

# **OSCE ODIHR**

## **Annual Report for 1996**

The aim of the Office for Democratic Institutions and Human Rights  
is to assist the participating States of the OSCE  
build democratic institutions and implement their human dimension  
commitments.

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## Foreword

Although the mandate of the ODIHR is broad, its resources are limited. For this reason the ODIHR has developed certain priorities which reflect our mandate and the current concerns of the participating States. These priorities contribute to the overall goal of the organisation of comprehensive security in the OSCE Region, and were first presented to the Permanent Council in November 1995.

The priorities are:

- assisting the Programme for the Recovery and Development of Bosnia and Herzegovina;
- co-ordinating election monitoring processes;
- integrating Human Dimension issues into the work of the Permanent Council and monitoring the implementation of Human Dimension commitments;
- working with the Chairman-in-Office, particularly by providing early warning reports;
- providing co-ordinated legal support;
- assisting in the process of building of civil societies, and working with NGOs, national democratic institutions and the media;
- providing information about the Human Dimension;
- providing assistance to the OSCE Long-term Missions;
- working as a Contact Point for Roma and Sinti issues; and
- working on migration issues.

The ODIHR's work and initiatives are based on requests from participating States and OSCE Missions of Long Duration. Each OSCE participating State may request and be provided with assistance from the ODIHR. The work of the Office at this time focuses on the countries in transition, and on the process of reconstruction in Bosnia and Herzegovina.

The ODIHR chooses its priorities and undertakes new initiatives in accordance with four principles: (1) to work in a spirit of co-operation with OSCE member States; (2) to work closely with all OSCE institutions; (3) to ensure that the Human Dimension is a vital element of Comprehensive Security; and (4) to work in co-ordination with other international players.

We have structured our work in 1996 in accordance with those principles, and we would like to present an outline of what we have achieved this year.

Ambassador Audrey F. Glover  
Director of the ODIHR

# **1. Assistance Programme for the Recovery and Development of Bosnia and Herzegovina**

The Dayton Peace Agreement envisaged three main roles for the OSCE in Bosnia-Herzegovina:

- the supervision of the electoral process;
- the monitoring of human rights;
- assisting the Parties in facilitation of arms control and confidence and security building measures.

In this context, the ODIHR, complementing the undertakings of other international organisations and institutions, and supporting the OSCE Mission in Bosnia, is providing assistance with respect to the following: elections; the re-establishment of civic society by strengthening and developing local NGOs; the creation of national institutions, e.g. ombudsmen; and the process of modernising legislation.

## ***1.1 Assistance with Respect to the Elections***

In the context of the preparation and conduct of elections, the ODIHR been active in its support for both the distinct observational role of Mr. van Thijn, the Co-ordinator for International Monitoring (C.I.M), and the organisational role of the OSCE Mission to Bosnia-Herzegovina.

- ODIHR has arranged and sponsored diverse activities since November, 1995, with respect to the Bosnia and Herzegovina elections. These activities have ranged from the conception and organisation of the initial Election Assessment Missions, which laid the foundation for the work of the Provisional Election Commission, to the drafting of new electoral codes for Bosnia and Herzegovina, and finally to the training of new members of the OSCE mission to Bosnia and Herzegovina in Vienna.
- ODIHR has also supported extensive voter education programs, such as the design and printing of voter education posters. Much of ODIHR's voter education work in Bosnia and Herzegovina has been done in conjunction with the International Foundation for Election Systems (IFES). It was in such a context of co-operation that a WWW site was established by the IFES at the request of, and with advice from the ODIHR. The site is regularly updated with information on the election process in Bosnia and Herzegovina.
- On June 3rd in Warsaw, the ODIHR hosted international organisations with an interest in sending observers to the election. The meeting was to encourage participation and foster co-operation in this process. The C.I.M., along with his staff, attended, and disseminated practical information with regard to the role of observers in the September 14th elections.
- At the beginning of June, ODIHR assisted the C.I.M. by inviting governments and international organisations to nominate long- and short-term observers. These

invitations have been followed by regular C.I.M. updates, providing more specific information and details on necessary arrangements.

- ODIHR has seconded the nomination of Mr. Andrew Ellis to the C.I.M. to organise a comprehensive training of the short-term observers in Vienna on September 11th. ODIHR has also seconded the nomination of Colonel Michael Shannon to provide logistical assistance in the deployment of observers.
- Ambassador Glover and Elections Advisor Gerald Mitchell have undertaken several missions to Sarajevo to support the work of the C.I.M., and will be leaving for Sarajevo on September 6th in order to be present during the election period.
- Twenty-five long term observers from 11 countries are already in place, and nearly 800 short-term observers are expected from 30 countries. All short-term observers will attend a one-day training in Vienna, and subsequently be flown to three centres in Bosnia: Sarajevo, Tuzla and Banja Luka. Before being deployed, the short-term observers will also receive local security briefings. Approximately two hundred and fifty short-term observers will remain on site for a week after the elections have taken place in order to observe tabulation of the votes.
- ODIHR is assuming responsibility for observation of the out-of-country refugee voting by providing Mr. Meadowcroft to act as Co-ordinator, and by financing the observation activity. The out-of-country voting, conducted primarily by post, will take place from August 28th to September 3rd, sufficiently ahead of the September 14th in-country polling day to enable completed ballots to arrive in time to be incorporated in the relevant election. The out-of-country voting will involve 641,000 Bosnian refugees in 52 host countries, 75% of whom are registered in FRY, Croatia and Germany.

## **1.2 The Building of Civil Society**

### **1.2.1 Assistance to NGOs**

Activities in support of programmes related to Bosnia included participation in a meeting convened by the European Council on Refugees and Exiles and the International Committee of Voluntary Agencies, held in Frankfurt on February 5th and 6th. Contributions were made to discussions regarding the programmes of international and local NGOs involved in reconstruction and reconciliation efforts. Later in February, at the headquarters of the Office of the High Representative in Brussels, the NGO Liaison Advisor participated in a meeting with international human rights and humanitarian NGOs, most of which had been invited at the recommendation of the ODIHR. From February 23rd - 25th, at meetings in Maribor, Slovenia, convened by the Federation Internationale des Ligues des Droits de l'Homme, the NGO Liaison Advisor took part in discussions addressing the role of NGOs in former Yugoslavia in defending human rights.

In April, the NGO Liaison Advisor spent one week in Sarajevo, holding meetings at the OSCE Mission, the Office of the High Representative, and with international and local NGOs. The culmination of these efforts was the establishment in Sarajevo of an Information/Support Centre for Civil Society, established under the auspices of the

Helsinki Committee of Bosnia-Herzegovina, and in close co-operation with the NGO Drop-In Centre, founded by the ICVA. The main objective of the Centre is to assist in the rebuilding and development of democratic social structures, as well as in the promotion of human rights. In co-ordination with the Information/Support Centre, the ODIHR has sponsored the participation of five NGO representatives from Bosnia-Herzegovina in a series of meetings in Warsaw (September 15th - 22nd), which facilitated the establishment of direct contacts and joint programmes between analogous Bosnia and Polish NGOs.

Additionally, ODIHR has sponsored the participation of NGOs from Bosnia-Herzegovina in the NGO Summer School of the Agency for Development Initiatives in Piran, Slovenia, September 21st - 26th. The ODIHR's Human Dimension Seminars in 1995 and 1996 were attended by NGOs from former Yugoslavia, including Bosnia-Herzegovina.

### 1.2.2 Assistance to the Media

The ODIHR contributed to the establishment and operation of the Media Centre in Sarajevo, which was opened on September 10th.

In June, the ODIHR, together with the Croatian Helsinki Committee and the International Helsinki Federation, organised in Croatia a meeting of journalists from Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia (Serbia and Montenegro) and from the former Yugoslav Republic of Macedonia. The participants discussed obstacles to independent and professional journalism, including restricted availability of newsprint, penalties for advertisers, and exorbitant taxes. The participants also noted the existence of persistent hate speech in some state-controlled media, which is at variance with the Helsinki Principles. Participants from Bosnia and Herzegovina cited the physical dangers faced by journalists. Journalists from the Republika Srpska and the Federation of Bosnia and Herzegovina specifically mentioned the lack of possible telephone communication, as well as the inability to purchase and distribute print media across political divisions.

The participants discussed possible initiatives through which journalists could improve communication and co-operation under the prevailing circumstances. They especially focused on the issues of improving their professionalism in dealing objectively with the issues of "national consensus," and of recognising the need to investigate and report on sensitive issues.

### 1.2.3 Assistance to Ombudspersons

As early as February 1995, the ODIHR initiated its assistance programme for the Ombudspersons for Bosnia-Herzegovina. The ODIHR was involved in the selection and establishment of the office of the three ombudspersons representing the Federation of Bosnia and Herzegovina, and in designing a training and consultation programme for the

representatives. The institution of ombudsman, as it was established in early 1995, was later used as a model under the Dayton Accords for the Human Rights Commission in Bosnia and Herzegovina. New and more intensive training will take place after the elections.

#### 1.2.4 Disseminating Information about the Human Dimension

For the Mission in Bosnia-Herzegovina, the ODIHR purchased the OSCE documents in the Serbian language, which are published by the Review of International Affairs in Belgrade. Copies were also later distributed to journalists from Croatia, Bosnia-Herzegovina, the Federal Republic of Yugoslavia and the Former Yugoslav Republic of Macedonia.

The ODIHR also sponsored the additional printing of one hundred and fifty copies of the book, *Forging War: Media in Serbia, Croatia and Bosnia Herzegovina*, by Mark Thompson, which was originally published by Article XIX and translated into Croatian by the Croatian Helsinki Committee.

#### 1.2.5 Contact Point for Roma and Sinti

The ODIHR Co-ordinator of the Contact Point on Roma and Sinti Issues, from May 15th - 21st, participated in a fact-finding mission on the situation of Roma (Gypsies). The mission was organised by the Council of Europe in accordance with a decision taken by its Committee of Ministers. The team consisted of: the President and Co-President of the Specialist Group on Roma/Gypsies; one representative of an association of Roma/Gypsy refugees from Bosnia and Herzegovina (based in Germany); and two members of the Secretariat.

The objective of the mission was to assess the current situation of the Roma population in Bosnia-Herzegovina, especially in a light of a possible early return of refugees and displaced persons. As a result of enquiries, the group formulated the opinion that the return of any refugees and displaced persons from third countries to Bosnia and Herzegovina was premature at that time, and further, that return should not be planned in areas where the returnees would not belong to the majority population. The group also recommended that both entities of the Republic recognise the Roma as a national minority according to the Council of Europe Framework Convention on the Protection of National Minorities.

## 2. Election and Election Support

According to the new framework for election monitoring, the ODIHR has become more active prior to and following elections in participating States. This method allows the experts to extensively research the situation in a country with respect to the political rights of its citizens. The media, and its level of freedom within a country, have become an especially important focus. This extended election-monitoring mandate enables the experts better to evaluate compliance with OSCE election commitments. Reports from election monitors are discussed by the Permanent Council.

- The ODIHR has developed an election monitoring framework which outlines ODIHR's implementation a more in-depth approach to election monitoring operations. While the ODIHR Electoral Unit in Warsaw acts as a supporting and co-ordinating office, an Electoral Task Force is formed for each major electoral observation operation. The Task Force, consisting of a non-permanent group of electoral experts, is responsible for co-ordinating and monitoring on-site election activities before, during and after the elections.
- In 1996, the ODIHR also produced the Election Observation Handbook, which has thus far been used in the observation of the elections in Russia and Albania this year, and will be used as the standard OSCE manual in the future.
- The ODIHR observed the parliamentary elections in Albania (May and June 1996), the local elections in Romania (June 1996), the presidential elections in Russia (June 1996), and the presidential elections in Armenia (September 1996). The activities of the ODIHR with respect to the elections in Bosnia-Herzegovina are described above, and brief reports on those elections are provided in all ODIHR and OSCE publications.
- By the time this report goes to print, ODIHR expects to have observed the parliamentary elections in Lithuania (October), the presidential elections in Bulgaria (October), the municipal elections in Albania (October), local elections in Bosnia and Herzegovina (November), the presidential and parliamentary elections in Romania (November), and the presidential elections in Moldova (November).
- The ODIHR also collects general information about election laws, as well as country-specific reports on the conduct of elections, prepared by other organisations concerned with election procedures.

### **3. Integrating Human Dimension into the Work of the Permanent Council**

The procedures chosen at the Budapest Summit in 1994 suggested a significant change in the way that the OSCE might deal with Human Dimension issues in the future. It is now clear that more emphasis must be placed on integrating the Human Dimension into the work of the Permanent Council. During the past year, the Director and other members of the ODIHR regularly attended Permanent Council meetings. Each month, the ODIHR provides the delegations with information on its activities, to ensure that States are fully aware of the Office's activities.

With regard to the information provided for discussions among participating States, ODIHR actively sought, and continues to collect information with respect to non-compliance with participating States' commitments in human dimension areas. The ODIHR works with the Missions in order to receive regular reports on such human rights violations. The ODIHR has also established positive working relationships with representatives of the governments of the participating States in Vienna. The sources of



the information ODIHR receives are: governments, NGOs, international organisations, and news agencies. In order to deal with the magnitude of information that is received, ODIHR has designed and created a database, into which all information submitted to the Office is entered.

Based on the information collected in the ODIHR Clearing House, the following reports were prepared on the implementation of the OSCE commitments in the participating States:

- For discussion by the Permanent Council, two reports were prepared in 1996 (on both Violence and Discrimination against Roma and Freedom of Expression in the OSCE Region);
- ODIHR's reports on elections in OSCE States are provided to the participating States on a regular basis. The ODIHR Advisers also participate in those meetings of the Permanent Council which have the discussion of elections on their agenda. The discussion regarding the election framework document serves as an example of the co-operation and regular exchange of ideas between the Office and the Permanent Council;
- During the process leading to the CIS Migration Conference, the ODIHR conducted several rounds of informal consultations with OSCE delegations. The ODIHR Representative also briefed the OSCE Permanent Council on the outcome of the Conference;
- For the Review Conference and subsequent consultations with the Chairman-in-Office, the ODIHR produced reports on the following topics: (1) implementation of suggestions presented by election monitors; (2) current trends in the OSCE Region with respect to the problems of aggressive nationalism, racism and xenophobia; (3) freedom of media in the OSCE Region; (4) rule of law in the OSCE area; (5) violence and discrimination against Roma in the OSCE region; (6) analysis of the problems related to basic liberties, especially freedom of religion; and (7) the death penalty in the OSCE Region.

#### **4. Working with the Chairman-in-Office: Early Warning Reports**

The work of the OSCE was originally divided into security, on the one hand, and the Human Dimension on the other. However, it was recognised at the 1992 Helsinki Summit that Human Dimension issues were directly related to the most important conflicts, crises and challenges facing the international community today, and that the monitoring of the human rights situation in a participating State did not constitute interference in that country's internal affairs.

ODIHR, as the OSCE's main institution for implementation of its mandate, has an important task with regard to contributing to the practical creation of the human dimension component within the comprehensive security of the OSCE region. The ODIHR and the Chairman-in-Office work closely together, exchanging the information on issues of concern. The ODIHR has provided the Chairman-in-Office with information on problems concerning implementation of the human dimension, for instance, a report on

problems related to the Roma and Sinti (mentioned above). The Chairman-in-Office seeks the ODIHR's opinion and advice on issues of concern related to the Human Dimension.

#### **4.1 Early Warning Reports**

At the request of the Chairman-in-Office, the ODIHR provides early warning on potential conflicts in the OSCE areas. In 1996, four Early Warning Reports were prepared, based on the information available in the ODIHR Clearing House, as well as on the expertise of ODIHR Advisers.

- Two of the reports were a compilation of facts regarding situations in two OSCE States within the last several months. Taken together, the facts speak for themselves: in one State, the information revealed a situation of increased presidential power; in the other, a situation involving systematic violations against citizens living on a particular territory was evident. As a result of one of these reports, the decision has been made by the Troika to send a group of experts to the country, in order to get an independent assessment of the situation. Based on the results of this mission, the decision will be made as to the OSCE follow up activities.
- The two remaining reports dealt with more specific problems. The first report addressed a law that has caused concern among many government leaders, as well as international, national, and non-governmental organisations; and the second presents facts that suggest systematic violations of one of the OSCE commitments.

The Early Warning Reports are sent in strict confidence to the Chairman-in-Office, and in all such cases have resulted in direct action by the C-i-O.

#### **4.2 Other Activities**

The ODIHR always stands ready to work in close co-operation with the Chairman-in-Office. Toward this goal, the Director of ODIHR and the members of the office, at the request of the Chairman-in-Office, have conducted a needs assessment visit to Tajikistan, a fact-finding mission to Croatia, and have participated in the mission to Sarajevo.

Further, in preparation for the discussion of the Security Model, the ODIHR contributed a "food for thought paper" on migration and conflict.

### **5. Co-ordinated Legal Support**

#### **5.1 Legal Training Programmes**

On a regular basis, the ODIHR organises and implements programmes to strengthen the Rule of Law and constitutional governments in member States entitled to projects under the Programme for Co-ordinated Support. Programmes are developed according to the broad mandates of all OSCE commitments concerning the Rule of Law, particularly the Copenhagen, Budapest and Moscow Concluding Documents. Specific projects are developed at the request of the Chairman-in-Office and the Permanent Council; OSCE Missions of Long Duration; national institutions of States entitled to assistance; and according to the annual workplan of the ODIHR. Some programmes are the direct result

of the ODIHR Director's visits to OSCE countries at the invitation of Foreign Ministries, for example, trips made to Kazakhstan and Kyrgyzstan in June.

Given the great strides made by many countries in the development of their legal systems, in the past year the Programme has initiated long-term projects and new techniques to assist in implementation of the new laws and codes. These projects have sought to focus assistance on specific sectors of the legal community and on OSCE commitments. They have been designed to encourage sustainable modernisation through use of a technique of country-to-country assistance, in which representatives of a specific sector work alongside their counterparts in a host country. Concurrently, the Programme has also sought to develop projects in countries which have not previously received assistance, or which have requested the ODIHR's assistance for projects not being implemented by other international organisations.

Presented below is a review of some of the projects developed in 1996:

- Russia: At the request of the Supreme Court, a four-part Professional Training Programme was initiated, representing the first formal ODIHR Rule of Law project in the Russian Federation. The introductory training programme was held in Moscow, February 13th -16th, 1995. The objective of the activity was to prepare representatives from selected regional courts to assume training on international human rights principles and norms. The second regional pilot activity was held in Orel, Russia, July 10th -13th, 1996, and focused on the role of regional courts in the implementation of international human rights commitments. The third and fourth phases of the project will be held in the first quarter of 1997, and will be designed to support a national training programme, to be implemented by the Supreme Court with the assistance of the ODIHR.
- Belarus: In co-operation with the UNHCR Liaison Office in Minsk, a training project for migration officials, using the country-to-country approach discussed above, was developed. Officials were first trained in Belarus and later participated in a two-week programme hosted by the Polish government.
- Georgia: At the request of the OSCE Mission of Long Duration, a four-part correctional officer training programme was developed, focusing on prison reform and management. The project was inaugurated in Tbilisi from January 24th - 26th, 1996, and included a two-week programme hosted by the Warsaw University Law Faculty and the Polish Prison Administration. Following a criminal justice sector assessment completed by ODIHR in February, the Programme also initiated a two-week training project for the Georgian Ministry of Justice and the Georgian Prosecutor General, held from September 8th - 16th in Gdansk and Warsaw, Poland.
- Tajikistan: The first national Rule of Law Training Programme in Tajikistan was held in Dushanbe, May 28th - 30th, 1996. The programme, which included the participation of all courts and justice sector bodies, as well as representatives from throughout the country, was the first such project developed in Tajikistan. The project objective was to stimulate discussion on the practical implementation of international legal standards, and to examine ways in which those standards could be applied to guarantee free trial and combat organised trans-national crime.

- Turkmenistan: With the assistance of the University of Birmingham, a civil servant training programme was initiated in November. The project is the first such activity developed for the country and will be implemented with the assistance of the Supreme Court. Serving as a pilot for future projects in other Central Asian countries, it is hoped that Turkmenistan will develop the expertise necessary to allow it to host projects developed for representatives of other Central Asian countries.
- At the request of the Permanent Council, the ODIHR organised a conference on "Drugs and Crime: New Challenges," in Bishkek, Kyrgyzstan in June, 1996.

## **5.2 Symposia**

The ODIHR has recently organised the third Annual Warsaw Judicial Symposium, during which jurists and ministry officials from across Europe, the Caucasus and Central Asia, meet to learn about new legal trends and techniques for improving the administration of justice in their countries. The Symposia are designed to permit participants to share experiences, and debate and practical discussion are encouraged. The first symposium was held June 13th - 22nd, 1994; the second from June 5th - 10th, 1995; and the third, September 24th - 27th, 1996.

## **6. The Building of Civil Society**

The ODIHR assists in the process of the building of civil society through work with NGOs and the media, as well as through participation in the establishment of the national institutions that guarantee human rights principles.

### **6.1 Assistance to NGOs**

To increase the involvement of NGOs in the OSCE, the ODIHR disseminates useful information to the organisations with the aim of raising both their awareness of OSCE commitments, and their level of activity. This role of acting as an information clearing-house is facilitated through the ODIHR's database of contacts, which includes more than a thousand non-governmental organisations from across the world. The NGO Liaison Advisor established contacts with these organisations, and through a simple questionnaire, has created an impressive database, making expertise available in virtually every country in the OSCE region. Use of this resource allows the ODIHR NGO Liaison to provide information to the respective governments of participating States, international organisations, and to NGOs themselves. The ODIHR informs relevant NGOs about both Human Dimension Seminars and other ODIHR seminars, round-tables and workshops, the Implementation Meeting and the Review Conference.

In order to gather information about various NGOs and the problems they face, the ODIHR advisers attended many seminars and conferences dedicated to the issue, including the following:

- May, 1996: Conference on "Regulating Civil Society," held in Budapest and organised by the International Centre for Not-for-Profit Law.

- June 30th - July 2nd, 1996: Conference on "Security Services in Civil Society: Oversight and Accountability," held at the Polish Parliament, and co-sponsored by Centre for National Security Studies, the Foundation for a Civil Society and the Helsinki Foundation for Human Rights of Poland.
- Meetings in 1996 attended by the NGO Liaison Advisor to discuss Poland's draft legislation for regulation of non-profit organisations and foundations.

With regard to assistance and training for NGOs, the ODIHR has developed three such programmes directed at these organizations. The following is a list of workshops that were held in 1996:

- Round Tables on Women's Issues: Kyrgyzstan (September) and Uzbekistan (October).
- Capacity Building and Communication For NGO Leadership - Training Workshops in Lithuania and Georgia (May); in Armenia and Azerbaijan (July); and in Moldova (October).
- The Role of Education in Strengthening Civil Society: Workshop in the former Yugoslav Republic of Macedonia (September 11th - 13th), and in Estonia (October 29th - 31st).

Further, from February 16th - 19th, 1996, the ODIHR sponsored the participation of two experts at the workshop, "Human Rights in Prisons," held at the Centre for Democracy and Human Rights in Yerevan. The ODIHR also sponsored the participation of a judge, Mr. Ilham Hasanov, Baku City Juvenile Court, in the International Interdisciplinary Children's Rights training programme in Ghent, Belgium, in June, 1996.

At the request of the ODIHR, the University of Birmingham Human Rights Law and Practice Programme has expanded three programmes to include two representatives from each of the Central Asian countries.

## **6.2 Media Assistance Programme**

The development of an independent media is one of the principal pre-conditions for the functioning of a civil society. The activities of the Office for Democratic Institutions and Human Rights in the field of media are three-fold, and focus on the following: observing media campaigns prior to and during elections; raising awareness on the issues related to Human Dimension, particularly media issues, through seminars and workshops; and collecting and disseminating information on the implementation of the OSCE commitments with respect to media.

In the field of media, ODIHR primarily organises conferences and meetings of journalists, given that the ODIHR's most important role in this realm is that of demonstrating to the participants and governments from the same region concrete examples of common problems. Through the exchange of practical information among the participants - who otherwise could not have met due to political or other difficulties - democratic methods of solving such problems can be adopted.

In 1996, the ODIHR organised two regional conferences on the Role of the Media in Conflicts. The aim of those conferences was to develop an awareness of on the role that media can play in preventing and resolving conflicts, and to formulate recommendations for the journalists working in the conflict regions. Another goal of these conferences was to provide those journalists located across borders of conflict with an opportunity to meet, discuss common problems and establish personal contacts, thus promoting an exchange of information among the parties to the conflicts.

The first conference was held in Batumi, Georgia from April 22nd - 25th, 1996, and was organised jointly by the ODIHR, the OSCE Mission in Georgia, the Council of Europe and the Black Sea Press Agency (stationed in Tbilisi, Georgia). Participants came from Baku, Tskhinvali, Stepanakert, Tbilisi and Yerevan. Concurrent to the conference was an exhibit entitled, "Victims of the War," in which materials contributed by journalists taking part in the conference were presented.

The second conference, from June 25th - 26th, 1996, in Bol on the island of Brac in Croatia, was within the framework of the ODIHR assistance programme to the rehabilitation of Bosnia and Herzegovina (described above). Additionally, in October, at the request of the President of Uzbekistan, the ODIHR organised a roundtable on the Role of the Media in the Transition to Democracy in Uzbekistan.

As stipulated by the Budapest Summit, the ODIHR acts as a Clearing House on Media Issues. In order to build upon the institutional strength of the Office, it has been decided that the activities of the ODIHR in this capacity will concentrate on the collection of information on media issues from various sources. Subsequent to collection, the Office will produce, on a regular basis, compilations of the materials for distribution to the OSCE participating States. The following materials were prepared in 1996:

- In May, the Office produced an Early Warning Report for the Chairman-in-Office on the situation of the media in one of the OSCE participating States;
- In June, the ODIHR compiled information on Freedom of the Media, which also contained the information provided to the Office in response to the 1994 and 1995 *Note Verbale*;
- In June, the ODIHR prepared an update of the report on the Cases of Journalists Killed, Missing and Attacked, selections from which were subsequently distributed to the relevant participating States;

- In October, a report on 'Freedom of Expression in the OSCE Region,' was prepared by the ODIHR, based on information from the ODIHR Database, as well as on information provided by the OSCE participating States in response to the compilation distributed in June.

### **6.3 Assistance for National Human Rights Institutions**

As the ODIHR faced a growing number of requests for assistance in establishment of national human rights institutions in States undergoing post-conflict democratic rehabilitation, the Office organised a roundtable on "The Role of Ombudsmen in Conflict Prevention, Conflict Resolution and Confidence Building," in Budapest. Ombudsmen, experts and representatives of international organisations met in from June 24th - 26th, 1996, for a thorough exchange of views and experiences with regard to the role of national human rights institutions in conflict prevention, conflict resolution and confidence-building measures.

Ombudspersons from Central and Eastern Europe, national experts and parliamentarians involved in ombudsman institutions, and NGOs with experience in conflict resolution at the grassroots level, were joined at the meeting by the Head of UNTAES (United Nations Transitional Authorities in Eastern Slavonia), General Jacques-Paul Klein, as well as representatives of the ECMM (European Community Monitoring Mission/Croatia), the UNHCR, and the UN Centre for Human Rights. The task of the participants was to review and assess the functions of ombudsman and human rights commissions in newly emerging democracies. A number of recently independent OSCE States have faced civil strife and ethnic tensions, and are still in the grip of social strains involving violations of human rights. Consequently, the objective of the roundtable was to raise awareness of the problems and challenges that lay ahead of the successful implementation of an effective national human rights institution programme in countries which are both in transition, and in the post-conflict phase. In particular, the roundtable focused on peace-building operations in which multilateral organisations under international mandate exercise part, or all of the powers normally vested in national authorities.

Reviews of draft legislation related to ombudsmen have been regularly co-ordinated by ODIHR with regard to Georgia, Tajikistan, Latvia, and Bosnia and Herzegovina (the latter is described above). As presented below, the Office has several projects concerned with providing assistance in the drafting of legislation, the process of documentation, and in the training of future ombudsman institutions in the Caucasus and Central Asia:

Georgia: On March 11th- 12th, 1996, the OSCE organised a roundtable on "Legal Aspects of the Ombudsman Institution." As a follow-up to ODIHR's recent evaluation of the draft constitutional law on the Ombudsman of Georgia, the main objective of the roundtable was to allow the Georgian parties involved to discuss selected legal issues prior to the adoption of the draft law , which will take place during the first quarter of 1996. While the OSCE Mission provided logistical support, the ODIHR financed the event and invited four international experts to introduce the ombudsman institution in their respective countries. The Georgian participants included members of the State Committee on Human Rights and the Parliamentary Committee on Human Rights; the Head of the

Supreme Court and representatives of the Ministries of Justice and Internal Affairs; and prominent Georgian scholars. The roundtable was devoted to national experiences and a detailed presentation of the mediators' functions in four countries: Sweden, the United States, Portugal and Russia. Discussions also focused on topics selected by Georgian participants, such as appointment procedures, powers and restrictions of the Ombudsman's jurisdiction, and complaints and communications procedures. One of the main conclusions reached at the roundtable was that there is no universal or "ideal" ombudsman model, rather, it is very much a matter of finding a model that best suits a specific political, social and cultural situation; some basic and common elements, however, must be adhered to.

Tajikistan: In June and July, human rights expert participated in an intensive training programme at Columbia University, sponsored by the ODIHR. The ODIHR and the OSCE Mission in Tajikistan have been working on issues related to the establishment of the institution of Ombudsman in Tajikistan. In 1996, the ODIHR provided commentary on the Draft Law on the Ombudsman.

Uzbekistan: A National Human Rights Institutions training programme was organised by ODIHR in September for the countries of Central Asia. With a view to increased information sharing among newly established national human rights institutions, as well as similar institutions with more extensive experience in western democracies, the ODIHR is establishing an informal forum for these new institutions, and the experts involved in their creation. In this respect, the Office is initiating an Information Letter and further roundtable/seminars that may take place on a regular basis.

## **7. Providing Information about the Human Dimension**

Meetings on Human Dimension. As stipulated by its mandate, the ODIHR serves as Secretariat for the Human Dimension Meetings and Seminars. The Human Dimension Seminar on the Freedom of Religion, organised in April, 1996, proved that a well-selected theme, along with the participation of some NGOs, both provides for a stimulating exchange of information, and draws the attention of the OSCE State governments to particular problems. The ODIHR hopes to organise such meetings on a regular basis in the future.

Further, the ODIHR is involved in organising seminars on International Humanitarian Law. In September, 1996, two such seminars were organised, both in co-operation with the Red Cross International Committee. The first was held in Kyrgyzstan in June; and the second, in Moldova in September. The goal of these seminars was to examine experience related to the practical use of the international humanitarian law in actual situations.

Information on the Internet. The ODIHR created an electronic version of all of its documents: the organization's Mandate; the Fact Sheet; the Policy Paper for 1995 and 1996; reports from elections, seminars, and roundtables; all ODIHR periodicals; and the Human Dimension sections of the OSCE documents. As this report goes to print, the OSCE Internet site is in the process of being established, with the intention that all of these documents be included on the ODIHR site.



Books and Other Publications. In 1996, the ODIHR published the Russian language version of the OSCE Human Dimension Documents and contributed financially to the preparation and publication of a book entitled *The U.S. Supreme Court and Rights and Freedoms of a Citizen*, by Professor Ewa Letowska, former Ombudsman of Poland, together with Professor Stanislaw Frankowski. The quarterly OSCE ODIHR Bulletin is published both in English and Russian. Two additional ongoing publications of the ODIHR are the bi-monthly CPRSI Newsletter (in English, and as of August 1996, in Romanese), and the quarterly Central Asia and Trans-Caucasus Newsletter (C.A.&T.), which is currently published in English, and as of January 1996, in Russian.

Translation of OSCE Documents. ODIHR co-ordinates the translation of several key OSCE documents into languages other than the OSCE working languages. By the end of 1996, the subsequent five sets of documents in the five languages of the countries of Central Asia will have been prepared.

Universal Declaration of Human Rights on Videotape. The ODIHR has purchased 200 copies of the video produced by Amnesty International, which presents in graphic form the principles of the Universal Declaration of Human Rights. These videotapes were distributed to the OSCE Missions and to all countries in Central Asia and Caucasus.

Direct contacts. Daily inquiries related to civil society and NGOs are received by the ODIHR via telephone, fax and e-mail. The Office in Warsaw has also had the pleasure of regularly receiving representatives from many parliamentary delegations, NGO groups, and research institutions.

## **8. Assistance to OSCE Long Term Missions**

Prior to the creation of a long-duration mission, the ODIHR advises the Chairman-in-Office on the formulation of mandates, often sending experts as participants in exploratory visits. Once the Mission has been established, the ODIHR organises training courses on the human dimension for new members. The ODIHR regularly informs the missions of its projects, and supplies the Missions with human rights documentation. The NGO Liaison Advisor maintains contact with all Missions, providing them with informational and referral services on NGO questions.

Many of the activities of the ODIHR, as described throughout this report, are conducted at the request and with the support of the OSCE Missions. Whenever possible, the Office works in co-ordination with the Missions - firstly, to add value and impact to their efforts in a country where the Mission is located; and secondly, when designing projects, to build on the experience and knowledge of the Mission Advisers, who are in the field for longer periods.

In November 1996, the Russian language version of the OSCE Human Dimension Documents was produced, and by the end of the year distributed to the OSCE Missions.

Earlier in 1996, the ODIHR procured a book on Human Rights Monitoring for the Missions. Additional examples of the ODIHR's work include:

Ombudsman activities. Several Missions have devoted much effort to assisting States in establishing national human rights institutions, such as ombudsmen. The ODIHR has extended its technical assistance to these projects.

Co-operation with the Mission in Georgia. In response to discussions with the OSCE Mission and representatives of the Georgian Government, in January 1996, the ODIHR Rule of Law Programme prepared an expert mission to assess the Georgian Criminal Justice System, and to develop a blueprint for future Rule of Law activities. The Mission followed the promulgation of the new Georgian Constitution which enunciates broad new powers and responsibilities for the judiciary. Following in-depth meetings and discussions with representatives of all legal bodies and ministries, the expert mission produced a report recommending a series of activities designed to assist the Georgian judicial system. The report recommends technical assistance, material support, institutional development activities, and a legislation drafting program designed to address the structural changes required by the new Constitution.

Co-operation with the Mission in the former Yugoslav Republic of Macedonia. At the request of the Dean of the Faculty of Law of the University of St. Cyrill and Methodius University in Skopje, the ODIHR Programme for Co-ordinated Legal Support, with the assistance of the OSCE Mission in Skopje and the International Foundation for Election Systems (IFES), prepared a two-day program on comparative electoral systems, from April 22nd - 23rd, 1996. The objective of the activity was to review the electoral experiences of newly independent states and to examine the legal and legislative foundations of democratic development.

Co-operation with the Mission in Tajikistan. ODIHR and the OSCE Mission in Tajikistan have been working closely on the issues related to the establishment of the institution of Ombudsman in Tajikistan, and have also provided assistance and briefings on Human Dimension to the field offices. At the request of the OSCE Mission in Tajikistan, the ODIHR published in September a Russian-language version of the Constitution of Tajikistan, and implemented a national Rule of Law training programme in May.

## **9. Contact Point for Roma and Sinti**

### **9.1 Co-operation and Co-ordination**

To gain direct insight into the situation of the Roma minority in particular countries, in 1996 the CPRSI circulated a questionnaire for the purpose of collecting comprehensive information on the Roma population in individual States. On the basis of the answers received, a handbook on domestic and international institutions, tasked with addressing Roma and Sinti-related issues, will be prepared later this year.

The ODIHR's co-operation on Roma and Sinti issues with other international organisations, in particular the Council of Europe, the European Commission, and the UNHCR, is very close. Over the course of CPRSI's two-year existence, working

consultations were organised in Brussels, Warsaw and Strasbourg. Further, the CPRSI was invited to participate in the work of the Specialist Group on Roma/Gypsies of the Council of Europe, and in its mission on the situation of Roma in Bosnia, in May, 1996. The Director of the ODIHR was also invited to address the Roundtable on Roma, organised in July, 1996, in the European Parliament in Brussels.

As a result of an agreement with the Project on Ethnic Relations, four interns from Roma associations in Spain, Romania, Hungary and Bulgaria each completed three-month internships in the CPRSI. Special reports on Roma associations, violence, legal aid and media, respectively, were prepared by the interns.

## ***9.2 Increasing Awareness on Roma and Sinti Issues***

A thematically designed workshop on violence against Roma and Sinti was organised in Warsaw in January, 1996, and was followed by several consultations with Romani associations on this issue. In September 1996, the CPRSI facilitated the participation of legal counselors, engaged by Central and East European non-governmental organisations in the defence of Roma, in a two-part programme convened by UNHCR Hungary and UNHCR Slovakia. The programme was designed to provide training in international human rights law, and to promote exchange of information between participants.

The Contact Point Clearing House collects information about Roma and Sinti issues from various sources, including: governments; non-governmental organisations; international organisations working with Roma; the media; and researchers. In addition, the CPRSI has sent the "Questionnaire on the Situation of Roma and Sinti (Gypsies)," to the governments of participating States. On the basis of the information collected, the CPRSI, in June, 1996, prepared a report on Violence and Discrimination Against Roma in Europe. This material has been discussed with the representatives of interested governments, with many issues being clarified and expanded upon. Finally, the characteristics of the situation of Roma and Sinti in the OSCE region were presented to the Permanent Council in the fall of 1996.

In September, 1996, a joint seminar, addressing the depiction of the Roma in the media, was organised by the ODIHR CPRSI, the Project on Ethnic Relations and the Open Media Research Institute in Prague. The event was organised with the co-operation of regional newspapers and journals, the Roma Civic Initiative and other Czech Romani organisations. It brought together professionals from Roma and mainstream media to discuss the role of the media in shaping public opinion about the Romani minority, especially in Central and Eastern Europe. The meeting also evaluated the specialised Romani media, and explored ways to improve its quality and increase its impact.

The Contact Point produces the CPRSI Newsletter. Since June, 1996, this Newsletter has been produced both in English and in Romanese. A significant part of the material collected has been related to the practical implementation of commitments pertaining to Roma and Sinti. The newsletter at the present has nearly 2,000 subscribers, with the number of subscriptions constantly increasing.

### **9.3 Legal assistance to Roma**

Legal assistance to Roma and Sinti is another important priority in the work of the CPRSI, with particular attention paid to the possibilities for training directed at preparing for representation of Roma and Roma issues before courts and tribunals. Several issues of the CPRSI Newsletter will be dedicated to these problems as a means to consolidate efforts in the area of education and legal assistance to Roma.

The NGO Liaison Advisor co-ordinated, along with the UNHCR, a programme for legal counsellors working on behalf of Roma human rights cases. Entitled "Effective Remedies Against Administrative Decisions and On the Protection of Aliens," the programme was held from September 19th - 21st, 1996, in Budapest, and in Bratislava from September 26th - 28th.

## **10. CIS Migration Conference**

Acknowledging the scale and complexity of the issue of migration, the UNHCR approached the International Organisation of Migration (IOM), and the Office for Democratic Institutions and Human Rights of the Organisation for Security and Co-operation in Europe (OSCE-ODIHR), for their unique expertise and mandates, for the purpose of organising a conference. A joint Secretariat, comprised of the three organisations, was thus formed in 1995, to guide the international community through the preparatory process.

The eighteen month preparatory process brought together all the CIS countries as well as other interested States, and served to open dialogue between countries through its encouragement of governments' engagement in intensive discussions on humanitarian issues at a non-political level. As a result, even those countries in open conflict with one another have begun to agree to co-operate on a humanitarian level, proposing, for example, to share information on displaced people.

The Conference has achieved several objectives during its preparatory phase, through intensive work carried out by the participating States in two rounds of Sub-Regional Meetings and two Meetings of Experts. Among the objectives is the formulation of comprehensive strategies (a Programme of Action) to begin to address existing problems, and to avert or to better cope with future mass movements of people.

Serving on the Secretariat of the CIS Conference, the ODIHR Migration Expert provided the input from the OSCE during preparation of the drafts of the Programme of Action, and was the focal point of the Secretariat for NGOs and independent actors. During the meetings of the Conference's Drafting Committee, he provided on-site advice to the representative of the OSCE Chairman-in-Office. The ODIHR Migration Expert was also responsible for the production of the Conference's Russian language documents.