**

#### **Round Table resumes meetings**

147. The Round Table (RT) resumed its meetings after an eight week break, caused by the local elections. (Election rules forbid television coverage of meetings of this kind during a campaign). The meeting discussed the right to free assembly, and they reached a consensus that amendments proposed by the opposition ought to be put on the agenda of Parliament. The leader of the Communist fraction, Victor Stepaniuc, promised this would happen before the summer break.

#### **CoE Bank for Development offers credit**

148. The CoE Bank of Development Vice President Krzysztof J. Ners, on a two day visit to Chisinau, made an initial commitment to participate in financing a national blood transfusion center. Mr. Ners also discussed with Prime Minister Vasile Tarlev possible financing of projects in the housing sector, health care, job creation, water supply, and environmental protection.

**Legislative promises**

149. The SR had several meetings with Moldovan politicians and civil servants, among them the head of Parliament's legal affairs committee, Maria Postoico, and chief parliamentary advisor Ion Creanga, to discuss the passage of laws on the judiciary, a civil code and other laws which according to CoE experts do not follow European standards. The SR received assurances the laws will be discussed again by Parliament in September with the intention of introducing all necessary amendments. Mrs. Postoico stated the Penal Code is under translation with a view to obtain a CoE expertise on the final version of the law. Sections of the law concerning "extremist activities" have caused great concern among media people and some private lawyers.

**Education mission**

150. A DG IV mission was in Chisinau to discuss principles for language education in multilingual society.

**TV training mission**

151. DG II sent a TV production expert on a three day mission to follow up on a previous training seminar with reporters and editors from the national television and radio company, TRM. The company is still in the process of implementing the law from March, transforming it into an independent public service institution. Further training sessions are being discussed.

## June 2003 in Tbilisi

### SUMMARY

#### Political overview

- Elections
- Abkhazia
- Freedom of Religion
- Human Trafficking
- Pankisi Valley

#### Office activities

- PACE
- Local democracy
- Fight against corruption and elections
- Freedom of media and elections
- Rule of Law
- Co-operation with EU
- Co-operation with OSCE

#### Political Overview

##### Elections

152. On 3 June the pro-governmental Parliamentary factions agreed to discuss the issue of disbanding the existing Central Election Commission. The pro-Presidential election bloc offered the opposition to include in the CEC representatives of the political parties which passed 7% barrier in 1999 Parliamentary elections and 4% barrier in 2002 local elections, as well as a representative of the Adjara and Abkhaz (in exile) Autonomous Republics. According to the proposal the Chairman of the CEC will be appointed by President Shevardnadze. The opposition parties protested against this and demanded election of the CEC Chairman by the members of the CEC.

153. As the Parliament failed to send the Central Electoral Commission into resignation, the rallies outside the house took up the slogans calling for resignation of President Eduard Shevardnadze. The leaders of United Democrats, New National Movement, the New Rights, Traditionalists and People's Party decided to forge closer coalition and to launch series of rallies nationwide with these demands. The opposition Parliamentary factions refused to attend the Parliamentary session. Opposition leaders say that the pro-governmental Parliamentary factions refuse to make any concessions over the composition of the Central Election Commission.

154. By the end of June the opposition and the pro-Presidential political parties failed to agree over the rule of composition of the Central Election Commission, which hinders election system reform.

155. On 30 June the Ambassadorial Working Group (AWG), including representatives of CoE, met Parliamentary Chairperson and the leaders of the political parties beyond the closed doors to discuss the issue.

**Abkhazia**

156. On 5 June unidentified armed group kidnapped three UN observers in the Kodori Valley. Five days later the observers and their interpreter were released after talks with the Georgian authorities, which agreed to provide security guarantees to the kidnappers. Authorities say no ransom has been paid.

157. On 17 June the Russian President's envoy for the Abkhaz conflict settlement held consultations with the Georgian authorities, UN SRSG and Abkhaz de facto officials. Ambassador Heidi Tagliavini, UN Secretary-General's special representatives to Georgia reaffirmed that the UN is interested in the presence of CIS peacekeepers in the Abkhaz conflict. Russian and UN officials expressed satisfaction with the first sessions of working groups held in Moscow over rehabilitation of power facilities in Abkhazia, restoration of railway communication between Russia and Georgia and safe return of IDPs to the Gali district. However no particular agreement was reached and the sides agreed to continue consultations regarding the issue in the nearest future.

**Freedom of Religion**

158. On 9 June Supporters of the Defrocked Orthodox priest Basil Mkalavishvili held a protest rally in front of the Tbilisi district court demanding cancellation of the pre-trial detention warrant issued against Mr Mkalavishvili in connection with charges of organized violence against Jehovah's Witnesses. The police could not arrest the extremist priest as his supporters prevented the police from taking him in detention.

**Human Trafficking**

159. The US Department of State's report on Trafficking in Persons issued on June 11 says that the government of Georgia does not fully comply with minimum standards for the elimination of trafficking and is not making significant efforts to do so. The Secretary of the Georgian Security Council said that the estimations made in the report of the US Department of State on trafficking regarding Georgia are "exaggerated."

**Pankisi Valley**

160. In June the Georgian Ministry of Refugees and Accommodation, with the support of the UN High Commissioner for Refugees, started new registration of Chechen refugees living in the Pankisi valley. According to the census held in April 2002 there are up to 4200 Chechen refugees living in Georgia. According to the preliminary results of the census of Chechen refugees, over 3600 Chechens live in Pankisi valley at the moment.

**Council of Europe Activities****PACE**

161. On 3-5 June the PACE co-rapporteurs for the monitoring of Georgia M. Eorsi (Hungary) and E. Kirilov (Bulgaria) paid a second fact-finding visit to Georgia. The CoE delegation focused in particular on preparations for the Parliamentary elections, including revision of the electoral code, updating of voters' lists, as well as the political climate ahead of the poll, including freedom of the media.

**Local democracy**

162. On 12 June 2003 in the framework of the European Commission and the Council of Europe Joint Programme was held in Tbilisi the third Working Group meeting on the Local Charter and National Training Strategy for Local Government in Georgia.

**Fight against corruption and elections**

163. On 12-13 June a seminar within the framework of the Integrated Project "Making democratic institutions work" took place in Tbilisi to address the problems of financing of political parties and electoral campaign. The seminar was organized in co-operation with the Ministry of Foreign Affairs and Anti-Corruption Bureau of Georgia and is part of the Council of Europe action plan on the elections in Georgia. The participants came up with the proposal to establish a monitoring mechanism on party financing with the participation of representatives of political parties; media and NGOs.

**Freedom of media and elections**

164. On 17-18 June a seminar "Mass Media and Politicians during the Elections" took place in Tbilisi. The seminar was organised by the Ministry of Foreign Affairs of Georgia in co-operation with the Directorate General of Human Rights.

**Rule of Law**

165. On 18 - 19 June 2003 a seminar on "Organisation of the police" was held in Tbilisi. The seminar was organised by the Directorate General I - Legal Affairs in co-operation with the Ministry of Internal Affairs of Georgia and the Reform Commission.

**Co-operation with EU**

166. On 6 June the SRSG took part in the part in the monthly meeting of the EU member states and presented the recent CoE activities in Georgia – the visit of the monitoring mission of the Directorate of Strategic Planning and of PACE, as well as the progress in CoE action plan on the elections. Issues concerning freedom of religion and the ratification of the Statute of ICC by Georgia were also under discussion.

**Co-operation with OSCE**

167. On 17 June the SRSG met with the delegation of the OSCE Office for Democratic Institutions and Human Rights (ODIHR), led by Director Ambassador Christian Strohal, in Tbilisi. Both sides discussed the assessment of the pre-election situation in Georgia and the co-operation of CoE and OSCE in legal expertise and observation of the elections.



## June 2003 in Skopje

### SUMMARY

#### Political overview

- **Implementation of the Framework Agreement**
- **EU Summit**
- **Roma refugees at the Greek border**
- **Bilateral Agreement against the International Criminal Court**
- **Security situation**
- **Corruption**

#### Office activities

- **Independence of the judiciary**
- **Citizenship**
- **Use of languages**
- **Roma refugees**
- **Manuals for the European Convention on Human Rights**
- **Briefing of GR-EDS**

#### Political Overview

##### **Implementation of the Framework Agreement**

168. There has been some progress in the work on the draft law on local finance and the draft law on Territorial division, both of which are necessary for the decentralisation to proceed as foreseen in the Ohrid Framework Agreement. The draft law on territorial division has been prepared by an expert group led by the Ministry of Local Self-Government and is being reviewed by the Government partners. A draft law on local finance has been prepared by an expert group led by the Ministry of Finance and with the aid of USAID's Local Government Reform Programme. The draft has been submitted for review by IMF experts.

169. On 11 June amendments to the laws on primary and secondary education, the law on public enterprises and the law on labour relations were passed. The draft amendments to the law on culture were withdrawn from the agenda at the request of the Albanian Government coalition party DUI. Amendments to the law on executive procedure and amendments to the law on courts failed to reach the necessary 2/3 majority because the opposition VMRO/DPMNE abstained from voting.

170. On 24 June amendments to the law on the Republic Judicial Council were adopted by the Parliament. The amendments imply that all members of the Republic Judicial Council, who have reached the official retirement age, are dismissed from the Council.

##### **EU Summit**

171. The Summit of the European Union and leaders of the countries of the Western Balkans which was held in Thessaloniki, Greece on 21 June delivered a message that it is the aim of the EU that the Balkan countries become members. Minister of Foreign Affairs, Ms Ilinka Mitreva has stated that the country will probably apply for full membership by the end of 2003. In, general, however, the Government seems to have

had higher hopes for concrete commitments or a concrete timetable for membership negotiations that were not fulfilled.

### **Roma refugees at the Greek border**

172. Over 600 Roma refugees from Kosovo, who have been living under temporary protection in “the former Yugoslav Republic of Macedonia” since the Kosovo crisis, continue their protest at the Medzitlija border crossing near Bitola and demand to cross the border into Greece and the EU. Although a couple of families have left the border and returned to Skopje, the vast majority continue their protest in spite of the increasing heat and difficult conditions. On 12 June, the refugees were visited by the delegation of the Greek Presidency which informed them that they would not be granted entry into the EU. Promises by the Government of access to normal asylum procedure in “the former Yugoslav Republic of Macedonia” have not been accepted by the refugees. (See also report of May 2003 and office activities below).

### **Bilateral Agreement against the International Criminal Court**

173. The Government approved a bilateral agreement with the United States on 30 June, exempting US citizens from the jurisdiction of the International Criminal Court. The controversial agreement is still subject to ratification by the Parliament.

### **Security situation**

174. On 12 June, plain clothes police tried to arrest Mr Nedzmeddin Demiri, a convicted criminal, in a village near Aracinovo, North of Skopje. During the attempted arrest, Mr Demiri was fatally shot. According to the police, this happened as he tried to draw a weapon. The same evening, a group of five or more armed men entered the police station in Aracinovo by force and took hostages. Following the intervention by a group of Albanian politicians, local police and EUFOR, OSCE and EUMM teams, there was an agreement to bury the body of the victim by sunset, the situation calmed down, and the hostages were set free.

175. On 22 June, two explosions occurred in Skopje lightly injuring one person. So far there is no information on the identity or the motives of the perpetrators.

176. On 5 June a powerful bomb exploded in the centre of the town of Kumanovo. Two persons were injured in the blast which also caused considerable material damage. The police believe that the motive of the perpetrators was to scare the population.

### **Corruption**

177. The State Anti-Corruption Commission adopted on a national programme against corruption. The Council of Europe (DGI) has participated closely in the elaboration of the extensive document, which, *inter alia*, specifies a list of legislative measures aimed at increasing the efficiency of the prosecution and the independence of the judiciary and deadlines for the adoption of the measures.

### **Office Activities**

#### **Independence of the Judiciary**

178. The Council of Europe (DGI and the Information Office) and the Ministry of Justice organised on 25 - 27 June a Round Table dedicated to the independence of the judiciary in the light of the standards of the Council of Europe. According to the

conclusions, the Republic Judicial Council shall be transformed in accordance with the European Charter on the Status of Judges and other relevant Council of Europe instruments and the Center of Continuing Education shall evolve into a National Center for Education of Judges and Prosecutors.

179. The Council of Europe submitted an expert opinion on the draft law on court budget on 10 June. The opinion suggests that the Court Budget Commission that is to be established by the law should have greater representativity of the judges and that the President of the Supreme Court and the Minister of Finance should not be able to overrule the proposals of the Commission.

### **Citizenship**

180. The Council of Europe (DGI and the Information Office) and UNHCR organised in co-operation with the Ministry of Interior a Round table on citizenship issues in Skopje on 30 June. The participants of the Round Table discussed the ratification by "the former Yugoslav Republic of Macedonia" of the European Convention on Nationality on 3 June and the draft amendments to the law on citizenship. Particular attention was paid to the status of citizens of the former SFRY who are habitually resident in "the former Yugoslav republic of Macedonia" but who have been unable to acquire its citizenship. The experts of the Council of Europe and UNHCR recommended that the amendments to the citizenship law should give these persons a possibility of facilitated access to citizenship.

### **Use of Languages**

181. At the request of Vice Prime Minister Musa Xhaferi, a Council of Europe expert on the European Charter of Regional or Minority Languages visited Skopje on 24 to 26 June as a first step towards a draft law in the use of languages. The regulation of the use of languages in public relations is an important part of the implementation of the Ohrid Framework Agreement and the obligations undertaken by "the former Yugoslav Republic of Macedonia" to ratify the European Charter of Regional or Minority Languages.

### **Roma refugees**

182. A delegation from the Roma Division (DGIII) visited the Medzitlija border crossing on 7 June where over 600 Roma refugees from Kosovo since 19 May have demanded to cross into Greece and the European Union. The delegation, accompanied by the Resident expert and a representative of UNHCR, met with refugee leaders and other members of the Roma refugees and listened to the concerns expressed by the refugees. The Resident expert has also continued to take part in the Medzitlija Task Force that meets regularly in Skopje to discuss the situation at the border.

### **Promotion of manuals on the European Convention on Human Rights**

183. The Information Office and the Association of Judges organised on 11 June a promotion activity for a series of manuals on the implementation of selected articles of the European Convention on Human Rights. The manuals are printed in 1000 copies each and distributed to all judges in the country.

### **Briefing of GR-EDS**

184. The resident expert presented a report of his activities to the Rapporteur Group for Democratic Stability of the Committee of Ministers on 13 June. The Resident expert

presented the latest developments with regard to the implementation of the Ohrid Framework Agreement and the role of the Council of Europe in particular in the fields of decentralisation, the use of languages and reform of the judiciary.