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INTRODUCTION

The Office for Democratic Institutions and Human Rights (ODIHR) has experienced another period of intense activity during the second half of 1998. The election observation and technical assistance activities of the Office have further expanded, while the planning of the Organization for Security and Co-operation in Europe's (OSCE) Kosovo Verification Mission and its Human Dimension aspect has been an urgent priority for the last part of the year.

The ODIHR has observed five parliamentary elections, three presidential elections and two national referenda since our last Semi-Annual Report. The Office has provided technical election assistance to several participating States of the OSCE and has implemented and devised numerous practical projects for the promotion of human rights and democratic institutions. It has continued to monitor the implementation by participating States of the OSCE's Human Dimension commitments, has sought to improve co-operation with other international institutions and organizations, and has organized a fourth Human Dimension Implementation Meeting in Warsaw.

The elections in Azerbaijan, Bosnia and Herzegovina, and Slovakia were among the priorities for the ODIHR's Election Section, while the countries of Central Asia and the Caucasus were the main geographical focus of ODIHR technical assistance projects. Memoranda of Understanding were prepared between the Office and the governments of Armenia, Azerbaijan, Georgia, Kazakstan, Kyrgyzstan and Turkmenistan.

From left: the OSCE Chairman in Office, the ODIHR Director and the Secretary General of the OSCE inaugurate the new ODIHR premises.

In continuing to adapt and respond to increasing demands for election and democratisation projects and assistance in the OSCE region, the ODIHR has undergone further changes, beginning with the move of the Office in the summer to new, more spacious premises. In the Democratisation Section a new NGO/Public Affairs Unit has been created, responsible for the ODIHR civil society assistance programmes, contacts with non-governmental organizations (NGOs) and dissemination of Human Dimension literature, including all ODIHR publications and the website. In addition, an Adviser on Gender Mainstreaming and the Human Rights of Women has been seconded to the ODIHR by the Government of the United Kingdom for one year. The Gender Adviser is currently reviewing all ODIHR projects to ensure that gender concerns are appropriately integrated into the work of the Office, as well as helping to develop and implement specific projects to enhance the human rights and empowerment of women.

The ODIHR has enjoyed the continuing support of the OSCE participating States. The visit of the President of Portugal to the ODIHR on 15 September illustrated, at the highest level, the commitment of participating States to the Human Dimension. President Jorge Sampaio and ODIHR Director, Ambassador Gérard Stoudmann, discussed human rights challenges in the OSCE area and agreed that improved co-operation and co-ordination among international organizations is needed. This visit not only honoured the office, but also encouraged all those working for protection and respect for human rights, the rule of law and democracy to further their efforts. The ODIHR welcomes such contact with participating States and hopes to continue to rely on their firm support during 1999.

Portuguese President Jorge Sampaio (second from right) and delegation

KOSOVO

Following the agreement on the OSCE Kosovo Verification Mission (KVM) signed in Belgrade on 16 October between OSCE Chairman-in-Office, Mr. Bronisław Geremek, and Minister of Foreign Affairs of the Federal Republic of Yugoslavia, Živadin Jovanović, the ODIHR has taken the lead on integrating human dimension concerns into the work of the OSCE in Kosovo. The paper called for the establishment of a human dimension department, the building of links between the OSCE Mission and other organizations active in Kosovo, and the establishment of a reporting procedure to bring serious human rights violations to the attention of decision makers. On the topic of elections, the concept paper called for an inter-agency needs assessment mission to the region and the establishment of an election section within the Verification Mission. It set out some preliminary issues to be addressed with regard to OSCE supervision of the elections. The ODIHR also recommended several long-term measures designed to help build sustainable democratic institutions. These included assistance programmes to promote an independent judicial system, the establishment of an independent ombudsman/national human rights institution, the revision of certain legislation such as media laws, the development of local non-governmental organizations and the promotion of a free media.

The ODIHR further elaborated its proposals on elections during November, in particular expanding the terms of reference for supervision, and has shared these with the KVM leadership and senior negotiators. The ODIHR also developed and began to implement a strategy for human rights training for all KVM personnel, in connection with other institutions. In addition, the ODIHR has posted an officer to Vienna as part of the support unit tasked with planning and deployment of the KVM. To carry out these new tasks, the Permanent Council has decided to augment the ODIHR staff with four new members, two posted in Pristina and two in Warsaw.

CO-OPERATION WITH INTERNATIONAL INSTITUTIONS AND ORGANIZATIONS

The need for the international community to speak with one voice has become evident, both when dealing with crisis situations like Kosovo, and also in less dramatic instances, such as monitoring elections. Increasing co-operation with other international institutions and organizations continues to be a high priority for the ODIHR during autumn 1998 and the Office has continued to implement its policy of systematic communication and co-operation with other international bodies.

Co-operation with other OSCE institutions

The OSCE Parliamentary Assembly

Ms Helle Degn, the newly-elected President of the OSCE Parliamentary Assembly, and Mr. Spencer Oliver, Secretary General of the Parliamentary Assembly, visited the ODIHR on 29 July to discuss further co-operation between the Office and the Parliamentary Assembly, particularly in the field of election observation. During the Parliamentary Elections in Slovakia in September, Ms Degn represented the OSCE Chairman-in-Office. The election observation mission to Slovakia was a good example of constructive co-operation between the ODIHR and the OSCE Parliamentary Assembly (see 'Election Observation' below). The two institutions also worked closely together on common

observation missions and joint statements in Bosnia and Herzegovina and the former Yugoslav Republic of Macedonia.

From left: ODIHR Director, Ambassador Gérard Stoudmann, President of the OSCE Parliamentary Assembly, Ms Helle Degn, and Secretary General of the OSCE Parliamentary Assembly, Mr. Spencer Oliver

The OSCE High Commissioner for National Minorities

The ODIHR, in co-operation with the OSCE High Commissioner on National Minorities, organized an International Conference on “Governance and Participation: Integrating Diversity” on 18 – 20 October in Locarno, Switzerland. The conference was hosted by the Swiss Government and the Canton of Ticino, and was opened by H.E. Mr. Flavio Cotti, President of the Swiss Confederation. The conference addressed the challenges of contemporary change in the post-Cold War world, in particular ways to achieve good governance and solve minority-related problems through the development of progressively open and decentralized States with the free exercise of individual choice. The event was attended by leading international experts and was made possible by the support of the governments of the United States of America, Norway, the Netherlands, Sweden and Switzerland.

The OSCE Representative on Freedom of the Media

The ODIHR has also established a solid working relationship with the OSCE Representative on Freedom of the Media, Mr. Freimut Duvé. The two institutions have co-ordinated closely on issues of common interest, in particular on questions relating to the media in elections. Mr. Duvé participated in the 1998 Human Dimension Implementation Meeting, holding a special meeting with non-governmental organizations and interested delegations.

OSCE Missions and Field Offices

The ODIHR has also increased its co-operation with OSCE missions and field offices to devise and implement projects in countries where missions exist, for example in Ukraine and Croatia. The ODIHR increasingly relies on missions and field offices to provide country-specific information, local contacts, logistical assistance on the ground, participation in election observation missions, suggestions for country-specific projects and long-term feedback and follow-up on projects and election observation reports. The ODIHR also sends election experts to specific missions for by-elections, roundtables on election legislation and other assistance projects.

Human Dimension Officers from OSCE missions were invited to participate in the 1998 Human Dimension Implementation Meeting. Several missions submitted background papers on the human dimension situation in the country of their mission and they contributed significantly to the discussion of human dimension issues in those countries, such as Albania, Latvia and Tajikistan.

The ODIHR has also played an increasing role in the briefing of mission members. This has involved inviting future mission members to the Office in Warsaw and providing training materials about the role and activities of the ODIHR.

Centre from left: OSCE High Commissioner on National Minorities, Mr. Max Van der Stoep, President of Switzerland, H.E. Flavio Cotti, and ODIHR Director, Ambassador Gérard Stoudmann

The Council of Europe

The ODIHR worked closely with the Parliamentary Assembly of the Council of Europe (PACE) on election observations in a number of countries during the autumn of 1998. Joint statements were issued in Bosnia and Herzegovina (September 1998), the Slovak Republic (September 1998), the Republic of Azerbaijan (October 1998) and the former Yugoslav Republic of Macedonia (October 1998).

In addition, a number of workshops were organized in conjunction with, or involving the participation of, the Council of Europe. These included the Workshop on the Recommendations of International

Organizations Concerning the Return of Persons Displaced as a Result of the Georgian - South Ossetian Conflict (Tbilisi, 15-16 September 1998) and the Conference on International and European Legal Standards (Moscow, 29 September- 1 October 1998).

The Council of Europe contributed a thematic report entitled "The Council of Europe and the Judiciary", for the 1998 OSCE Human Dimension Implementation Meeting. A delegation from the Council of Europe also participated in the conference and contributed to most agenda items. Their contribution to the Roundtable on National Policies on Roma and Sinti was particularly appreciated. The latest of the bi-annual consultations between the ODIHR and the Council of Europe was held at the Implementation Meeting to discuss current programmes and issues such as Kosovo, the Caucasus and Ombudsman/national human rights institutions.

Earlier in the autumn the ODIHR participated in and contributed to the activities of the Specialist Group on Roma/Gypsies of the Council of Europe (Prague, 28 September - 1 October 1998). The ODIHR was also represented at the Council of Europe's Sixth Roundtable with the European Ombudsmen, from 7 to 9 October, and its Consultation and Planning Meeting for 1999 (Strasbourg, 14 - 16 October).

The European Commission

The ODIHR has begun to work increasingly closely with the European Commission. In October ODIHR officials visited Brussels with a view to developing a joint programme of action to advance human rights and democratisation. The European Commission has been invited to participate in ODIHR needs assessment missions, including in Kosovo.

United Nations agencies

The United Nations High Commissioner for Human Rights (UNHCHR)

Ms Mary Robinson, the United Nations High Commissioner for Human Rights, and Ambassador Stoudmann signed an agreement on co-operation on 19 June 1998. The agreement is designed to actively contribute to the promotion and protection of human rights in the OSCE area. It includes provisions for improving the exchange of information between the two offices, for developing joint projects in the field, and for establishing institutional links, including the designation of a liaison officer in each office and yearly meetings between the Heads of the offices. A UNHCHR representative participated in the 1998 OSCE Human Dimension Implementation Meeting and the two offices will also be co-operating in the training of mission members in Kosovo.

The United Nations High Commissioner for Refugees (UNHCR)

Following an exchange of letters between the United Nations High Commissioner for Refugees, Mrs. Sadako Ogata, and Ambassador Stoudmann, earlier this year, the two organizations have been exchanging information on issues of common interest and conducting joint projects, such as a joint workshop in Georgia (see also 'the Council of Europe' above). Further co-operation is envisaged within the framework of Memoranda of Understanding with Armenia, Azerbaijan and Georgia, as well as with states in Central Asia. Close co-operation has been established recently also in view of the Kosovo operation.

The United Nations Development Program (UNDP)

The ODIHR and the UNDP have worked together on a number of issues during the last six months. During the summer they organized, in conjunction with the Council of Europe and the Office of the Polish Commissioner for Civil Rights, a Human Dimension Seminar on Ombudsmen and National

Human Rights Institutions (outlined in the Spring 1998 Semi-Annual Report). In early September Ambassador Stoudmann gave an opening statement at a Conference on the Fiftieth Anniversary of the Universal Declaration of Human Rights, in Yalta, organized by the UNDP. During the 1998 Human Dimension Implementation Meeting, the ODIHR Gender Adviser also worked with the UNDP to finalize a draft project proposal for future co-operation in a number of fields, including reviewing the recommendations of the follow-up to the Tashkent Consultation and reviewing and drafting legislation ensuring equal opportunities. The project proposal also envisaged creating a capacity for ombudsmen's work on equal opportunities and the encouragement of a Parliamentary Assembly on Equal Opportunities in Central Asia. The ODIHR and UNDP are considering several other joint projects in Central Asia for 1999. They are also formulating plans for following up their work together on ombudsman and national human rights institutions.

ELECTION OBSERVATION

Czech Republic

The ODIHR observed the election to the Chamber of Deputies of the Czech Republic on 19 and 20 June. The ODIHR election observation mission was headed by Mr. Mark Power-Stevens (seconded by the Government of the United Kingdom). Mrs. Tone Tingsgard, member of the Swedish Parliament, was appointed by the OSCE Chairman-in-Office to be Special Co-ordinator for the Czech Elections.

From 13 May a seven-person team was present in the Czech Republic to observe the administrative preparation for the election and the political campaign. On the election days around 70 observers were deployed throughout the eight electoral regions of the Czech Republic. They represented 24 countries and included a 23-member delegation from the OSCE Parliamentary Assembly.

The elections were carried out generally in accordance with the law and were conducted in a transparent manner, enjoying the confidence of political parties and the public, the observation mission concluded.

Bosnia and Herzegovina

On 21 July the ODIHR established an election observation mission, headed by Mr. Power-Stevens, in Bosnia and Herzegovina, in preparation for the 12 - 13 September presidential, parliamentary and cantonal elections. Twelve long-term observers arrived during August to join the seven-member core team observing the process and preparing for the short-term observers. On election day the polls were observed by an international team comprising the ODIHR, the OSCE Parliamentary Assembly, the Council of Europe Parliamentary Assembly and the European Parliament. Ms. Tana de Zulueta was designated by the Chairman-in-Office as his Representative for the Elections in Bosnia and Herzegovina and, in this capacity, led the short-term observers.

A joint preliminary statement issued after the elections commended the commitment of the national and international bodies responsible for the elections and concluded that many aspects of the election represented an improvement on previous years, particularly in the conduct of the media and the quality and general conduct of the campaign. However, serious problems, such as the quality of final voters' registers and lack of confidence in the process of tendered ballots, needed to be addressed. In the longer term, the statement concluded, the 1998 elections should represent an important step in the further political development of Bosnia and Herzegovina.

Slovakia

The ODIHR has been involved continuously in Slovakia since February 1998 in view of the 25-26 September Parliamentary Elections. An election observation mission was dispatched in early August to Slovakia, following a needs assessment mission to Bratislava on 6-10 July and a formal invitation from the Government. The mission consisted of 25 core staff and long-term observers and was headed by Mr. Kåre Vollan, seconded by the Government of Norway.

On polling day approximately 1, 700 polling stations throughout the country were visited by members of the 206 short-term observers. They included 38 observers from the OSCE Parliamentary Assembly, 15 from the Parliamentary Assembly of the Council of Europe and six from the European Parliament.

Ms Helle Degn, the President of the OSCE Parliamentary Assembly, was appointed by the OSCE Chairman-in-Office as his Representative for the Slovak elections. The preliminary OSCE post-election statement, issued on 27 September by Ms Degn in conjunction with Mr. Vollan and the other institutions involved, concluded that the election days were generally conducted in a peaceful and orderly manner. The election administration was judged to have worked efficiently and the polling station commissions to have conducted a technically correct election.

The statement expressed serious concerns, however, about the lack of balanced state media coverage, provisions of the new law dealing with campaigning in the private media, and some changes in the election law (introduced in May). The fact that domestic observers were not allowed into most polling stations or to follow the count was also a matter for concern.

Voting in Slovakia

Latvia

The ODIHR conducted an assessment of the electoral arrangements in Latvia for the 3 October Parliamentary Election as well as the national referendum on amendments to the citizenship law which took place on the same day.

The legislative framework and technical, administrative aspects of the election process were assessed by a team of 15 elections experts, headed by Mr. Peter Hatch, seconded by the Government of the United Kingdom. The experts concluded that the Parliamentary Election and national referendum were, in general, conducted in a transparent and professional manner.

Azerbaijan

The ODIHR was invited to observe the 11 October Presidential elections in Azerbaijan. A needs assessment mission went to the Republic from 31 July to 4 August to evaluate the progress of technical preparations and discuss the pre-election situation with representatives of all political factions. An election observation mission was deployed on 11 September, headed by ODIHR Election Adviser Nikolai Vulchanov and consisting of a six-person core team in Baku and 13 long-term observers covering all major areas of Azerbaijan. The mission observed the election campaign and the administrative preparation. On Election Day the Parliamentary Assembly of the Council of Europe (PACE) joined the ODIHR to observe the voting, counting and aggregation procedures. In total more than 150 international short-term election observers were deployed throughout Azerbaijan.

The election observation mission found that the legal framework for conducting the Presidential Election had greatly improved since the last elections in 1995, but that, despite the welcome efforts of the Government of Azerbaijan, the electoral process fell short of OSCE commitments. The lack of implementation of the legal standards remains a major problem and the ODIHR's recommendations focused, in particular, on the need to guarantee compliance with the law at all administrative levels. The ODIHR plans to continue assisting the country, in view of the upcoming local and parliamentary elections. The Azerbaijan authorities also expressed their willingness to further co-operate with the ODIHR in this area.

The former Yugoslav Republic of Macedonia

On 18 October and 2 November the ODIHR, together with the OSCE Parliamentary Assembly and the Council of Europe, observed the Parliamentary Election in the former Yugoslav Republic of Macedonia. The ODIHR observation mission, headed by Mr. Power-Stevens, deployed 14 long-term observers throughout the country.

For the first round, 179 short-term observers were deployed, including 26 from the OSCE Parliamentary Assembly and 11 from the Council of Europe Parliamentary Assembly. The preliminary statement was delivered by Mr. Tekin Znerem, Vice President of the Parliamentary Assembly and Special Co-ordinator for these elections, in conjunction with the Head of the ODIHR election observation mission.

The elections were generally well conducted, in accordance with OSCE commitments, and the voting and counting procedures were generally carried out well, according to the preliminary statement. There were concerns, however, about an unfortunate difference in interpretation of the article in the election law that determines the criteria for a first round victory. The preliminary statement therefore recommended that all regulations and legislation should be made clear and concise. It also expressed concern about a reportedly violent incident in Kocsani, as well as the slow and chaotic nature of the publication of information and results after the first round and the negative tone of the campaign for the second round.

Albania

A needs assessment mission visited Tirana, Albania from 12 to 16 October to assess the situation in preparation for the Referendum on a new Constitution on 22 November. The text of the draft Constitution has incorporated many comments made by international experts, in particular by the Venice Commission/Council of Europe. On the invitation of the Albanian Government, the ODIHR set up an election observation mission, headed by Mr. Kåre Vollan. Twelve long-term observers and 150 short-term observers were also requested and a full report of the findings of the mission will be included in the Spring 1999 Semi-Annual Report.

Kazakstan

The OSCE/ODIHR has been invited by the government of Kazakstan to observe the 10 January Presidential Election, and sent a needs assessment mission to Kazakstan on 16 November. A full report of this election will be included in the Spring 1999 Semi-Annual Report.

TECHNICAL ASSISTANCE

TECHNICAL ELECTION ASSISTANCE

Albania

Civic/voter registration

The civic/voter register project in Albania (reported in Spring 1998 Semi-Annual Report) continued during the autumn. Owing to the lack of an adequate nation-wide list of all eligible voters in the country the ODIHR is working with the International Federation for Election Systems and the Dutch Ministry for Development Co-operation to assist the Albanian authorities in preparing a complete and transparent civic/voter register. Thanks to voluntary contributions from the United States of America and the Netherlands, data collection and processing is currently underway and a report is pending.

Azerbaijan

Election Law assistance

Throughout the summer the ODIHR held a series of meetings with senior officials from Azerbaijan to review the draft Law on the Election of the President of Azerbaijan. Issues of concern for the ODIHR included: the formation of the Central Election Commission to include different political interests contesting the elections; the exclusion of domestic non-partisan observers; the procedures for collecting and validating signatures in support of candidates; and the lack of clarity on who should be allowed into the polling station premises on Election Day. During the meetings the ODIHR stressed the need to draft a detailed set of rules and regulations to further clarify these provisions in the law. Most proposals were welcomed positively by the Azerbaijan officials and the rules and regulations were drafted in time for the election.

Election campaigning in Azerbaijan

From 10 to 13 September Ambassador Stoudmann visited Azerbaijan to launch the OSCE election observation mission, finalize details concerning the signing of the Memorandum of Understanding between Azerbaijan and the ODIHR, and raise human rights issues with the government of Azerbaijan. In a meeting with President Aliev, Ambassador Stoudmann stressed, in particular, that the right to peaceful assembly should be fully respected and that representatives of the opposition who had been

arbitrarily arrested during election campaign rallies should be released. In connection with the Memorandum of Understanding (MOU) between the Government of Azerbaijan and the ODIHR, President Aliev repeated his commitment to long-term reform and stressed that reform was not limited to the election campaign. He also clearly expressed the wish to co-operate with the OSCE beyond election assistance, and was supportive of the ODIHR projects to be implemented in the course of 1999 as a part of the MOU.

Voter education

Aimed at increasing citizens' participation in the 11 October elections, the ODIHR and the BBC World Service launched, on 8 September, a voter education programme in the Azeri language. The programme was designed as a radio drama in four parts and the cast included well-known actors from Azerbaijan TV and radio. The joint project was realized as a result of a voluntary contribution from the UK Government and reports suggest that the programme was extremely popular and reached a wide audience.

Election manual

The ODIHR, in co-operation with the International Federation for Election Systems (IFES) and the Central Election Commission of Azerbaijan, also produced a manual for election officials. During the last week of September the ODIHR and IFES conducted training for election officials based on this manual. The ODIHR was able to participate in this project thanks to a Norwegian voluntary contribution.

Belarus

Domestic election observer training

Working with the OSCE Advisory and Monitoring Group in Minsk, the ODIHR is currently developing a domestic election observer training project in Belarus. Voter education and the involvement of civil society in the election process are high priorities for the ODIHR in Belarus, particularly in view of the local elections and possible Parliamentary Election in 1999, and the current socio-political environment in the country.

During autumn 1998 the ODIHR has been conducting a review of the election legislation focusing on domestic observation. In 1999 the Office will organize a field visit, prepare recommendations and hold a training workshop in the summer. The project is being funded by a US voluntary contribution.

Central Asia

Election administrator training

In view of several upcoming elections in 1999 in Central Asia, the ODIHR organized a training programme in Germany on 19-28 September for election administrators from the region. As part of the ODIHR technical assistance programme in the field of elections, the project was implemented in conjunction with other international institutions, such as the Friedrich Naumann Foundation, the Soros Foundation in Kazakstan, the United Nations Development Program in Kyrgyzstan and the British Government. Election officials from Kazakstan, Kyrgyzstan, Tajikistan and Uzbekistan participated in the seminar, covering topics such as election campaigning and mass media, and election administration. As part of the training, they observed the German Federal Elections. This programme was made possible by a voluntary contribution from the Government of Denmark.

Uzbekistan election legislation workshop

The ODIHR organized a workshop on new election legislation in Uzbekistan on 15 - 16 October in Tashkent. The workshop was held jointly with the International Federation for Electoral Systems (IFES) and the United States Agency for International Development (USAID), as well as the Uzbek National Centre for Human Rights and the Central Election Commission of Uzbekistan. It was implemented with the assistance of the OSCE Liaison Office in Central Asia and OSCE embassies in Tashkent. Issues such as international standards for democratic elections, transparency in the electoral process and registration of candidates were discussed. The workshop was an important contribution to preparation for the upcoming Parliamentary Elections, and was conducted as part of the Memorandum of Understanding which has existed between the ODIHR and the Government of Uzbekistan since October 1997. The workshop was funded by a Danish voluntary contribution.

As follow-up to the workshop, and in recognition of the fact that more practical training and information is needed for election administrators and political parties, 15 regional election officials from Uzbekistan were invited to attend the Regional Conference for Election Administrators in Almaty from 17 to 20 November. Additional information on this Conference, which was made possible by a Danish voluntary contribution, will be included in the Spring 1999 Semi-Annual Report.

Montenegro

The OSCE/ODIHR Office in Montenegro remains open to implement recommendations following the 31 May elections, thanks to voluntary contributions from the governments of the United Kingdom and the United States of America.

The Russian Federation

On 29 September Ambassador Stoudmann gave a welcoming statement at the International Conference on the Election System of the Russian Federation, hosted by the Central Election Commission (CEC) of the Russian Federation to commemorate its fifth anniversary.

In a bilateral meeting Mr. Alexander Ivanchenko, the Chairman of the CEC, and Ambassador Stoudmann discussed plans for future co-operation in the field of election observation and technical assistance. Ambassador Stoudmann also held talks at the Foreign Ministry where he was received, among other officials, by Deputy Foreign Minister Alexander Avdeev.

Ukraine

Election appeals procedure assistance

The ODIHR is also working in Ukraine on a project to help the Ministry of Justice and the Central Election Commission (CEC) implement a fair and transparent election appeals procedure. In July 1998 a delegation from the OSCE Mission to Ukraine and the ODIHR met with high ranking officials in Kyiv to discuss recommendations contained in the ODIHR Final Election Observation Report on the March Parliamentary Elections. Discussions included reforming the election complaint and appeal processes and training the judiciary and election officials in the resolution of election disputes.

In October the CEC, Ministry of Justice and Head of the OSCE Mission, Ambassador Magee, finalized the agreement and the first phase of the project went ahead in November. Expert advice and recommendations were provided on the legislative framework for election appeal procedures and the development of monitoring and evaluation systems, to track the manner in which election complaints

are resolved by the judiciary/election commissions. The second and third phases of this project will include the development of training materials, and a three-day intensive training workshop for judges and election officials on the application and resolution of election law violations will take place in 1999. The project is designed to train judges and election officials in such a way that they can train their colleagues to implement the election laws correctly. In 1999 assistance will be given to the Ministry of Justice and CEC on how to evaluate the performance of the judiciary and election officials in the implementation of the election appeals processes. Recommendations and proposals for additional assistance will also be developed in 1999.

DEMOCRATISATION ASSISTANCE

Albania

Prison Service Training

In the Spring 1998 Semi-Annual Report it was reported that the ODIHR had begun a Prison Service Training Programme in Albania to inform correctional officers about international penal standards and ways to strengthen and reform the Albanian prison administration and its operational procedures. The latest stages in this project include a study visit of Albanian officials to prisons in the former Yugoslav Republic of Macedonia in July, to learn about the employment of prisoners in agriculture and horticulture. A visit of the Governor of Her Majesty's Prison Highpoint, in the United Kingdom, to Prison 325 in Tirana also took place from 3 to 7 August. This visit allowed the two prisons to establish a partnership for exchange of experience and material. A return visit of Albanian officials to England took place from 25 October to 1 November, when the officials visited several prisons, including Highpoint and a young offender's institution, to get a clear view of the functioning of prisons in the United Kingdom.

Ombudsman assistance

Assistance has been underway since the beginning of the year to the Albanian Government to develop the framework for an Ombudsman institution (see Spring 1998 Semi-Annual Report). Thanks to a voluntary contribution from the Government of Switzerland, an expert was tasked to support legislative efforts. A roundtable on the draft law is being held in Tirana on 3-4 December, with the participation of the ODIHR.

Shkroda University Law Faculty

Preparations have also been underway for the deployment of an expert to the Law Faculty of Shkodra University from February to March 1999. The expert will be helping to integrate international human rights law into the curriculum. The project is funded by a voluntary contribution from the Government of the United Kingdom.

Central Asia

Regional Consultation on Women in Public Life

A regional consultation on Women in Public Life in Central Asia was held in Tashkent on 16-18 June 1998, as one of a series of Human Dimension projects in the Memorandum of Understanding with the Government of Uzbekistan, signed in October 1997. The consultation was organized by the ODIHR and the OSCE Liaison Office in Central Asia, in close co-operation with United Nations Development Programme (UNDP) Regional Bureau for Europe and the Commonwealth of Independent States. It went ahead with the assistance of the Government of Uzbekistan and the OSCE Mission to Tajikistan, and was largely funded through a voluntary contribution from the Government of Norway.

Eighty participants from the five Central Asian republics attended the regional consultation. They included parliamentarians, non-governmental organizations, government officials and gender-in-development units supported by the UN. The ODIHR objectives for the consultation were threefold. The first aim was to allow Central Asian experts from both government structures and civil society to assess the present situation, share their experiences and develop co-operation. The second aim was to develop an ODIHR women's human rights programme in the region, with concrete follow-up projects to be included in the Memoranda of Understanding between the ODIHR and the governments of Kyrgyzstan, Kazakhstan and Turkmenistan. The third objective was, by initiating the above, to begin co-operation with the UNDP Regional Gender in Development Programme.

Kyrgyzstan civil society assistance

On 19 and 23 October, the third and fourth in a series of NGO/Government consultation meetings took place in Bishkek. The meetings focused on the role of non-governmental organizations (NGOs) in monitoring and reporting on police brutality, and the role of NGOs in domestic election observation. In each meeting a set of principles was adopted, outlining co-operation between the Government and NGOs. The NGOs were very active and suggested a number of constructive measures, such as the establishment of specialized NGO commissions to further co-operation with the Government.

The third meeting, on 19 October, was moderated by Professor Istvan Szikinger, from the Constitutional and Legal Policy Institute of the Soros Foundations. A number of recommendations were made, including the establishment of a working group of NGO and government representatives and the holding of a meeting between the working group and the President of Kyrgyzstan. Other recommendations suggested the registration of the working group to allow it to become involved in the process of amending laws and monitoring their implementation and the access of the working group to the penitentiary system of Kyrgyzstan. It was also suggested that the commission submit reports to the Government of Kyrgyzstan, to allow it to maintain detailed records on incidents of police brutality.

Participants at the Regional Consultation on Women in Public Life in Central Asia

The fourth meeting, on 23 October, discussed the Government and NGOs as partners in domestic election observation. The NGOs expressed their strong desire to be involved in the creation of a new election code and both the Central Election Commission and NGOs declared their willingness to work jointly on training projects for election officials in Kyrgyzstan. As a result of the meeting the NGOs agreed to establish a commission to enable civil society representatives to liaise with the Central Election Commission.

The civil society assistance programme is organized jointly with the OSCE Liaison Office in Central Asia and funded through a voluntary contribution from the Government of Norway. To complete this project for 1998, a fifth meeting is being held in December. The topic of this meeting will be gender issues and it is being organized in consultation with the UNDP Regional Gender in Development Programme.

Throughout the consultation, legal illiteracy and economic dependence were singled out as important sources of women's vulnerability, resulting in their marginalization from public life, especially under conditions of conflict and social and economic instability. The links between human development, human rights, peace and stability were highlighted, calling attention to the special problems faced by economies in transition. Broader recommendations were also made on accelerating the adoption of National Action Plans, incorporating gender analysis in the process of legal reform and providing comparative reviews of legislation which directly or indirectly affects women's rights in Central Asian countries.

The promotion of women's political participation at all levels was recommended. This included suggestions to strengthen the institutional infrastructure of co-operation among donors, governments and non-governmental organizations, with a view to promoting regional co-operation. Other proposals included the creation of an Assembly of Central Asian Women Parliamentarians and a Central Asian Businesswomen's Association.

The consultation also produced recommendations on broadening awareness of international conventions and standards relating to women's human rights and raising gender awareness and legal literacy through education and training at all levels.

Uzbekistan human rights education

The ODIHR and BBC World Service have worked together to design a series of radio broadcasts to provide human rights education in the Uzbek language during the winter of 1998/99. The 12 documentary programmes will be targeted at the general adult population and will cover topics selected from the Universal Declaration of Human Rights. The first programmes, which are due to start on 1 December, will look at what human rights are and why they are universal. Other topics include freedom from torture, inhuman or degrading treatment, the right to vote and participate in government, the rights of women, and freedom of information, speech, opinion and expression.

A journalist from the BBC World Service spent two months during the autumn travelling throughout Uzbekistan, conducting research and interviewing local journalists, judges, government officials, NGOs, students and others for the series. It is hoped that, in a region with a long tradition of central rule, the programmes will help to encourage civil institutions to take root and to develop a culture of citizens'

rights and responsibilities. The project was funded by a voluntary contribution from the Government of the United Kingdom.

Also in Uzbekistan, in August, the ODIHR implemented another part of its civil society programme, part of the MOU signed with the Government of Uzbekistan in October 1997. A seventh Government/NGO meeting took place in Nukus, Karakalpakstan, aimed at evoking an open discussion between representatives from local NGOs and governmental institutions on the role of NGOs in developing civil society. The participants discussed a number of measures to improve communications between governmental and non-governmental actors, which resulted in the adoption of a set of recommendations. These recommendations focus on holding regular NGO/Government meetings in Karakalpakstan to discuss concrete issues of concern, and on developing co-operation between mass media and NGOs in order to get maximum publicity for the interaction programme between civil society and the Government.

Estonia

Language training

A language training project for the widows and divorcees of former Soviet military officers began in Estonia in November. The project was designed and implemented by the OSCE Mission to Estonia in conjunction with the ODIHR. Local trainers and assistants have been recruited. The objective is to enhance equality and social integration by teaching the women the Estonian language, a practical prerequisite for their advancement in Estonian society. The initial project is scheduled for completion in July 1999, with possible follow-up projects later in the year.

Georgia

Roundtable on Housing and Property Rights of Refugees and IDPs

On 17 September 1998 a Round Table on Housing and Property Rights of Refugees and Internally Displaced Persons (IDPs) took place on the premises of the OSCE Mission to Georgia. It was organized by the OSCE/ODIHR, the United Nations High Commissioner for Refugees (UNHCR), the Council of Europe and the OSCE Mission to Georgia. Participants included representatives of the executive, legislative and judiciary branches of the government.

The participants discussed housing and property restitution issues in the context of the return of persons displaced as a result of the Georgian/South Ossetian conflict. It was agreed to form a working group to draft relevant legislation. This group started work at the beginning of October and was attended by experts from the UNHCR office in Tbilisi, the OSCE Mission to Georgia and other experts nominated by the two organizations.

Youth conference participation

Also in Georgia, in autumn 1998, the ODIHR and the OSCE Mission to Georgia continued their efforts to bring civic groups from Georgia, Abkhazia and South Ossetia together to help restore dialogue. In October the ODIHR was able to facilitate the participation of two Abkhaz and two South Ossetian representatives in the follow-up to the Rustavi All-Caucasian Forum "Youth for Peace in the Caucasus", thanks to a voluntary contribution from the Government of the United States. In particular, the presence of the Abkhaz delegates at the youth conference represented a very rare instance of direct contact between Georgians and Abkhaz. The aim of this event was to develop proposals for the establishment of human rights committees in all Caucasian republics to protect the rights of youth and ensure that they are respected in accordance with international standards.

Human rights course at University of Nottingham

In addition, two Georgian officials will be placed on a human rights course at the University of Nottingham in the United Kingdom in January 1999, thanks to a voluntary contribution from the Government of the United Kingdom.

The Russian Federation

Legal Standards Conference

From 29 September to 1 October in Moscow, more than 70 senior judges from the Moscow area participated in a three day conference with legal experts from the ODIHR and the Council of Europe.

The conference, entitled "International & European Legal Standards Regarding: (1) Economic, Social and Cultural Rights; (2) European Convention for Human Rights Articles 5,6 & 13", was co-organized with the Russian Legal Academy and the Russian Federation Supreme Court.

Discussion focused on individual rights to a fair trial, pre-trial guarantees and individual security, the obligations of Russian judges under the European Convention for Human Rights and the Russian Constitution.

The workshop was part of the OSCE's multi-phased programme "Professional Training Programme for Russian Judges based on International Standards of the Judiciary", made possible by a contribution from the Canadian International Development Agency.

Ukraine

Ombudsman assistance

The ODIHR has been engaged in an assistance project for the National Ombudsman of Ukraine during autumn 1998. The ODIHR's Gender Adviser and others held a series of meetings with the Ombudsman, Mrs. Nina Karpachova, to help develop procedures for tracking, processing and cataloguing individual complaints, and better identifying issues related to topics such as gender and the trafficking of women. The Head of the OSCE Mission to Ukraine, Ambassador Magee, raised around \$50,000 from the local diplomatic community to fund the project, which will be implemented before the end of 1998. The ODIHR Gender Adviser also discussed the project with the Council of Europe in October, receiving their support, and an initial needs assessment is planned before the end of 1999.

Preventing and Redressing Torture

Expert Panel for the Prevention of Torture

The first two meetings of the ODIHR Expert Panel for the Prevention of Torture took place in Warsaw on 11 - 12 June and on 29 October. The Expert Panel includes: Ms. Danielle Coquoz, Head of the Central Tracing Agency and Protection Division at the International Committee of the Red Cross; Mr. Ian Gorvin, Director Europe Regional Program at Amnesty International; Mr. Douglas Johnson, Executive Director at the Center for Victims of Torture; Mr. Claude Nicolay, Deputy Prosecutor General of Luxembourg and formerly Chairman of the European Committee for the Prevention of Torture; and Prof. Nigel Rodley, United Nations Special Rapporteur on Torture, Professor of Law, University of Essex. The meetings were chaired by Mr. Peter Eicher, First Deputy Director of the ODIHR.

The Expert Panel was established following the recommendations of the 1997 Human Dimension Implementation Meeting and is funded through a voluntary contribution from the Government of the United Kingdom. The Panel aims at providing advice on how the ODIHR can best develop programmes

and activities to combat torture in OSCE participating States, without duplicating ongoing efforts by other organizations.

During the meetings the Expert Panel offered guidance to the ODIHR on developing new projects involving legislative reform, training, and strengthening the work of non-governmental organizations. The Panel also advised the ODIHR on ways to integrate anti-torture activities into existing projects. The Expert Panel will also help the ODIHR in the development of a strategic plan to combat torture. The ODIHR is working with experts to create a field handbook for OSCE mission members to provide better training in methods of combating torture.

*From left: Danielle Coquoz, Douglas Johnson, Peter Eicher,
Prof. Nigel Rodley, Ian Gorvin, Claude Nicolay*

Campaign against torture

The ODIHR will be actively participating in the worldwide campaign leading up to the United Nations International Day in Support of the Victims of Torture on 26 June 1999. This participation was recommended by the Advisory Panel and by a Roundtable on Redressing Torture, held at the Human Dimension Implementation Meeting, and will also be funded by the voluntary contribution from the Government of the United Kingdom for torture prevention. Members of the ODIHR Panel participated actively in the Human Dimension Implementation Meeting and in the Roundtable on Redressing Torture.

Roma/Sinti

The ODIHR has had the pleasure of hosting two Roma interns during the autumn to develop activities funded by the Government of Norway. Ms. Irena Vaskiv and Mr. Marko Knudsen designed and created a Roma and Sinti webpage and helped plan and organize two roundtable meetings at the 1998 Human Dimension Implementation Meeting entitled "National Policies on Roma and Sinti". These meetings were attended by well over 50 participants, including Roma participants and State delegations from around the OSCE region. Three discussion sessions focused on specific Roma and Sinti issues. The

first discussed the development of national policies in favour of minority rights for Roma and Sinti, in particular the prevention of violence and discrimination. The second session, which concentrated on the European Commission's "Agenda 2000" and its impact on Roma and Sinti in the EU accessing countries, examined the ways of effective monitoring of implementation of national strategies. The third session discussed the co-operation of international institutions in the field of Roma and Sinti issues, namely, the OSCE, the Council of Europe and the European Commission. The roundtables presented several recommendations to the OSCE aimed at strengthening the role of the ODIHR in Roma and Sinti issues.

MONITORING OF COMMITMENTS

In the second half of 1998 the Monitoring Unit of the ODIHR increased its monitoring of the implementation of OSCE Human Dimension commitments by the participating States, thanks to the secondment of two experts by the Government of Switzerland. In the autumn of 1998, the Monitoring Unit produced a number of reports from its findings.

Thematic reports on priority topics

The Monitoring Unit researched and produced (either writing or co-ordinating the writing of) several thematic reports for the 1998 Human Dimension Implementation Meeting. The reports, which were distributed to the participating States, include assessments and recommendations concerning the implementation of OSCE commitments and, in some instances, international standards. Some of these recommendations may be directly addressed in future ODIHR Action Plans. The reports are on the following topics:

1. Ombudsman and Human Rights Protection Institutions in OSCE Participating States

This report presents the international standards and commitments on Ombudsman and national human rights protection institutions, comments on the essential characteristics of those institutions and analyzes the obstacles they are facing and the human rights violations they investigate. It also presents the support given to Ombudsman/national human rights institutions by the ODIHR and other international organizations, and comments on the assistance needed by these institutions.

2. Freedom of Movement: The Issue of Internal Registration (*Propiska*)

This report examines one aspect of the issue of freedom of movement – freedom of movement and choice of place of residence *within* states. The report focuses on the system of restrictions on freedom of movement and choice of place of residence in the former Soviet Union known as *propiska* and the ways in which it contradicts OSCE commitments and other international human rights standards. The report also explains how the *propiska* system especially adversely affects vulnerable groups, in particular migrants of all categories. The report goes on to examine the extent to which the *propiska* system has been reformed in the Newly Independent States. Finally the report offers recommendations on how to overcome the legacy of *propiska*.

3. The CIS Migration Conference

This paper traces the history of the OSCE's involvement in the CIS Migration Conference. It summarizes the main ideas of the Programme of Action of the Conference and highlights the follow-up to the Conference. The paper goes on to examine the human rights issues in the Programme of Action of the Conference and to produce recommendations on potential OSCE action that could enhance the implementation of that Programme. It recommends *inter alia* that OSCE missions should become increasingly aware of standards on protection of the displaced and ensure the uniform implementation of

international standards and best field practices.

4. Women and Democratisation

The aim of this report is to re-emphasize the difference between equality in law, both international and domestic, and equality in fact. Women throughout the OSCE area, notwithstanding international legal and political commitments, constitutional clauses and domestic legislation, continue to fall behind men in the enjoyment of fundamental rights and freedoms. The various sections focus on a number of issues such as women in the democratisation process, the importance of organizations focusing on the human rights of women, women's access to education and vocational training and subsequently to labour markets, violence against women by state and non-state actors, the role of women in conflict prevention and conflict resolution and finally, information and feedback on, and monitoring of the human rights of women.

5. Public Policies Concerning Roma and Sinti in the OSCE Region

This report enumerates the OSCE commitments pertaining to Roma and Sinti and analyzes the status of Roma and Sinti minority rights in public policies before and after 1990 as well as the human dimension (risks and challenges) of the current public policies. It identifies the emerging approaches to Roma and Sinti issues in Central and Eastern Europe, tackles the issue of Roma East-West migration and West-East repatriation and presents the international perspectives on Roma policies toward a new "phase" of enhanced co-operation and co-ordination.

6. Freedom of Association: The Question of NGO Registration

This report focuses on one aspect of the freedom of association: the right to form a legal entity in order to act collectively in a field of mutual interest. It summarizes key features of legislation governing registration of associations in OSCE participating States. It focuses on legislation in Central and Eastern Europe and the Newly Independent States. It concludes with a number of recommendations aimed at facilitating the formation and registration of NGOs.

7. Combating Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: The Role of the OSCE

This report analyzes the OSCE commitments and implementation mechanisms to prevent torture and ill treatment and presents the other main international standards, implementation mechanisms and assistance programmes in this field. It enumerates the current practical activities of the OSCE/ODIHR, OSCE field missions and the Conflict Prevention Centre against those practices and outlines some advances and main areas of concern in the OSCE region.

8. Restrictions on Political Parties in the Election Process

This report focuses on the question of how political parties may be unduly restricted in the election process through the practices of legislators, election administrators, the media and authorities. Such restrictions may be discriminatory, politically biased or manipulative if adopted in disregard of applicable standards of democracy and fairness. The restrictions may occur in different phases of the election process, namely in the course of the adoption or change of the legislative framework, the administration of the election process or during the campaign, as the parties or candidates try to convey their message to the people. Restrictions may also occur through campaign interference by administrative measures or campaign violence.

Other reports and activities of the Monitoring Unit

The Monitoring Unit also produced a report on capital punishment in the OSCE region and number of ad hoc reports, such as reports on the current human rights situation in preparation for an election

observation mission. The unit also provided short briefing papers on the human rights situation in various countries, sometimes with talking points, for visits of Chairman-in-Office.

The unit also provides the newly established Office of the Representative on Freedom of the Media with a weekly compilation of media-related information.

1998 OSCE HUMAN DIMENSION IMPLEMENTATION MEETING

The Fourth OSCE Implementation Meeting on Human Dimension Issues was held in Warsaw from 26 October to 6 November 1998. The meeting was conducted in accordance with a new set of modalities, adopted by the OSCE Permanent Council on 9 July.

The 1998 OSCE Human Dimension Implementation Meeting

The new format, aimed at strengthening and increasing the efficiency of the OSCE's Human Dimension implementation review process, resulted in a shorter, more focused meeting. The Meeting has been reduced to ten days from 15 in previous years. In addition, three Supplementary Human Dimension meetings will, as a rule, be held every year in Vienna to discuss key substantive concerns raised at the Human Dimension Implementation Meeting and to ensure follow up for them. The topics for these one-day meetings will be established by the Chairman-in-Office after consultations with participating States and OSCE institutions, including the ODIHR. Suggestions for topics were also put forward by participants at the 1998 Human Dimension Implementation Meeting. Under the new modalities, non-

governmental organizations (NGOs) have been recognized as full participants in the meetings, which includes equal access to the list of speakers with participating States and international organizations.

The opening plenary of the Meeting was addressed by the Chairman-in-Office, Polish Foreign Minister Bronisław Geremek, the Director of the ODIHR, Ambassador Gérard Stoudmann, the OSCE High Commissioner on National Minorities, Mr. Max Van der Stoep, and the OSCE Representative on Freedom of the Media, Mr. Freimut Duvé. OSCE Secretary General, Ambassador Giancarlo Aragona and the Director of the OSCE Kosovo Verification Mission, Ambassador William Walker addressed the closing plenary. Minister Geremek, in his opening Statement, emphasized that respect for human rights is a condition for, not an obstacle to, long-term stability. He noted that the CSCE/OSCE has made significant progress in its human dimension activities in its more than 20 years of existence.

Participants at the Roundtable on Freedom of Religion

Over 700 participants took part in the meeting, including the representatives of the OSCE participating States and representatives of the OSCE institutions and missions, two Mediterranean Partners for Co-operation (Egypt and Israel), the two Partners for Co-operation (Japan and Korea), representatives of eight international organizations and approximately 200 non-governmental organizations. The turnout of NGOs was much higher than in previous years and these organizations contributed extensively to debate in the plenary sessions and in the side meetings.

On the margins of the formal Meeting, five side events were organized at the conference site, open to all Meeting participants. These were designed to provide additional focus on specific issues, and included a meeting with the OSCE Representative on Freedom of the Media, a roundtable on freedom of religion, a roundtable on gender issues, a roundtable on redressing torture, and a two-session roundtable on national policies on Roma and Sinti. Attendance was very high in all of the informal side events. These

meetings allowed for freer dialogue, thus contributing to a more lively discussion of human dimension issues and a fruitful and open exchange of views among representatives from governmental and non-governmental delegations. The side meetings also produced an additional list of recommendations and ideas for OSCE participating States. The holding of such side meetings was considered a success by the vast majority of participants, and the ODIHR wishes to continue this practice in future Human Dimension Implementation Meetings.

Also during the 1998 Human Dimension Implementation Meeting, strong attention was paid to the establishment of the OSCE Kosovo Verification Mission. As Minister Geremek emphasized in his opening Statement "the outbreak and escalation of the conflict in Kosovo plus the Albanian crisis have put our Organization to a severe test".

CONCLUSION AIMS AND STRATEGY FOR 1999

In 1998 the activities of the ODIHR have developed in a variety of directions. A particularly promising development during 1998 was the linking of a number of democracy-building projects to election activities. This included projects not directly related to elections, such as assisting in amending legislation on freedom of assembly. In 1999 the ODIHR intends to focus to a greater extent on this kind of integrated approach, combining electoral and other activities in a coherent effort to aid democratization.

The first test will be Kosovo, where the OSCE has been entrusted with supervising the forthcoming elections. This is not conceivable without parallel efforts to ensure that proper conditions are created to allow for elections to be held in accordance with OSCE commitments. The OSCE will therefore have to build up its institution-building action in Kosovo, in conjunction with the supervision of the electoral process and human rights verification activities. The media will play a crucial role in this context. The ODIHR is ready to do its share, in close co-ordination with the other actors involved.

If the political settlement moves forward, Kosovo will be the main issue on the OSCE agenda in 1999. This should not however divert attention from the other parts of the OSCE area. The ODIHR plans to observe more than ten elections during 1999. It will begin the implementation of six Memoranda of Understanding, which were signed in 1998 with countries from the Caucasus and Central Asia. In several instances, the implementation of the more than 40 projects planned for 1999 will be closely connected to electoral processes. In this spirit, we expect to bring more coherence and efficiency to the work of the ODIHR.