## ODIHR e-newsletter



**OSCE Office for Democratic Institutions and Human Rights** 

Dec 2009/ Jan 2010

#### **Upcoming events**

Observation of second round of presidential election in Ukraine, 7 February

Observation of parliamentary elections in Tajikistan, 28 February

#### Latest reports

Presidential election in Ukraine preliminary findings and conclusions

Presidential election in Croatia (second round) - preliminary findings and conclusions

Parliamentary elections in Germany - election assessment final report

Presidential and provincial council elections in Afghanistan - final

Presidential election in Romania preliminary findings and conclusions

Parliamentary elections in <u>Tajikistan - needs assessment</u>

Report on roundtable on "Intolerance and Discrimination against Christians"

- election assessment report

Side event report -"Compensation of trafficked persons: Law and practice in the OSCE region"

Parliamentary elections in Uzbekistan - needs assessment report

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#### **ODIHR director meets new OSCE Chairman**in-Office



During the December 2009 Ministerial Council in Athens, ODIHR Director Janez Lenarčič met with the incoming OSCE Chairman-in-Office, Kazakhstan's Foreign Minister Kanat Saudabayev.

Lenarčič and Saudabayev discussed cooperation between ODIHR and the

Chairmanship on human dimension issues.

### Lenarčič presents Afghanistan report

Ambassador Janez Lenarčič urged caution on 10 December, when he presented to the OSCE Permanent Council the final report on last vear's ODIHR mission to support the conduct of presidential and provincial council elections in Afghanistan.

"[T]aking into account the high costs of these elections in terms of lives, resources and credibility ... serious political consideration should be given to the timing, and to the possibility of postponing, the next elections until at least the most basic conditions for democratic elections are in place," Lenarčič told the Permanent Council, which tasked ODIHR with the mission following an invitation from the Afghan Foreign Minister.

The report's other recommendations included: a review of Afghanistan's electoral calendar, which currently foresees only three years without elections between 2009 and 2027; consideration of the benefits of an alternative electoral system that would encourage the creation of political parties while protecting the rights of independent candidates; and the need for a stable, comprehensive voter register.

Full speech

## Parliamentary elections in Norway Yerevan pledges continued co-operation

ODIHR head Janez Lenarčič visited Armenia on 18-19 November 2009, where he met Speaker of the National Assembly Hovik Abrahamyan, Minister of Foreign Affairs Edward Nalbandyan, Minister of Justice Gevorg Danielyan, Prosecutor General Agvan Hovsepyan and representatives of civil society.

All Armenian parties reiterated their readiness to continue cooperating with ODIHR on a number of issues - particularly in the area of judicial reform - taking into account conclusions and recommendations arising from the trial monitoring that ODIHR conducted in the aftermath of the 1-2 March 2008 post-election violence in Yerevan.

## **ODIHR aids Norway on electoral reform**

Norway has called in ODIHR election experts to advise on changes its authorities are contemplating to practices relating to the country's

#### **Russian version**

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electoral system.

At the invitation of the Norwegian delegation to the OSCE, an ODIHR team visited Oslo from 27-28 January to present the findings of the ODIHR Election Assessment Mission to the <u>14 September 2009</u> <u>parliamentary elections</u>.

The trip - a follow-up to the September mission - also included meetings with various government ministries on issues related to election legislation, media electoral coverage and campaign financing.

"ODIHR's expertise on election standards and its broad experience in countries throughout the OSCE area - not to mention the Norwegians' swift response to our findings from the recent assessment mission - mean we are well placed to assist Norway in a timely manner in improving its electoral practices and better meeting its OSCE commitments," explained ODIHR Election Adviser Drew Hyslop.

Following the consultations with the ODIHR team, the Norwegian authorities plan to formulate draft amendments to current election legislation regulating, for example, campaign restrictions and how parliamentary seats are distributed in the country.

These will then be presented to local municipal authorities and civil society groups for discussion before progressing for debate in parliament.

#### **Anti-torture workshop in Baku**

In late November, ODIHR joined forces with the OSCE Centre in Baku and the Office of the Ombudsperson of Azerbaijan to organize a two-day <u>workshop</u> on the implementation of the Optional Protocol to the Convention Against Torture (<u>OPCAT</u>).

The 25-26 November 2009 gathering also examined ways to establish a National Preventive Mechanism (NPM) in Azerbaijan, as mandated under article 3 of OPCAT.

National Preventive Mechanisms have authority under OPCAT to check regularly in places of detention on the treatment of persons who have been deprived of liberty, in order to strengthen their protection from torture or other cruel, inhuman or degrading treatment or punishment.

Azerbaijan ratified OPCAT on 28 January 2009, immediately designating the Ombudsperson's Office as the country's NPM.

"The workshop provided an excellent initial opportunity for staff at the Ombudsperson institution to become familiarized with their new responsibilities as an NPM," explained ODIHR Human Rights Adviser Liane Adler.

"In addition, it opened a broader discussion on the issue of torture prevention in Azerbaijan between government officials, the Ombudsperson and civil society."

Meanwhile, on the opening day of the workshop, an ODIHR delegation visited the Azerbaijani bloggers <u>Emin Abdullayev and Adnan Hajizade</u> at the detention centre in Baku in which they were being held.

The delegation underlined the importance of fair trial standards being upheld during the upcoming appeals process.

## Senior ODIHR officials remember the Holocaust

International Holocaust Memorial Day - 27 January - saw ODIHR Director Janez Lenarčič attend the commemoration of the 65th anniversary of the liberation of Auschwitz-Birkenau.

His visit co-incided with ODIHR's launch of an <u>updated edition</u> of its annual overview of governmental practices on Holocaust Memorial Days.

Holocaust Memorial Days in the OSCE Region: An Overview of Good Governmental Practices lists government-sponsored activities on remembrance days across the OSCE region and also provides insight into non-governmental commemoration activities, which are in many cases supported by governments and attended by governmental representatives.

Also on International Holocaust Memorial Day, ODIHR's senior Roma and Sinti adviser, Andrzej Mirga, in a <u>speech</u> at the United Nations headquarters in New York, stressed the need to teach the younger generation about the Holocaust - including the tens of thousands of Roma and Sinti who perished in the Nazi death camps.

## Displaced Kosovo Roma live in "deplorable conditions"

Senior Adviser on Roma and Sinti Andrzej Mirga was in Serbia from 7-10 December to assess the situation of displaced Roma from Kosovo.

Mirga met with government and civil society representatives and visited displaced Roma in collection centres and informal settlements in the municipalities of Belgrade, Kraljevo, Kragujevac and Pozarevac.

Officially there are 22,000 internally displaced Kosovo Roma in Serbia, but unofficial estimates range between 40,000 and 50,000.

"Only a small number of them are accommodated in collection centres administered by the Serbian Commissariat for Refugees," noted Mirga.

"The majority of them live in informal settlements under deplorable conditions and lacking personal documents and access to social services and rights."

## Early education key to integration

ODIHR's Contact Point for Roma and Sinti Issues CPRSI organized a two-day expert workshop focusing on early education for Roma and Sinti children at the end of last year.

The 14-15 December gathering saw representatives from the Council of Europe, the Roma Education Fund, the International Step by Step Association and various Roma NGOs discuss the concept of producing a brochure and a video spot aimed at raising awareness of the importance and benefits of early education among Roma communities and the relevant authorities. Attendees also shared various practices, initiatives and lessons learned from the field.

The workshop came shortly after the 17th OSCE Ministerial Council took a <u>decision</u> tasking ODIHR - in co-operation and co-ordination with the OSCE High Commissioner for National Minorities, the OSCE Representative of Freedom of the Media and other OSCE executive structures - to continue to assist participating States to combat acts of discrimination and violence against Roma and Sinti.

The decision also tasked ODIHR to counter negative stereotypes of Roma and Sinti in the media, taking into account relevant OSCE freedom of the media commitments.

# Poland joins forces with ODIHR to fight trafficking



The Office's anti-trafficking unit joined forces with the Polish Interior Ministry on 21 January to host a workshop to discuss progress and challenges in tackling labour trafficking and exploitation in Poland.

Participants at the meeting included representatives from the country's trade

unions, local NGOs, anti-trafficking and border police, the Prosecutor's office, and the Department of Labour and Labour Inspection.

Among the attendees were two Tajik migrant workers involved in a case of alleged labour exploitation in Poland.

In 2009 the ODIHR's anti-trafficking programme supported a project to help the Tajik and Uzbek workers concerned gain access to justice. As a result, criminal and civil proceedings have been brought against the employer who they say is responsible for trafficking and exploiting them.

Poland is committed to combating trafficking in human beings, having ratified the main international instruments on trafficking.

"Attendees from Labour Inspection and the unions acknowledged at the meeting that they need to play a larger role in identifying cases of exploitation and providing assistance to migrants," reported ODIHR's Senior Anti-Trafficking Advisor Shivaun Scanlan.

"It was also heartening to hear the Interior Ministry pledge that it would step up its monitoring of the situation, as well as providing migrants with information materials on their rights and avenues for assistance."

## Russian language launch of population registration guidelines

Following the launch of <u>Guidelines on Population Registration</u> in October, ODIHR's Democratization Department unveiled the Russian language version of the publication at a 15-16 December seminar on population registration held in Almaty, Kazakhstan.

"We had officials from Kazakhstan, Kyrgyzstan, Azerbaijan, Ukraine, Moldova and Belarus," noted ODIHR Migration/Freedom of Movement Adviser Zoran Đoković.

"This was really an excellent opportunity for these people to exchange experiences and recommendations and to discuss the kind of reforms necessary to bring their population registration systems into line with their OSCE commitments - especially those concerning freedom of movement."

## Polish police step up fight against hate crime



ODIHR's Tolerance and Non-discrimination Unit has rolled out its Law Enforcement Officer Programme on combating hate crime (LEOP) in Poland.

Around 20 police officers from eight regions of Poland gathered in November for a fiveday "training of trainers" workshop

addressing various aspects of hate crimes.

"The main aim of the LEOP programme is to make a difference on the ground, and the only way to reach this goal is to cascade the training to those police officers patrolling the streets and investigating crimes," noted ODIHR First Deputy Director Douglas Wake in a speech opening

the event.

"It is up to you - the participants of this training - to embrace the concept of hate crimes, learn the training methods and pass the knowledge on to your colleagues in all regions of Poland."

The 2-6 November workshop constituted the first phase of a two-stage process. Now, each of the participants will be required to deliver a one-day training session for serving police officers in their respective regions of Poland.

## Trial monitoring experts converge on Pristina

The ODIHR Democratization Department's annual trial monitoring meeting was hosted this year by the OSCE Mission in Kosovo and coorganized by ODIHR's Rule of Law Unit. Staff from 12 field operations attended the 3-4 December event.

Since 2002, ODIHR has facilitated the organization of trial monitoring co-ordination meetings with the aim of establishing a forum for discussion and exchange of methodologies, common operational dilemmas and strategies in the field of trial monitoring.

Later in the same month, the Office's Rule of Law Unit organized a meeting in Warsaw on advanced information and knowledge management systems and database tools for trial monitoring programmes.

The core objective of the 16 December event was to identify challenges related to the development and enhancement of electronic information and knowledge management systems for trial monitoring programmes.

### Fighting terrorism, upholding human rights

ODIHR, together with the OSCE Office in Tajikistan, organized a training session 2-4 December 2009 in Dushanbe on protecting human rights while countering terrorism for instructors from the Tajik Interior Ministry Academy and the Higher School of the State Committee on National Security.

The training module, a key component of ODIHR's mandated work to provide technical assistance to participating States, constituted a first step in developing the course for integration into the curriculum of the Academy.

Three days later, ODIHR the Office co-organized (together with the OSCE Centre in Bishkek) a workshop aimed at developing approaches of civil society and NGOs to counter-terrorism and violent extremism in Kyrgyzstan.

The aim of the 7-8 December event was to enable attendees to develop their capacity to engage as partners with the authorities on counter-terrorism approaches and issues.

## Serbia in the spotlight

ODIHR and the OSCE Mission to Serbia have hosted a roundtable on the findings and recommendations outlined in the Preliminary Assessment of the Legislative System of Serbia.

Around 20 stakeholders from the legislative and executive authorities of Serbia attended the 2 February discussion of the assessment report, which was issued in October 2009.

The report included analysis of the country's constitution, some of the relevant domestic legislation and other national and international contextual material.

"The discussion today displayed a high level of awareness amongst the Serbian authorities of the aspects of the legislative system that would require enhancement and improvement in order to achieve greater transparency and effectivness," commented Marta Achler, Chief of ODIHR's Legislative Support Unit.

"We are ready to provide assistance in remedying vulnerabilities identified in the report and invite the Serbian authorities to co-operate with us in such an undertaking."

### **New publications**



- Gender and Early Warning Systems An Introduction (English Georgian)
- Hate crimes in the OSCE region incidents and responses.
   Annual Report for 2008
   (English)

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