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INTRODUCTION

The year 2002 was, among other things, characterised by the forthcoming Netherlands OSCE Chairmanship-in-Office in January 2003. This is important to the NHC, firstly, because the organisation has developed a view on what the aim of the Organization for Security and Co-operation in Europe (OSCE) should be in 2003 and what the organisation should achieve, and secondly, because the NHC would like to contribute to this event.

In the opinion of the NHC the OSCE should focus on its core activities, namely the three dimensions (the political and military aspects of security, the humanitarian dimension and the economic and environmental dimension) and their coherence. The successful activities of the Organization should be given more attention, also in order to increase public support for the political impact of the OSCE. In other words, the Netherlands OSCE Chairmanship should aim at the OSCE instruments, such as the field activities and the High Commissioner on National Minorities. In addition, the OSCE ought to stimulate an increase in the capacity of the above-mentioned instruments and their effectiveness.

Within the framework of the Netherlands OSCE Chairmanship, the NHC will organise a wide range of activities. A round-table conference on conflicts in the Caucasus in April 2003 and a conference on new minorities in Western Europe in October 2003 are on the agenda. During the meeting of the Parliamentary Assembly in July 2003, the NHC will organise several small-scale activities.

Another important development is the decision of the European Union regarding its candidate member states. The NHC has followed the process of the forthcoming accession of the ten Central and Eastern European countries in 2004 with great interest. The NHC has been and still is involved in numerous projects in this area of the OSCE region and has, in a way, contributed to the development of the candidate countries.

This annual report has a different structure than previous reports. We have chosen to provide a brief summary of a selection of NHC projects, categorised according to the themes of the NHC's field of activities. In this way, we hope to give the reader a better and more accessible insight into the work of the NHC. In addition, a new chapter has been added to the report, in which several people, not working at the NHC office, provide an account of their involvement in the NHC projects and their experiences. We hereby hope that the report will be given an extra dimension and will become more interesting.

I would like to express our gratitude to all those who have contributed to and supported the work of the NHC. The experts involved – judges, prosecutors, prison staff, university teaching staff, probation staff, human rights activists, experts on minority rights and anti-discrimination, organisational development experts and experts in teaching methods – were essential for the success of the NHC projects.

Their knowledge and skills, their commitment and their enthusiasm greatly contributed to the high level of our activities.

Our local partners in Central and Eastern Europe not only benefited from our projects, but also contributed to their results. The support and co-operation from governmental bodies was essential in this respect.

The donors to our projects and programmes provided our partners and us with the necessary financial resources. Their co-operation and flexibility made it possible to adapt our activities to the changing circumstances.

A particular word of thanks ought to be addressed to the staff of the Secretariat. With undiminished energy they contributed to the fulfilment of the tasks for which the NHC stands.

Jan-Herman van Roijen
Chairman of the Netherlands Helsinki Committee

1. BACKGROUND AND OBJECTIVES

In 1975, thirty-five states from East and West gathered in Helsinki, Finland, for the Conference on Security and Co-operation in Europe. These states included the Soviet Union and all the European countries (except Albania), as well as Canada and the United States. The Conference concluded with the adoption of the politically and morally binding Helsinki Final Act, which, at that time, was the only international agreement that attempted to link peace and security with respect for human rights. Since 1993 the signatories have formed themselves into an organisation, now known as the Organization for Security and Co-operation in Europe (OSCE).

Since the original conference, a series of expert meetings and follow-up conferences have further defined the human rights provisions, and the OSCE has developed its own institutional frameworks and human rights mechanisms. The OSCE today has 55 participating states.

1.1. Helsinki Committees

On May the 12th, 1976, Dr Yuri F. Orlov announced the formation of the Moscow Helsinki Group. The eleven founders of the group sought to uphold the USSR's responsibility to implement the Helsinki commitments. They set up their watchdog organisation based on the provision in the Helsinki Final Act, Principle VII, which establishes the rights of individuals to know and act upon their rights and duties. In the wake of their appeal to concerned citizens in other countries, new citizens' groups were established elsewhere both inside and outside the Soviet Union and the Warsaw Pact nations. In January 1977, Charta 77 was founded in Czechoslovakia, and in September 1979, the Helsinki Watch Group was founded in Poland. Although their governments persecuted all these groups, they continued their activities. In 1982 the Moscow Helsinki Group was forced to disband; however, its pioneering efforts had inspired others to draw attention to violations of human rights. Groups were formed in Western European countries, in Canada, and in the United States.

The Netherlands Helsinki Committee (NHC) was founded in 1987. In the early years of the NHC, Professor Max van der Stoel was involved with the organisation as a member of the Committee and as the chairman of the Executive Board. Due to his appointment as the High Commissioner on National Minorities of the OSCE, Mr Van der Stoel resigned at the end of 1992. He continued his involvement as the Honorary Chairman.

In the early years the NHC activities were focused on monitoring the Helsinki process, in the Netherlands and in other European countries. The activities were mainly of an academic nature, such as reports and conferences in the field of the OSCE process in order to determine and communicate the point of view of the NHC. After the fundamental changes in Eastern Europe, the variety of NHC activities increased. In addition to providing assistance to the Helsinki Committees, the NHC assists other human rights organisations and professional groups, such as organisations

representing judges and prison staff, for instance by providing training programmes. This kind of assistance and co-operation has become the greater part of the NHC's work. Nowadays, the academic part of the NHC's work is reflected in its quarterly bulletin, the *Helsinki Monitor*. The NHC also organises, on a regular basis, round-table conferences and seminars on the Helsinki process. With this development and the increase in projects, the number of staff members has expanded. In 2002 the NHC secretariat had ten staff members.

1.2. The International Helsinki Federation for Human Rights

The International Helsinki Federation for Human Rights is a self-governing group of non-governmental, non-profit organisations, which act to protect human rights throughout Europe, North America, and the Central Asian republics formed on the territories of the former Soviet Union. A primary specific goal is to monitor compliance with the human rights provisions of the Helsinki Final Act and its follow-up documents. Its secretariat, based in Vienna, commonly referred to as 'the IHF', supports and liaises between thirty-nine member 'Helsinki committees' and associated human rights groups, and represents them at the international political level.

The IHF also has direct links with individuals and groups supporting human rights in countries where no Helsinki committees exist. In addition to gathering and analysing information on human rights conditions in OSCE participating states, the IHF acts as a clearing-house for this information disseminating it to governments, inter-governmental organisations, the press and the public at large. The IHF is even-handed in its criticism of human rights violations with respect to the political systems of states in which these abuses occur.

The IHF is active in all OSCE participating states, and has been playing a leading role in speaking up for the victims of violence arising from the situation in e.g. Kosovo, the former Yugoslavia, Chechnya and Central Asia. Particularly since 1989, the IHF has also been active in promoting and supporting human rights in formerly totalitarian countries by organising education projects, seminars, and international projects. Helsinki committees and other local human rights organisations have implemented many of these project and events.

In 2002 the Netherlands Helsinki Committee organised the annual meeting of the International Helsinki Federation at the 'Troelstra' Conference Hall in the Second Chamber of Parliament. Mr Frans Timmermans MP hosted the meeting. Representatives of 34 Helsinki Committees took part in the event. Also the Netherlands Ministry of Foreign Affairs and the municipality of The Hague invited the participants to receptions. In the context of the annual meeting the NHC organised a conference on the relation between the Russian Federation and the OSCE. Furthermore, the IHF organised a public debate on the situation in Chechnya, in which representatives of NGOs, diplomats and Lord Judd, the *special rapporteur* of the Parliamentary Assembly of the Council of Europe, all participated.

Photo 1

Ms Zaliha Tahirova, Mr Anatoly Fomin, Ms Ludmilla Alexeyeva, Mr Yuri Orlov, Mr Talib Yakubov and Mr Jan-Herman van Roijen (left to right) participating in the Annual Meeting of the International Helsinki Federation, 14-17 November 2002, The Hague.

1.3. Objectives

The objectives of the Netherlands Helsinki Committee are:

1. Promoting the international and social legal order in order to facilitate the complete realisation of human rights; and
2. Strengthening and supporting the activities of international and national governmental and non-governmental organisations (NGOs) which promote the objectives mentioned under 1, including the OSCE and the IHF, focusing on conflict prevention and the promotion of human rights, the rule of law and democracy.

The NHC is a non-governmental organisation.

2. ACTIVITIES

2.1. Research

The NHC regularly publishes its own reports on the OSCE and the Helsinki process. These reports include analyses of the present situation and policy recommendations for the OSCE and its participating states. The NHC invites experts on the OSCE and the Helsinki process to take part in the preparation of these reports.

Regarding the Dutch OSCE Chairmanship-in-Office in 2003, the NHC has published a memorandum on the expectations and the role of this Chairmanship in the development and functioning of the OSCE. In the opinion of the NHC the OSCE should focus on its core activities, namely the three dimensions (the political and military aspects of security, the humanitarian dimension and the economic and environmental dimension) and their coherence. The successful activities of the Organization should be given more attention in order to increase the public support for the political impact of the OSCE.

The NHC presented its memorandum at the round-table conference on April 22, 2002. At this conference experts on the OSCE and politicians in the Netherlands discussed the forthcoming agenda for the Dutch chairmanship in 2003. The following persons gave their views on several OSCE-related subjects: Prof. M. van der Stoep, Special Envoy of the OSCE Chairman-in-Office on Macedonia and the former OSCE High Commissioner on National Minorities; Prof. Dr W.J.M. van Genugten, Chairman of the OSCE Commission of the 'Advisory Council on International Affairs'; Mr D.W. Everts, Co-ordinator of the OSCE Task Force at the Ministry of Foreign Affairs and the former Head of the OSCE Missions in Kosovo and Albania; and Dr A. Bloed, a member of the NHC Executive Committee. Among the topics that were discussed were: relations between the OSCE and the Russian Federation and between the OSCE and the European Union; xenophobia, racism and discrimination in the OSCE participating states, including the West; the importance of an even balance between three OSCE dimensions and the priorities for the OSCE and its chairman in the coming period.

In its memorandum the NHC also pointed to the importance of the relationship between the OSCE and the Russian Federation. As a follow-up to this recommendation the NHC hosted the round-table conference entitled *OSCE and Russia: Old Bridges, New Divisions*. This conference was held on the 14th of November. Speakers from the Russian Federation (Mr Vyacheslav Nikonov, President of Fond Politika, Moscow), Poland (Ambassador Dr Henryk Szlajfer, Permanent Representative of Poland to the OSCE), the United States (Mr Ronald J. McNamara, Chief-of-Staff of the Commission for Security and Cooperation in Europe) and the Netherlands (Prof. Dr Rob de Wijk, Netherlands Institute of International Relations Clingendael), all of whom are key-experts on the OSCE, participated in the conference. Furthermore, representatives of the OSCE, government officials, politicians, scholars and members of the Helsinki Committees from Central and

Eastern Europe and Central Asia were also present. The NHC also published a report on this round-table conference.

In his concluding remarks the chairman of the conference, Professor Dr Willem van Genugten, summarised the content of the conference as follows: "First of all, the first question brought us to the heart of the discussion. How can you be critical about your friends and at the same time establish a good relationship between states? This is what the OSCE is all about. We were talking about the Russian Federation in this regard, but maybe we will have the same kind of discussion concerning the United States in the future. Secondly, How to address imbalances without the risk of going to the lowest common denominator? It is difficult to address imbalances and at the same time avoiding this risk." Thirdly, he said that in the opinion of the speakers the Dutch government is very realistic in starting its Chairmanship-in-Office. But if it does not do anything about wishful thinking and accepting the lowest common denominator, then this will be the end of the Organization. "If we forget the ideals of the OSCE then we should stop thinking about the Chair of the OSCE."

Photo 2

*Mr Daan Everts, Mr Jan-Herman van Roijen and Prof. Max van der Stoel
(right to left) at the round-table conference on the agenda for
the Dutch OSCE Chairmanship in 2003, 22 April 2002.
Photo: Marco van der Krogt.*

2.2. Monitoring

In co-operation with the International Helsinki Federation and the Helsinki Committees the NHC undertakes missions to countries and regions in Europe where conflicts occur and violations of human rights take place. The findings of these missions are published in several international publications and distributed to, for example, national delegations of the OSCE participating states.

Each year the NHC contributes to the IHF Annual Report¹ by submitting a report on the compliance of the Netherlands with the OSCE standards. This report is compiled on the basis of research carried out by organisations, amongst which are human rights organisations, in the Netherlands. This year, the subjects included in the contribution were: the parliamentary elections in May 2002 and the protection of politicians; the conditions facing drugs couriers in Dutch prisons; immigration and integration; the death penalty; aliens policy; freedom of religion; trafficking in human beings; the genocide in Srebrenica; and the Council of Europe Framework Convention for the Protection of National Minorities.²

At the request of the IHF Mr Jan ter Laak of the NHC took part in a mission to Uzbekistan in November 2002. The two representatives of the Polish Helsinki Foundation for Human Rights and the NHC provided an overview of the situation of human rights organisations in the country.

2.3. Publicity

In order to promote the OSCE and the Helsinki process the NHC has undertaken various activities.

Every three months the NHC publishes the *Helsinki Monitor* in co-operation with the International Helsinki Federation and Kluwer Law International. It is an English-language quarterly on the OSCE's work and field of operations of the OSCE. The aim of the quarterly is to report on OSCE developments and to provide thorough background information on the OSCE process. Subscribers to the *Helsinki Monitor* are individuals in the professional field, human rights NGOs, policy makers in the OSCE field, journalists, representatives of the academic world, as well as readers interested in security, co-operation and human rights in Europe. In 2002 the *Helsinki Monitor* published articles on e.g. *Making Istanbul a reality: Moldova, Russia and the withdrawal from Transdnistria* by William Hill; *International challenge for the Netherlands: The OSCE Chairman-in-Office in 2003* by Edwin Bakker; *Finding a balance between ensuring security and protecting human rights in the fight against terrorism* by Gérard Stoudmann (a column); *A contribution to the agenda for the Dutch Chairmanship of the OSCE: a recapitulation of findings of the Advisory Council on International Affairs* by Frank van Beuningen.

¹ www.ihf-hr.org.

² The contribution to the IHF Annual Report 2003 (events of 2002) has been added to this annual report as appendix III.

In co-operation with the Centre for International Conflict - Analysis & Management (Centrum voor Internationaal Conflict - Analyse & Management), of the University of Nijmegen, the NHC published the book *The Organization for Security and Co-operation in Europe and the Netherlands OSCE Chairmanship-in-Office in 2003 (De Organisatie voor Veiligheid en Samenwerking in Europa en het Nederlands Voorzitterschap in 2003)*. The aim of this publication is to bring the OSCE to the public's attention and to increase appreciation for the organization in the Netherlands.

The NHC informed several Dutch newspapers with regard to the OSCE, which resulted in the publication of various articles.³ On its webpage (www.nhc.nl) on the Internet the NHC promotes itself and provides information on its current activities, various publications and on organisations such as the OSCE and the IHF.

During this year the NHC organised an exhibition at the Ministry of Foreign Affairs, called *The History of the Helsinki Human Rights Movement*.

2.4. Lobbying

The NHC undertakes a number of lobbying activities. Firstly, the NHC organises round-table discussions and conferences on important issues related to the OSCE and its work. Secondly, the NHC supports local partners in their media and lobbying activities. For example, the NHC organised two training sessions on lobbying for the Czech Union of Judges. Mr Jean Penders, a former member of the European Parliament, provided the training.

In the project *Human Rights Monitoring in the Russian Federation* the role of the NHC is that of 'lobbying'. In 2002 Dr Anna Stunova of the NHC visited the Council of Europe in Strasbourg. She met representatives of the Council of Europe and the European Court of Human Rights. For more information on this project, see section 2.5.3.

2.5. Technical assistance projects

Building democracy and respect for the rule of law is a continuing complex and long-term process for which knowledge of and compliance with international obligations are important. In the post-communist countries this part of the transition process continues to require active support. Relevant expertise is available in Western as well as in Central and Eastern Europe. Experts in the fields of human rights and the rule of law can facilitate the transition process by sharing their knowledge, skills and experiences with their colleagues and experts in other countries. At this moment in time most of the countries of Central and Eastern Europe have ratified international human rights conventions and have adopted democratic constitutions. The practical

³ *De Volkskrant*: 'Nederland heeft een Superman nodig', 13 January 2003; *Het NRC Handelsblad*: 'Nederland kan OVSE uit het slop halen', 7 August 2002; *De Telegraaf*: 'Grote zorgen over 'zwakke' OVSE', 23 April 2002.

implementation of the standards and norms of these conventions and of democracy is now the main priority. Respect for human rights, the rule of law and democracy is also a key element in the process of enlarging the European Union. At the Copenhagen summit in 1993 the European Union member states elaborated the European Union membership criteria, which the Candidate Countries need to meet before accession to the EU. One of the criteria is the achievement of stability in institutions which guarantee democracy, respect for the rule of law and human rights, and respect for and the protection of minorities. The European Commission reports annually on the progress made by the countries in question. In this context human rights education for all kinds of professional groups, the strengthening of the rule of law and of democracy are relevant and important.

The main target group of the NHC projects is professional groups which have to apply international legal NHC standards regarding human rights, democracy and the rule of law. These professional groups include: human rights activists and lawyers, judges and prosecutors, legal staff of Ministries, police officers, prison staff and probation staff. For these target groups the NHC organises a wide range of co-operative technical assistance programmes concerning:

- Strengthening the role and independence of the judiciary;
- Professionalisation of prison systems, the probation service and the police; and
- Strengthening human rights NGOs.

2.5.1. Strengthening the role and independence of the judiciary

A fundamental feature of the rule of law is an impartial and independent judiciary. The NHC aims to strengthen the position of the judiciary in Central and Eastern European countries by promoting international co-operation among judges and prosecutors, and amongst international organisations representing these professional groups. The NHC also supports train-the-trainer activities in order to improve the educational potential of the judiciary and to enhance their level of professionalism. Furthermore, the NHC stimulates debate between judges and prosecutors and assists organisations representing judges and/or prosecutors.

The role and independence of the judiciary

In one of the NHC projects, the NHC uses various methods to strengthen the role and independence of the judiciary. The project is called *Strengthening the Training Capacity of the National Institute for Magistrates (NIM) in Romania*. The NIM is responsible for the initial training of judges and public prosecutors in Romania. In addition, the NIM, the NHC and the Netherlands Training and Study Centre for the Judiciary (SSR), is involved in this project as well.

As in the other former communist countries in Central and Eastern Europe the transition process in Romania towards a liberal free market economy, a democratic state and respect for the rule of law and human rights results in enormous changes in the legal and judicial system. Many laws are in the process of being changed, and legal professionals have to be trained in understanding and applying these new laws,

as well as the principles underlying them. In addition, as a result of the enormous growth in the number of magistrates since 1990 (more than 2,500 magistrates have been appointed since then) a large number of these magistrates have hardly received any specific professional training and have limited working experience. Notwithstanding this growth, at the moment there is still a need for additional magistrates.

The National Institute for Magistrates is the only institution for the selection and professional training of magistrates in Romania. The NIM provides practical legal training, internships, and training in specific legal issues for new and more experienced magistrates, thus counterbalancing the theoretical education of the universities, and keeping pace with the many legal developments resulting from the country's aspiration to join the European Union and other European structures.

In contrast to the great responsibility of the NIM, there is a constellation of multi-faceted problems to be overcome such as a lack of financial resources and a lack of sufficiently qualified trainers. Notwithstanding these problems the NIM is dedicated to developing a more modern educational plan. The development of the curriculum is aimed at embedding theory in existing practice and cases. In the two-year programme those participating visit the courts, prosecutor's offices, offices for the execution of judicial decisions, police precincts, prison administrations, public administrative offices, and notaries' and attorneys' offices. Furthermore, in the curriculum more topics on international legislation will be included (e.g. EU and ECHR law and case law). Lastly, in order to attract and to be able to deal with more participants, the NIM needs to strengthen its internal organisation.

The long-term objective of the project is to strengthen the rule of law in Romania, focusing on the implementation of the European Convention on Human Rights, European Union law and the general principles of the role of magistrates in a democratic country governed by the rule of law.

As part of the project three separate groups of eight Romanian magistrates were trained in the European Convention on Human Rights, European Union law and 'The Role of a Magistrate in a democratic country governed by the Rule of Law'. The purpose of the initial train-the-trainers programmes is to equip Romanian magistrates working at the NIM with the skills to provide training seminars on the ECHR and on European Union law for their magistrate colleagues and trainee magistrates. These train-the-trainers programmes took place in 2000 and 2001. The third train-the-trainers programme deals with the position and the role of a magistrate in democratic society. The Romanian Magistracy needs to define its new role in a democracy governed by the rule of law. This includes varied topics such as judicial ethics, the implementation of the ECHR and EU law, relations between judges, lawyers and prosecutors, relations with the media and the general public, relations with the two other state powers etc. Although legislation and the international law have already laid down certain rules as a framework, the implementation of these rules and the principles underlying them can be improved. Furthermore, even in established democracies with a long democratic tradition, these rules and principles are – and need to be – discussed frequently. In this way these rules and principles can be

updated and can remain vivid. The aim of the workshop is not so much to teach specific legal provisions, but to stimulate discussion amongst magistrates on the implementation of the provisions and the principles underlying them.

In 2002 several activities took place. In March a representative of the NIM and a former student of the NIM participated in the study visit of Dutch judges to the Council of Europe and the European Court of Human Rights. Moreover, an expert from the SSR, Ms Liesbeth Steendijk, visited the NIM in Romania where she discussed with the director of NIM and its experts the curricula for the trainee-judges at the NIM. In addition, the expert visited the court responsible for the internships of the trainee-judges.

Furthermore, two train-the-trainers workshops on 'the Role of a Judge in a Democratic Society governed by the Rule of Law' took place in Bucharest and Amara. The workshops were developed and conducted by Romanian judges who had themselves been trained at an earlier stage of the project. Two Dutch experts, Ms Selma Roenhorst and Mr Yvo van Kuijck, took part in the workshops. In each workshop twenty magistrates participated.

In May a training session in didactical skills for the NIM trainers on European Union law took place in Bucharest.

Photo 3

The trainers Ms Simona Buzoianu (left) and Ms Selma Roenhorst (right) and an interpreter at the training session in didactical skills for the NIM trainers on EU law, May 2002, Bucharest.

In September the NIM and NHC organised two seminars on the European Convention on Human Rights. Romanian magistrates trained in this project delivered the lectures.

During the seminars the Romanian judges appeared to be capable of developing and conducting training sessions independently. In addition, due to several training methods provided in the workshops, the participants became aware of their position and attitude as a judge. Furthermore, as a result of the seminars on European Union law and the European Convention on Human Rights, the NIM has at its disposal an increased knowledge of this area of the law. Besides their involvement in this project the Romanian trainers also take part in other in-service training activities of the NIM.

The application of European and international law

The NHC also provides training programmes for jurists concerning the legislation of the European Union and its impact on domestic legal systems. Particularly relevant are the law and practice of the European Union that contribute to respect for the rule of law, human rights and the independence of the judiciary. In relation to these objectives, the NHC assists the Candidate Member States of the European Union in meeting the criteria for membership of the European Union through projects dealing with the implementation of the *Acquis Communautaire*.

In Bulgaria the NHC implements the project *Assistance to the judiciary in Bulgaria: Continuing training on EU legislation and practice*. The project, which started in January 2002, is a follow-up to an earlier project. This project is implemented by three parties: in the Netherlands by the T.M.C. Asser Institute and the Netherlands Helsinki Committee, and in Bulgaria by the Magistrates Training Centre (MTC).

In the context of the negotiations on EU membership, which already started in March 2000, Bulgaria is on the way to EU accession. In view of the accession Bulgaria is faced with the approximation of laws, ensuring the application of adapted legislation and institution building. The European Legal Department of the Bulgarian Ministry, which deals with the preparation and harmonisation of national legislation with regard to international agreements is in need of knowledge and expertise in this field. The role of the department is important since it should have a co-ordinating role in this process. Also other professions within the judiciary system, such as judges, prosecutors and investigators, need to be trained in and informed on EU legislation in order to be able to implement these new laws and regulations. This requires making documentation and information available and providing guidance and assistance in finding EU sources. In addition, the judiciary needs to be trained in EU legislation and the practical implementation of EU laws.

The Magistrate Training Centre was created for the purpose of improving the professionalism of magistrates by providing training to judges, prosecutors and investigators. The long-term objective of the Centre is to create a qualification system for magistrates, to provide training for magistrates and court personnel, and to promote and disseminate legal information in the areas of International, European and comparative law, legal publications and other activities relating to improving professionalism in general.

In the near future the Magistrate Training Centre will be transformed into a public institution – the National Judicial Institute. This institute will provide for the creation of a uniform national system for the training and qualification of magistrates. It will contribute to the enforcement of European law and the application of European standards of justice in Bulgaria.

The overall objective of the NHC project is to support the Bulgarian judiciary in developing knowledge and skills in European Union law and practice in order to stimulate the process of implementing European Union law in Bulgaria. The project provides assistance to the judiciary in Bulgaria by providing training in European Union law. In addition, the project further strengthens the capacity of the MTC by training the MTC trainers in specialised fields of European Union law. The topics of this project are 'Intellectual property rights' and 'Police and Justice Co-operation in Civil and Criminal Matters'. This new train-the-trainers course will enable these trainers to convey their newly acquired knowledge to their colleagues in the judiciary.

In November 2002 a group of fifteen magistrates took part in a 'train-the-trainers' course organised in the Netherlands and provided by the T.M.C. Asser Institute. The participants were judges, investigators and prosecutors. They were trained in both of the above-mentioned subjects. As a result of the training all the participants developed training modules on these subjects. In 2003 two seminars will be held in Bulgaria, in which the participants will put into practice their newly learned skills by training their own colleagues. Experts from the T.M.C. Asser Institute will be present in order to provide the participants with the necessary feedback.

As a result of these projects, not only will the knowledge of the participants in the specialised fields of European Union law increase, but also the participants' pupils – members of the judiciary – will improve their knowledge. Furthermore, the MTC will increase its capacity to train judges and prosecutors by strengthening and enlarging its network of trainers.

The strengthening and capacity-building of judicial organisations

In order to strengthen and improve the capacity of the judiciary in Central and Eastern European countries, the NHC co-operates with both professional organisations and national governments. The NHC promotes co-operation between the judiciary of different countries and international organisations representing judges. In order to achieve this goal the NHC provides assistance to professional organisations representing judges and prosecutors and organises training activities.

During the communist regime, the judiciary of the Czech Republic was more often seen as an executive organisation of the Ministry of Justice than as an independent power. In the 1990s the Czech Republic was a country in transition from the former communist regime to a democratic state. The members of the Czech judiciary felt the necessity to obtain international support in order to have the ability to contribute to and to safeguard this process. The judiciary had a key interest in strengthening their independence from the legislature and especially from the executive branch of government. Therefore, the judiciary wanted to be adequately organised in a

professional organisation in order to be able to represent and promote their interest in a democratic and effective way.

In the Czech Republic the judges are organised in the Czech Union of Judges (CUJ) with its office in Prague. Over 60 % of the judges are members of this professional association. This project aims to strengthen the CUJ. The objective is the democratic, independent, effective and efficient functioning of the organisation at the end of the proposed project period. Moreover, a strong and independent judiciary is necessary to establish the rule of law, a precondition for the Czech Republic to become a member of the European Union. The Czech judiciary wanted to strengthen their position as the third branch of power within the state.

On a number of occasions in the past the executive and legislative branches of government and the media criticised the judiciary, their efficiency, capacity and competence. Therefore the CUJ wanted to contribute to improving the professional performance of the judiciary. It also wanted the judiciary to acquire the necessary skills for dialogue with the executive and legislative branches of government and the specific skills which are important in their relationship with the media.

In the mid-1990s the CUJ concluded that the judiciary and the CUJ, as a professional organisation representing judges, were confronted with the following problems:

- The position of the judiciary in Czech society needed strengthening;
- The structure of the organisation of the CUJ needed strengthening;
- The judiciary were not acquainted with training each other; and
- The Czech judges had limited access to legal information. In addition, the knowledge of the CUJ members who had already been trained had not been optimised to the full.

Based on this analysis the CUJ asked the NHC, the Netherlands Association for the Judiciary (NVvR) and the Netherlands Training and Study Centre for the Judiciary (SSR) to co-operate in a project to strengthen respect for the rule of law in the Czech Republic in the long term by strengthening the position of the judiciary. This project started in 1998. The Czech Ministry of Justice provided the necessary support.

Its short-term objectives are:

1. Strengthening the organisation of the Czech Union of Judges. During the project period the following documents would *inter alia* be developed: the mission statement of the CUJ; action plans for the organs of the CUJ; and internal rules and regulations. During the project the organs, members and office of the CUJ implemented a major part of these action plans;
2. Strengthening the position of the CUJ in Czech society which is aimed at improving contacts with the media, the general public, NGOs, Parliament and the government;
3. Strengthening the potential of the Czech judiciary to train their own members; and
4. Improving the access of the judiciary to national and international legal information.

The project aims to strengthen the Czech Union of Judges in such a way that at the end of the project period the result will be an effective and efficient organisation. The CUJ should be able to acquire public support – not only for the CUJ, but also for the judiciary in general – and to contribute to the system of judges-training-judges. In short: the CUJ should be able to contribute independently to an independent judiciary in the Czech Republic.

In October 2001 the Ministry of Foreign Affairs approved a proposal by the CUJ and NHC to extend the project by one year (1 September 2001 - 31 August 2002). Although substantial results were achieved in the 1998 - 2001 project period, the project partners requested an extension to the project until 31 August 2002 in order to make the results so far achieved more sustainable. The extension of the project provided the CUJ with additional means (knowledge, skills and finances) to continue functioning as a sustainable organisation after the end of the extended period. This will strengthen the position of the CUJ as an independent interest group representing the Czech judiciary.

The short-term objectives of the project in 2002 were:

1. Strengthening the strategic planning capacity of the CUJ. This capacity enables the CUJ to implement a strategic planning cycle;
2. To improve the communication skills of key-members of the CUJ;
3. To (continue to) improve the image of the judiciary and the CUJ among the Czech general public; and
4. The further education of CUJ members in specific areas in which the acquiring of skills is required: foreign languages, accessing the Internet and legal knowledge of topical issues.

A temporary continuation of funds would enable the CUJ to continue its attempts to find other external means of funding for the implementation of activities other than the day to day activities of the association.

In 2002 several activities took place. Training courses and seminars for members of the CUJ were provided on topics such as communication, public relations, the Internet, lobbying, foreign languages and the law. Furthermore, a strategic meeting was held with the board of the CUJ and its committees to monitor the implementation of the CUJ's strategic plan and to obtain brainstorming ideas as to the future activities of the association. As a result of this meeting the CUJ Strategic Plan was updated. For the first time since its establishment the CUJ was able to finance its core activities solely from the membership fees obtained. The MATRA project contributed financially to additional training activities. In spite of the increase in the membership fee the number of CUJ members increased. A major success for the CUJ was the decision of the Constitutional Court of the Czech Republic that a number of proposed changes to the Law on the Judiciary were unconstitutional. In the last few years the CUJ had lobbied intensively against some of the provisions in this law. Its main objections concerned the effect of these provisions on the independence of the judiciary.

Since 1998 a great deal has been achieved in realising the objectives. The CUJ has established a Strategic Plan, which includes the goals and activities of the CUJ for a

period of three years. This plan focuses on a number of essential topics for the association, such as internal organisation, relations with the members of the CUJ, fund-raising, providing input for new legislation and improving the professional training of judges. In addition, the CUJ is further developing its international contact as well as its relations with the public and the media network. For each of these topics the CUJ has established committees that will prepare and implement CUJ policy. The responsibilities and tasks of the organs of the CUJ (such as the board, the Committees of the board, the secretariat and the regional sections) have been clearly defined. The Committees are functioning optimally and their members have been trained. They have been able to activate many of their members to implement certain activities (such as media and education activities) and to raise funds for the future activities of the association. The CUJ is now able to promote the interests of its members⁴. As a result of the project the CUJ is seen by its members, the Czech government, the Czech parliament and the public at large as an important representative of the interests of the judiciary.

Other projects in the field of strengthening the role and independence of the judiciary:

- *Strengthening the Judiciary in the Ukraine*
- *Phare Horizontal Programme on Strengthening the Rule of Law in Central and East European Candidate Countries*
- *Practical Training in International Human Rights Litigation, with Emphasis on Non-discrimination and Minority Rights and on the European Convention on Human Rights*
- *Training for the Defence Council in Kosovo*

2.5.2. Professionalisation of prisons, the police and probation staff

Organisational development and professionalisation of prison staff

The NHC has wide experience in implementing projects to provide guidance and advice to prison staff concerning the practical implementation of international and European norms and standards. The NHC facilitates co-operation and twinning relationships between prison institutions in the Netherlands and those in countries in Central and Eastern Europe. These relationships result in training courses, seminars and working visits. These activities are organised in order to provide knowledge and skills concerning the treatment of inmates and the management of prisons.

One of the projects which is being implemented on this theme is *Making standards work in the Correctional Institutions in the Ukraine*. In 1996, the Council of Europe

⁴ For more information on the CUJ, the reader is referred to the partner portrait in section 4.3.

agreed with representatives of the Ukraine Government that it would set up a programme to bring the correctional institutions in the Ukraine into closer conformity with European standards and European Prison Rules. The NHC initiated its project within this framework.

Photo 4

Training session in the project 'Making standards work in the Correctional Institutions in the Ukraine', March 2002.

Sentences imposed on juvenile offenders in the Ukraine can generally be considered to be very harsh. The long sentences were aimed at the protection and security of society and not so much at the reintegration of the juvenile offenders in society. Due to the influence of the transformation of the Ukraine from a closed into an open society its penitentiary system is also developing. As a result, professionals who are working with juvenile offenders are now being confronted with the situation where the previous policy in dealing with juvenile offender is for the large part outdated. The programmes in correctional institutions should be aimed more at the resocialisation of the youngsters in question. The institutions should create opportunities for programmes that enable the youngsters to acquire social skills, norms and values.

The aim of the project is to further the process of transforming the juvenile penitentiary system in the Ukraine and to bring it into line with international standards. The programme consists of two parts. Firstly, the establishment of a partnership scheme between correctional institutions in the Ukraine and juvenile institutions in the Netherlands. Secondly, the organisation of a train-the-trainers course for lecturers from three Ukrainian training institutions for prison staff.

In March and October 2002 two train-the-trainers sessions took place. The trainers from the Chernihiv Training Institutes in Belotserk and Dneproderzinsk received training in specific topics concerning the treatment of juveniles and in the methods and techniques of training. The result of this train-the-trainers course is that the Ukrainian trainers are able to organise training programmes and provide seminars for their own members. The trainers who provided the train-the-trainers sessions were: Mr Bep de Weijer, a family therapist and social skills trainer, and Mr Jos Spee, a psychologist, both from Hunnerberg; and Mr Cees Mos, a psychologist, Mr Arjo Haasnoot, a team-leader, and Mr Jan van Westerlaak, 'Equip' trainer, from Teylingereind.

Photo 5

*Poster picturing some of the most important rights of the child.
© Defence for Children International.*

In June the first seminar for future prison staff was held in Chernihiv, one of the training institutions for prison personnel. During this seminar the Ukrainian trainers provided training for students from the Chernihiv Institute. Dutch experts from Hunnerberg provided the necessary feedback. As a result of this seminar the trainers improved their training skills and demonstrated that they are able to organise such

seminars in the future. In addition, the participants gained knowledge on topics concerning the treatment of juveniles, such as the Rights of the Child, behavioural treatment, the competence model, the 'Equip' programme and providing feedback.

Within the framework of twinning relationships between two Dutch juvenile institutions, Teylingereind and Hunnerberg, and two Ukrainian correctional institutions the fourth working visit took place. This was the last working visit in a series of four in which the Dutch juvenile institutions and the Ukrainian correctional institutions have exchanged knowledge and expertise on the treatment of juveniles and aftercare. In general, the staff of both Ukrainian correctional institutions have greatly improved their expertise in the treatment of juveniles. Furthermore, in one of the institutions, Priluky correctional institution, a pilot project has been established as a result of which 58 young males have received 'Equip' training in 2002. The institution incorporated 'Equip' sessions in the school lessons on psychology which are held every week. Furthermore, the institution has organised a pilot scheme with 10 juveniles who were about to leave the institution. They have participated in 'Equip' sessions and after their release have received after-care.

Probation

Many Central and Eastern European countries do not have a probation system. A probation system provides the judiciary with a wider range of possible sanctions, such as compulsory educational or social skills courses, supervision programmes, community service, mandatory redresses and warnings. These forms of punishment not only have a punitive character, but an educational and correctional effect as well. These alternatives may reduce the possibility that the offender will reoffend in the future.

Probation is relatively new in Romania. Since 1998, the Romanian Government has co-operated with several non-governmental organisations concerning probation. The NHC is involved in a pilot project that commenced in 2000 to establish and support a probation service in Bucharest. The implementation of the project started in one or two sectors in Bucharest. Educating probation officers as well as the institutional development of the probation service and the promotion of the state probation service and NGOs are part of the project. The NHC co-operates with a number of partners: the Netherlands Probation Service (NPS), the Bucharest Probation Service, the Romanian Ministry of Justice, and GRADO, a Romanian human rights NGO.

The objectives of the project are the introduction and further institutional development of a well functioning and sustainable probation service in Bucharest, including the provision of probation services itself and the training of probation staff. In addition, the project aims to contribute to decreasing the number of people in prison in order to improve the living conditions for those who are serving custodial sentences and to improve the working conditions for prison staff. In addition, a viable probation model for other parts of Romania will be formulated.

The Netherlands Probation Service provides the necessary expertise to the Romanian partners by seconding experts, organising working visits, supporting local meetings

and translating study materials. In the Netherlands the Probation Service promotes co-operation between the organisations that are responsible for dealing with offenders. These organisations include the police, prosecutor's offices, the courts, centres for the treatment of drugs and alcohol addiction, psychiatric hospitals etc. ('the chain model'). This approach is used to assist the Bucharest Probation Service in developing a network with similar organisations in Bucharest.

In 2002 a delegation of representatives of the Bucharest Probation Service, the Romanian Ministry of Justice, the judiciary and GRADO came to the Netherlands for a working visit. It included visits to offices of the Netherlands Probation Service, a prison, the Palace of Justice in 's-Hertogenbosch and an institution for the care and treatment of drug addicts. Based on these visits and discussions with the key-experts of the NPS, the Romanian participants discussed and developed a strategic plan for the development of a probation programme in Bucharest. In this strategic plan six priorities for the development of future probation activities in Romania during 2003-2004 were formulated. These priorities include the training of probation staff, the implementation of public relations activities and the development of fund-raising activities.

Two training sessions for staff members of the Bucharest Probation Service and GRADO took place in February and September 2002. The training programmes dealt with the development of supervision programmes and, related to this, the implementation of social skills training within these programmes. For 2003 two more training sessions are planned. Besides these programmes, the probation staff developed their own social skills and professional attitude programmes.

The project partners organised two Community Meetings in February and September 2002. The meetings were aimed at informing the judiciary and other partners (such as the police, addiction clinics, and organisations for homeless offenders) on the objectives and activities of the project. The participants were also invited to take part in other project activities. It became clear that these organisations can contribute in many different ways to the punishment of and support for offenders.

The project was successful in many ways. Due to the development of pre-trial reports and supervision programmes by the Bucharest Probation Service, judges now have the possibility to sentence offenders in different ways. More and more judges seem to be in favour of using alternative sanctions. The Bucharest probation service compiled 251 pre-trial reports. Moreover, approximately 100 offenders were placed under – new style – supervision. Fifteen of these offenders are attending the social skills course while twenty offenders are taking part in a reintegration programme in 2003. The programmes will be implemented by GRADO. These and other forms of alternative sanctions will continue to be tested and developed in the future. Furthermore, the Bucharest Probation Service further improved its reputation in Romanian society, especially amongst the judiciary and the police. For instance, judges in Bucharest praised the work of the service and increasingly sentenced offenders to a supervision sanction. Moreover, several protocols for collaboration were signed between the Bucharest Probation Service and organisations supporting clients in finding paid work and shelter.

In general, it can be said that the partners developed an understanding of the importance of the chain model for probation. The Romanian Ministry of Justice, for instance, is more willing to allow NGOs such as GRADO to work with offenders in supervision programmes.

Other projects in the field of the professionalisation of prisons, the police and probation staff:

- Long-Term Monitoring of Prison and Pre-Detention Site Conditions in Albania & Strengthening The Albanian Helsinki Committee*
- Twinning: Improving the Professional Level of the Czech Prison Service*
- Integrating Human Rights, Respect for and the Protection of Minorities in the Training Programme of the Czech Police and in the Czech Police Organisation*
- Promotion of Human Rights in Hungarian Prisons*
- Assistance of Penitentiary Reform in the Republic of Moldova*

Photo 6

Participants of the train-the-trainers seminar of the project 'Promotion of Human Rights in Hungarian Prisons', March 2002, The Netherlands.

2.5.3. Strengthening human rights NGOs

In order to promote and protect human rights, it is essential that people are informed of their rights and how these rights can be protected. Human rights NGOs play an important role in this respect. Human Rights resource centres are important for human rights education, because they can provide access to international and domestic human rights documents, relevant case law and reference books. Such centres can also undertake activities to promote human rights, such as regular publications and round-table discussions.

Assistance to the human rights movement

The NHC assists human rights organisations. Its activities in this field mainly involve the training of human rights lawyers. In addition, it conducts a wide range of training seminars in most of the countries in the region. In its training programmes the NHC devotes attention to the practical application of national and international law, including the standards, relevant procedures and mechanisms.

One of the NHC projects is the *Training Programme for Human Rights Lawyers from the South-Caucasus* in Armenia, Azerbaijan and Georgia. In this project, the NHC co-operates with several partners, namely: 'INTERIGHTS' in London, 'Article 42 of the Constitution' in Tbilisi, and the 'Open Society Justice Initiative' in Budapest.

The recent Council of Europe membership of the three countries compels them to bring their legislation and the implementation of such legislation into line with the human rights standards set by the European Convention on Human Rights. One of the principal international obligations of these countries is to provide effective domestic remedies for all violations of internationally guaranteed human rights.

A key element in an effective working system for human rights protection is to ensure that advocates and judges have the necessary knowledge and skills to use international law domestically and to make use of international remedies. The lack of proficiency among lawyers in Georgia, Armenia and Azerbaijan, in using the opportunities under the ECHR to seek redress for human rights violations are first and foremost the result of a universal lack of training amongst practising lawyers in the application of the ECHR. In the case of Georgia a large number of Strasbourg applications are still being made by victims without proper legal advice, and thus many opportunities for individual redress, as well as for challenging deficient laws and practices, are being missed. The same can be said of Armenia and Azerbaijan.

The aim of the project is twofold. Firstly, to enhance the practical knowledge and skills of practising human rights lawyers and NGOs in Georgia, Armenia and Azerbaijan in applying the European Convention on Human Rights in domestic and international public interest litigation. Secondly, the aim is to contribute to building NGO capacity in Georgia, Armenia and Azerbaijan aimed at transferring skills and knowledge in organising comprehensive training projects on the application of the ECHR and other international human rights instruments.

A comprehensive training programme for twenty practising human rights lawyers is being held in Georgia. In 2002 three sessions were held: in April, September and November. Two other sessions are planned for 2003. The sessions have focused on a selection of articles from the ECHR, namely articles 2 and 3; 9, 10 and 11; 8 and 12. Each session consists of lectures and group exercises on two hypothetical cases. The NHC intends to replicate this programme in Armenia in 2003 and in Azerbaijan in 2004. In co-operation with the Open Society Institute Assistance Foundation Armenia and the Bar Association of the Republic of Armenia, the NHC organised an introductory session on the right to a fair trial for a group of 29 Armenian lawyers in May 2002 in Armenia.

Photo 7

Group exercise on a hypothetical case, training session in April 2002, Georgia.

Institution-building and organisational development

In Central and Eastern Europe the number of NGOs in the field of human rights is rapidly increasing. Many NGOs would like to improve their performance, e.g. in the field of campaigning and advocacy skills and links with similar internationally-based human rights NGOs. In addition, some NGOs would like to improve their management and organisational skills. These relate to, for example, institution-building and organisational development.

The NHC project *Contributing to Building up a Civil Society and Promotion of Human Rights in the Republic of Moldova via the Creation of a Resource Centre of*

Moldavian Non-Governmental Organisations for Human Rights (CReDO) is one of the projects in which the NHC facilitated in establishing a NGO.

The goal of CReDO is to provide local human rights NGOs with support in the field of organisation, information and documentation. It also promotes civil society and awareness through developing the human rights NGO sector. In order to achieve this goal, CReDO has several specific objectives, namely, promoting the common efforts of human rights NGOs and advocacy by means of establishing a Moldavian NGO Human Rights Centre. In addition, it also aims to build up documentation and information resources on human rights and the management of NGOs. Moreover, it will provide informational and documentation resource support for the functioning of human rights NGOs and groups in Moldova and abroad and rendering human rights NGO management and other skills and experiences. Finally, it also aims to support the development of the human rights NGO sector and society's human rights awareness through specifically developed projects.

Since its establishment in 1999, CReDO has organised various seminars and training sessions on human rights NGO management. In 2002 CReDO focused on strengthening its organisational capacity and it implemented several programmes. For instance, the 'Informational Centre Programme', the 'NGO Development Programme', the 'Partnership Building Programme' and the 'Action and Advocacy Education Programme'. The NHC had an advisory role regarding the activities and development of CReDO.

During the course of 2002 CReDO has managed to substantially increase the professionalism of its staff. The 'Informational Centre Programme' aims to provide assistance to the beneficiary organisations by transforming all their library resources into the same electronic format in order to facilitate the exchange of information between the organisations participating in the programme. Eventually a virtual library of all human rights and management resources will be created throughout Moldova. So far, the programme has resulted in the number of beneficiaries increasing by more than 150 percent. Due to the 'NGO Development Programme', the non-profit 'Master of Business Administration Programme' (MBA) has been institutionalised in partnership with the Academy of Public Studies. In the 'Partnership Building Programme' twelve organisations, amongst other things working in the fields of the prevention of torture in places of detention, the prevention of social and economic exclusion and the development of representation of Roma rural communities, co-operate and share their working experiences. The establishment of the 'Action and Advocacy Education Programme' is in progress. It has been tested within the pilot advocacy training programme with rural Roma organisations and Gagauz organisations. It will result in a training programme which conforms to the needs of the Moldavian human rights society.

The NHC has provided CReDO with advice and consultation during 2002. Mr Raymond Swennenhuis visited the Centre in January 2003. During this visit the future activities of Credo and its further development were discussed.

Improvement of contacts with the media and publicity

Information plays a leading role in the development of a society whose citizens can actively influence their own environment and living conditions. It is therefore important that NGOs bring the human rights situation to the attention of the public through the media. In order to increase the coverage of human rights issues and to enhance readership, human rights NGOs need to inform the media using effective communication strategies. To attain this goal dialogue and co-operation between activists and journalists need to be developed and strengthened through training.

Human Rights and the Russian Media – Construction of an Informative Network between Human Rights Groups and Journalists in the Russian Federation

The overall goal of the project *Human Rights and the Russian Media* is to improve the communication between human rights NGOs and the media in the Russian Federation and to create a regional network. Hence, the project assists local human rights NGOs in communicating more effectively with regard to their work, such as monitoring human rights situations in the regions, and thereby distributing information on human rights to a wider public through the media.

As stated above, information plays a leading part in the development of a society whose citizens can actively influence their own environment and living conditions. In this 'Civic Society' NGOs are crucial in expressing the views of the citizens with regard to specific concerns. When the project started many Russian NGOs had poor communication with the media. Inexperienced in writing and in distributing information, NGO staff did not succeed in attracting media attention in order to promote their activities and views to a wider audience. The Russian media, on the other hand, and this applied to the written press as well as radio and television, had little interest in NGO activities. As a consequence, in many instances the public remained unaware of civil society institutions, their role and capacity to act on citizens' behalf as an alternative to governmental organisations, as was, for example, again demonstrated during and after the tragedy of the Kursk submarine in August 2000.

Since Russia's ratification of the European Convention on Human Rights in May 1998, Russian citizens have obtained a better possibility to defend their legal rights by democratic means. Many human rights violations from the Soviet period continue to exist, however: discrimination, torture, a lack of freedom of expression, etc. On the whole, the relations between citizens and the (local) authorities are still troublesome. The human rights organisations attempt to address these problems and to offer concrete assistance to citizens.

According to the data of the Moscow Helsinki Group (MHG), there are around 1,600 human rights organisations and groups in the Russian Federation. One of the most serious problems which MHG had identified during its work with regional colleagues, was the need to improve contacts with the media. Most organisations lacked elementary communication skills in their contacts with the media, such as ensuring a strong presence in interviews, giving press conferences or press releases at regular

intervals. Very few human rights NGOs had their own press secretary. Contacts and communication among NGOs working in the same city were also weak, resulting in an unawareness of each other's actions and the wasting of resources. However, the findings of the MHG also showed that independent media and human rights NGOs were eager and determined to overcome these hurdles by building closer relationships. Editors and NGO leaders alike were much more concerned with the quality of their organisations. They became increasingly interested in the possibilities for improving and strengthening their potential through intensive training in:

- Enhancing communication skills for internal and external communications and building relationships between the media and NGOs;
- Improving the public relations and promotion skills of NGOs;
- Building and maintaining better relations between the media, NGOs and the public;
- Teaching journalists to seek and produce professional, interesting and informative news and news items concerning NGO activities – NGOs often have valuable information at their disposal, which others do not possess – and widely distributing this news so that people become better informed and equipped to participate in civic and social activities which affect their communities;
- Improving professional standards among publishers and journalists as they are the ones who define editorial policy and instruct reporters what to write;
- Improving professional management skills; and
- How to involve local governments in the dialogue between human rights NGOs and media publishers.

The NHC and the Management and Media Academy (MMA) took the initiative for and developed the concept of the project. The project partners are the NHC, the MHG, the National Press Institute in St. Petersburg (NPI), the MMA and the Association of Journalism Teachers of Regional Universities in Russia. The project started in 2001 and will last for two years.

During the first phase the focus of the project was on strengthening and professionalising human rights NGOs and journalists from different regions of the Russian Federation. Separate training sessions were held for human rights activists, journalists, and journalism teachers.

The MHG and the NHC organised the first series of seminars for the target group of human rights NGOs. The first two seminars were held in 2001 and the third and fourth training sessions took place in April 2002 in Moscow. The central theme was how to communicate with the media. The NGOs were instructed in effective public relations, building constructive ties with the mass media and promoting human rights in the press. In the first half of 2002 the MMA and the NPI organised a parallel series of four seminars for journalists. Two of these took place in St. Petersburg, the others in Chabarovsk and Saratov. At the seminars various human rights issues were addressed, such as human rights and the environment, the rights of women and children and protecting the rights of the homeless and refugees.

During this period another part of the programme was also held, namely the 'Summer School for Journalism Teachers in Russia'. Twenty-four journalism teachers

participated, representing eleven universities. The subjects taught during this course were journalism skills, lay-out and design, marketing and media concept and photo-journalism, resulting, among other things, in the development of an online newspaper (www.spbkochevnik.narod.ru) where the acquired skills have been applied in practice.

The next phase was devoted to creating a dialogue and network between the two target-groups, the journalists and the human rights activists. The first dialogue concentrated on communication between human rights NGOs and journalists and took place in November 2002 in Sochi. A group of thirty journalists and human rights activists participated from their respective regions of the Russian Federation. The NGOs applied presentation techniques, which they had acquired during the training sessions, and they delivered presentations for the journalists on human rights situations. The role of the media became clear to the participants in moderated discussions. Two foreign experts provided useful feedback during the *first dialogue*. The *second dialogue* took place in Moscow in December 2002. It included an in-depth acquaintance for journalists on relevant human rights topics and problems in the regions and gave the activists a deeper insight into the role of the media.

The seminars for journalists and the Summer School contributed to the development of skills in writing objective and interesting articles on different human rights issues. In addition, a greater insight was acquired concerning legal matters in this area. The human rights activists have learned how to inform the media more effectively on the human rights situation in the regions. In addition, the intermediate results of activities by NGOs resulted, amongst other things, in the publication of a greater number of articles in the regional press and more public action on human rights issues. Furthermore, in several regions new press centres have been established. Another result of the activities is the strengthening of a regional NGO network in the Russian Federation.

Human Rights Monitoring Network in the Russian Federation – Making the results of human rights activities known

Human rights monitoring is an important instrument in improving the human rights situation in any country. Publishing the results of monitoring activities is in many cases the first step which led to improvement in the situation. The project *Human Rights Monitoring Network in the Russian Federation* consists of a human rights monitoring programme for the Russian Federation. The Moscow Helsinki Group (MHG) is the leading partner in the project. NGOs across the country, organised in a network, implement the programme in all its 89 regions. The International Helsinki Federation (IHF), the Polish Federation for Human Rights (PFHR) and the NHC are its international partners.

The overall objective of the project is to improve the current situation of human rights in the Russian Federation, through the efforts of civil society, primarily by strengthening regional NGOs and forming a countrywide human rights monitoring network. An extensive training programme will help to achieve this objective. The special focus of the project is North Caucasus (Chechnya, Ingushetia, Dagestan, Kabardino-Balkaria and North Osetia).

In order to achieve the proposed objective, the activities cover three general areas. Firstly, the continuation of country wide comprehensive monitoring activities regarding human rights in Russia. Secondly, the members of the regional network participate in the thematic monitoring and public action programmes in the field of access to justice, the situation of prisoners, torture by the police, the situation of inmates in psychiatric hospitals and xenophobia and discrimination. Thirdly, building the capacity of and strengthening NGOs in North Caucasus require special attention taking into account the fact that these organisations are less experienced and face specific problems due to the complex situation in the region.

Under the auspices of the MHG a permanent office has been established in the city of Pyatigorsk (North Caucasus). The situation in this region is being closely monitored by local and international organisations (including the IHF) and the findings are being brought to the attention of national and international public and authorities. With this support, the organisations that are active in North Caucasus are becoming part of the all-Russian human rights movement capable of working at the same level of professionalism and impartiality as the other organisations involved in the network.

Photo 8

Participants of the seminar 'Problems of Xenophobia and Nationalism at North Caucasus' held on 28-29 June in Pyatigorsk.

The MHG plays a co-ordinating role in the monitoring and provides the regional network with informational and organisational support, training in various seminars, and the dissemination of human rights and legal publications. The MHG publishes regular annual reports on the results of the comprehensive monitoring. Within this project the *Human Rights in Russian Regions, Report 2001* has been published as well

as the first thematic report entitled *Nationalism, Xenophobia and Intolerance in Contemporary Russia*.

The reports were compiled due to the efforts of local human rights NGOs and the MHG. The MHG was able to draw an objective all-inclusive picture of the situation concerning human rights in the country based on these regional reports. In addition, research was being carried out into topics such as access to justice, the living conditions of prisoners, torture by the police, the situation in mental hospitals as well as topics such as nationalism, xenophobia and discrimination. Furthermore, due to the permanent office in Pyatigorsk the findings on North Caucasus can be brought to the attention of national and international public and authorities. Due to all this, the mass media receive a truly invaluable operative and analytical data with regard to the observance of human rights in the Russian Federation. Furthermore, representatives of civil society are being engaged in active public debates and become part of the decision-making process.

With these reports being available in both Russian and English, the situation regarding the human rights situation in the Russian Federation can be brought to the attention of various international organisations. The IHF and the NHC, among others, promote and lobby the project in Western Europe, together with the international organisations and the mass media. In September 2002 representatives of the MHG and the NHC visited Strasbourg. The aim of the visit was to present the thematic report *Nationalism, Xenophobia and Intolerance in Contemporary Russia* to the Council of Europe and the European Court of Human Rights.

Photo 9

*"War or Peace?" A picture painted by a Chechen child (10 years old).
A gift to the North Caucasus Bureau, Pyatigorsk.*

On the occasion of the Annual IHF Meeting in The Hague (November 2002) the NHC and the IHF informed the press and the media of the human rights situation in the Russian Federation. At the opening session of the IHF Annual Meeting a conference on Chechnya was held. Participating at this conference were *inter alia* the special reporter of the Parliamentary Assembly of the Council of Europe (Lord Judd), representatives of several local NGOs in the region, and representatives of the Netherlands Ministry of Foreign Affairs. At the end a press conference and interviews with representatives of the Moscow Helsinki Group took place.

The NHC also presented the two reports to the Secretariat of the European Parliament, several international NGOs, members of the Parliamentary Assembly of the Council of Europe and the Netherlands Permanent Representation at the Council of Europe.

The PFHR promotes the project in Central and South-Eastern Europe, particularly at the OSCE seminars in Warsaw.

Other projects in the field of strengthening human rights NGOs:

- *Environmental protection and human rights in the Czech Republic*
- *Legal protection of individual rights in the Russian Federation*

3. INTERNAL ORGANISATION

3.1. Board

Prof. M. van der Stoel is the Honorary Chairman of the NHC. In 2002 the NHC executive committee consisted of the following persons: Mr J.H.R.D. van Roijen (Chairman), Mr B. van Delden (Vice-Chairman), Mr I.F. Dekker (General Secretary), Mr B.N.J. Pompen (Treasurer), Dr E. Bakker, Ms N. Barendregt, and Dr A. Bloed. On 1 January 2003 Ms Barendregt left the executive committee and Ms A. Offermans succeeded her. Mr J. ter Laak is the senior advisor to the executive committee. The executive committee met on five occasions during 2002.

The committee members are: Prof. E.A. Alkema, Mr J.G.A. van den Brand, Mr W.J. Deetman, Mr A.H. Dijckmeester, Mr T. Ety, Prof. C. Flinterman, Ms H.M. Gelderblom-Lankhout, Ms S. van Heemskerck Pillis-Duvekot, Mr L.J. Hogebrink, Mr C. Homan, Mr J.G.N. de Hoop Scheffer, Mr G. Huyser, Mr C.F. Stork, and Mr E. van Thijn. In May 2002 the committee was expanded with the inclusion of Prof. Ms J.E. Goldschmidt, chairwoman of the Equal Treatment Commission.

3.2. Staff

Mr Jos Kösters remained Executive Director and Mr Raymond Swennenhuis Deputy Director. Ms Margaret Karsten remained Office Manager and Ms Karin den Dulk secretary. Ms Monica van de Ven, Ms Ineke van de Meene, Ms Mechteld Schelberg and Ms Anna Stunova remained as staff members. Ms Mara van der Poel left the NHC on 31 January 2002 and was replaced by Mr Lennart Rem who joined the secretariat on 1 April 2002. Mr Jeroen Jansen joined the NHC on 16 August 2002 on a temporary contract until 16 September 2003. Ms Barbara Henkes continued to work on a freelance basis for the NHC. Ms Pauline van Heeckeren, Mr Jeroen Jansen, Ms Nina Mravunac, Ms Doortje Ninck Blok, Ms Manuela Palamari, and Ms Nicole Versteegen worked as interns.

3.3. Finances

The 2002 annual financial report was approved by the Board in June 2003. It is printed in a separate publication and is distributed to all NHC donors. The report includes the audit certificate by the Auditing Firm 'HLB Schippers' in Amsterdam. The turnover of the NHC in 2002 was € 1,721,429. Compared with 2001 the turnover increased by more than 19%.

In order to further improve the administrative organisation and financial control all staff members received additional training. Furthermore, some of the internal financial procedures were updated. Finally, at the end of 2002 the function of financial officer was established. As of April 1, 2003 Mr Koen Wagenbuur took up the post of financial officer.

3.4. Annual Social Report

In 2002, the NHC continued to oversee the working conditions for its employees and experts. As a requirement of the Occupational Health and Safety Act, a risk inventory and evaluation was carried out in 2001 to identify those working conditions that should be improved. The plan of action that was elaborated as a result of the risk inventory and evaluation was further implemented in 2002. The NHC took measures to reduce physical health risks for NHC employees. Attention was also paid to safety issues in the building and emergency situations during travels abroad. A policy paper was drafted on the working conditions. This paper will be further elaborated in 2003. Ms A. Wassink-Ibbenhorst was succeeded by Mr L.J. Hogebrink as the trusted representative of the NHC employees.

4. DONORS, EXPERTS AND LOCAL PARTNERS OF THE NHC

4.1. The Netherlands Ministry of Justice: interview with Mr Sjouke Kuipers

Mr Sjouke Kuipers is the Council Advisor on International Legal Matters at the Netherlands Ministry of Justice. As such, he is in charge of the 'Central Europe' Project team which is concerned with assistance to the candidate member states of the European Union in Central Europe, including Turkey and the Russian Federation. In these projects the Ministry and NGOs closely co-operate.

Why does the Netherlands want to invest in such activities?

The European Union is based on mutual trust. If trust in each other's constitutional state is lacking, nothing will come of the proposed European integration. We started the European Union with six countries. The level of prosperity among these countries was similar and the rule of law was well developed. Over time, for example with the accession of Greece, the differences between the countries increased. Nowadays, with the forthcoming entry of the current candidate member states, the differences will be even more apparent. The Netherlands has its concerns with regard to the situation of the constitutional state, as well as the application of the regulations from Brussels in these countries.

Do the projects of the Ministry of Justice only concern the candidate member states?

Yes, the projects only concern the candidate member states. These countries will become our partners in the near future. That is why our political preference lies with the candidate member states. There are various reasons why the Netherlands focuses on these countries and not on others. Firstly, the Netherlands Ministry has limited administrative capacity. Secondly, the Netherlands aims to provide qualified people, who will participate as experts in the projects, for those countries. These experts are not always available, especially when, for example, a Pre-Accession Adviser is required for a period of one or two years. Thirdly, the candidate member states are eager to enter the European Union. Therefore, they will go to great lengths to ensure that they will succeed. The continuity of the projects in these countries is guaranteed.

Why does the Netherlands Ministry of Justice co-operate with the NHC?

The Ministry of Justice does not have the administrative capacity to organise the projects in question. If the Ministry would have to organise the projects, it would establish an entire organisation in order to fulfil this task. The NHC is mainly an administrative institution which can carry out these projects on behalf of the Ministry. The NHC is a good partner with an effective network of people and organisations, both in the Netherlands and abroad. Furthermore, the NHC has a good reputation. The main advantage for the Ministry is that the NHC has the organisational capacity to organise such projects.

What is, according to you, the importance of the NHC?

The Ministry of Justice wants to be of assistance to the candidate member states in order to prepare the countries for their entry to the European Union, both in the field of the application of the *Acquis Communautaire* and the build up to and improvement of a constitutional state. Both are closely connected. However, building up a constitutional state is a difficult task.

Which project has appeared to be very effective?

This question is difficult to answer. It depends on local factors. If the factors are positive, one can achieve noticeable results. However, if the local factors are negative, such as a difficult target group or partner, the concrete effects may not be measurable, at least not in the short term. However, one can contribute to a process of transition. One can sense, according to the reactions of the partners abroad, how the projects are developing. In my opinion that is an important indicator; the satisfaction of the partner.

In the future, after the entry of the candidate member states, will the Netherlands Ministry of Justice finance such projects in these countries?

My expectation is that the Ministry will finance such projects, although this will be more limited. The projects will probably be smaller and of shorter duration. With relatively few financial means one can achieve a great deal. For instance, train-the-trainers projects in the field of the application of the *Acquis Communautaire* can be very effective.

4.2. Enhancing the professional level of the Czech Prison Service: the impression of an expert

Mr Jos M. de Graaf is the Pre-Accession Advisor of a Phare Twinning project in the Czech Republic. The project entitled 'The Enhancement of the Professional Level of the Czech Prison Service' aims to upgrade the professional level of Prison Service management and to contribute to compliance with the standards of European Prison management. In order to achieve this goal, up to 34 prison governors, 16 chief executive officers from the Prison Service and 240 senior officers from the Prison Service's Middle Management are being trained.

How did you become involved in this project?

My appointment as the Pre-Accession Advisor of this Phare Twinning project in the Czech Republic by the National Agency of Correctional Institutions, was based on my former experience in the Dutch prison system and a project in Romania which was similar to the project in the Czech Republic. Up to last year I was General Manager of a Penitentiary Institution in the Netherlands. This Institution was involved in a Twinning programme with an institution in Satu Mare, Romania. This twinning lasted for up to ten years. In addition, I was involved in a project in Romania. This is how I became interested and involved in this project in the Czech Republic.

What is difference between the Czech Prison system and the other systems with which you have worked?

The difference between Romanian and Czech prisons is remarkable. After the downfall of the communist regime in 1989, the Czech people managed to improve many things. For instance, in the early 1990s the prison system became part of the Ministry of Justice. The prisons are decent establishments and conform to European standards. The prisoners are housed two, three or four to a cell, not 40 to 80 people, like in many other East European countries. The average capacity of a prison is between 500 and 1,000 prisoners. This is larger than prisons in the Netherlands. The prison staff are able to manage the institution and they all know *about Making Standards Work*⁵. In some areas improvement is still necessary, such as the work opportunities for prisoners. Another aspect that has changed over the years is that an Amnesty Act has become applicable. In the case of minor crimes the criminal is not incarcerated. Instead, he – or she – has to carry out community service or another alternative sanction. In addition, prisoners are increasingly dealt with in a humanitarian way. Sometimes I wonder what we can still teach them! I am most impressed by the prison hospitals, which are integrated in the institutions. I think the Netherlands can learn from this. Another thing is that the institutions provide its employees with good secondary conditions. The institutions have splendid accommodation in the mountains with many sporting possibilities. This is one of the remnants of the former communist regime.

What is your role in all this?

My position here includes that I provide training and discussions with my colleagues on topics such as the way the prison system is organised in the Netherlands and other countries and what lessons can be learned from this. When comparing different systems, the Czech prison staff are confronted with new opportunities. They are extremely interested and eager to discover how they can implement such opportunities in the Czech Republic. For example, the supervisory boards of prisons, the transparency of the prison system towards the public and the Dutch financial system interest my Czech colleagues a great deal.

Another activity of mine is to mediate for Dutch prisoners in Czech prisons. The Netherlands Embassy in Prague has asked me to handle certain cases. So far, I have had a few cases. In such cases I check whether the prison conditions are in conformity with the necessary standards. I also have the opportunity to ask the Dutch prisoners to report on their experiences in the Czech prisons. Due to my involvement in such a concrete matter, I can raise the issue of possible poor conditions with the General Manager of the prison in question.

What are the advantages and disadvantages of this type of work?

Because my stay in the Czech Republic lasts for a year, I see my family infrequently, which is sometimes difficult. But I do get something in return. It is a great experience

⁵ *Making Standards Work, an international handbook on good prison practice*, Penal Reform International.

to work and contribute to this project. I had to start at the very beginning. I had to create a network and make clear agreements. However, my colleagues were most helpful and reliable. It is very satisfying to see the progress which we are making. And, last but not least, Prague is a beautiful city!

4.3. Partner portrait: the Czech Union of Judges

The Czech Union of Judges (CUJ) represents over 60 percent of the judges in the Czech Republic. The organisation is similar to the Netherlands Association for the Judiciary (NVvR). The CUJ has been a partner of the NHC for a long time. The most current project entitled 'Strengthening the Czech Union of Judges' ended in 2002. The extensive and productive co-operation between the NHC and the CUJ is the reason why more attention is being devoted to this partner in this annual report. This interview was conducted with Mr JUDr Jaromír Jirsa, president of the CUJ since November 2002, and Ms Eva Mrzenova, the CUJ executive manager.

According to the CUJ, which part of the Czech judicial system should be improved?

The most problematic part of the Czech judicial system that should be improved is Czech commercial law. The public and the business sectors consider the law to be inefficient. For instance, the procedures in cases before the court are very slow. Moreover, the tie-up between the commercial law practised in the courtroom and the law practised in the business sector is lacking. However, the CUJ is making several improvements in this area. For instance, a Judicial and Entrepreneurial Committee was established with members from both the business sector and the judiciary. The committee discovers bottlenecks and tries to find solutions to these problems. In addition, the committee will strengthen relations between business entities and the judiciary.

What was the effect of the different parts of the project for the CUJ?

During the course the CUJ learned how to become functional as a representative of judges in the Czech Republic and how to become self-sustainable. Under the supervision of the Dutch trainers, several committees were set up. The committees develop their activities completely independently. The committees are, for instance, lobbying for a draft law for parliament and they promote the judicial work among the public and the law faculties. The most effective appeared to be the training activities. The judges of the CUJ, who are trainers themselves, have been trained in criminal, civil and bankruptcy law by Dutch trainers from the Netherlands Training and Study Centre for the Judiciary (SSR). The CUJ will proceed in providing training to judges. In addition, the language course was useful as well. Now the judges who participated can read international documents and judgements. Thanks to the media project the level of communication with the executive and legislative powers has increased. The new tools, developed in the lobbying course, appeared to be very useful.

What is the effect of the project in the field of accession to the European Union?

The CUJ supports the project for accession to the European Union. The CUJ approached partner organisations in the member states of the European Union. Due to frequent meetings with foreign colleagues, the CUJ gained knowledge of and experiences in European Union law. In addition, it was possible to compare the way in which the judiciary functioned in other countries of the European Union. In addition to these contacts the training courses helped to prepare the Czech Republic to enter the European Union.

Are the objectives, set by the European Union, achievable for the Czech Republic?

The objectives are undoubtedly achievable for the Czech Republic. However, the CUJ is aware of the repeated foreign criticism regarding the self-management of the judiciary. It is true that this point has not yet been fully developed. The current working methods that are being applied within the courts do not meet the requirements of the judiciary. Therefore the CUJ suggested organising the judicial work in teams consisting of a judge, an assistant, a higher judicial officer and a recorder. In addition, it is difficult to achieve a well-developed judicial organisation with the small number of clerks and assistants currently available to the judges. This should be improved.

What has been the greatest problem or obstacle that the CUJ has had to overcome?

The self-sustainability of the CUJ was the biggest problem which the CUJ had to overcome. The CUJ has received financial support from the Netherlands Ministry of Foreign Affairs since 1996. The CUJ needed a clear policy with specific goals in order to set up a professional organisation. This succeeded due to the intellectual support of the Dutch experts and the financial support. I consider this to be a great success. In the future the CUJ will be able to remain financially self-sustainable by means of the increased membership fees and using its lobbying skills. The CUJ is building up a network with entrepreneurs and institutions for (legal) education. We negotiate with these institutions regarding legal education. The floods in August 2002 were an obstacle as well. Due to these floods there was no communication with our regional organisation. Computers were out of order, the internet did not work and there was no electricity. We had to cancel all activities, such as the internet training and a seminar. Fortunately the Ministry of Foreign Affairs of the Netherlands gave permission to organise the activities at a later point in time, after the original closing date of the project.

Are there any interesting or amusing anecdotes concerning the events that took place during the project?

During the project many amusing events occurred. I especially remember a situation last year. The CUJ had prepared a strategic plan with the board, the committees and the Dutch partners. For the location we picked a picturesque area in the Czech Republic. We thought that especially the Dutch would love the mountains and the elevation of approximately 1,300 meters, because their country is so flat. During the journey the weather was awful, it was raining all day and it was very cold. We were all tired due to the journey, but we promised our Dutch partners: "Everything will be alright" and "Tomorrow you will see some beautiful mountains and breath fresh air".

However, despite our promises, the weather was damp and the visibility was reduced to between five and ten meters. Our partners could not see a thing. During our stay in the mountains, from time to time we asked our partners: "Have a look through the window right now, there is a mountain!" But at the same time it was foggy and it started to rain. Non of the partners saw a single mountain. But I can assure you they are there!

How does the co-operation with the Netherlands Helsinki Committee work out?

The NHC was the organiser of all the activities and appeared to be very experienced. "A real mastermind during the preparation of seminars". During the long co-operation, the staff members of the NHC were always there to provide good advice and recommendations. The NHC acted as a mediator between the CUJ and the Netherlands Ministry of Foreign Affairs that financed the project. I appreciate all the contacts with the Netherlands Embassy in Prague, with the Netherlands Association for the Judiciary and the Netherlands Training and Study Centre for the Judiciary and, of course, the NHC. I would thereby like to thank all the above-mentioned institutions for their contribution to the CUJ.

Photo 10

Ms Eva Mrzenova, executive manager of the CUJ.

5. APPENDICES

Appendix I Projects of the Netherlands Helsinki Committee in 2002

<i>Country</i>	<i>Project name</i>	<i>Partners</i>
Albania	Long-term monitoring of prison and pre-detention site conditions in Albania & Strengthening the Albanian Helsinki Committee	Albanian Helsinki Committee; Polish Helsinki Foundation for Human Rights; SNV – Netherlands Development Organisation
Bulgaria	Assistance to the judiciary in Bulgaria: Continuing training in EU legislation and practice	T.M.C. Asser Institute; Netherlands Training and Study Centre for the Judiciary (SSR)
Caucasus	Training for Human Rights lawyers in Armenia, Azerbaijan and Georgia	Article 42 – Georgia; INTERIGHTS
Croatia	Promotion of the Independence of the Croatian Judiciary; research and training activities	Croatian Helsinki Committee
Czech Republic	Strengthening the Czech Union of Judges	Czech Union of Judges; Czech Helsinki Committee; Netherlands Association for the Judiciary (NVvR); Netherlands Training and Study Centre for the Judiciary (SSR)
	Twinning, Improving the professional level of the Czech Prison Service	Netherlands Prison Service (DJI); Prison Service of the Czech Republic; Netherlands Ministry of Justice
	Environmental protection and human rights	Milieukontakt Oost-Europa; Environmental Law Service (EPS) – Czech Republic
	Integrating human rights, respect for and the protection of minorities in the training programme of the Czech police and in the Czech police organisation	Police Training College of the Ministry of Interior in Prague (PTC); Landelijk Selectie – en Opleidingsinstituut Politie (LSOP); Netherlands Centre for Police and Integrity Issues (NCPII); Czech Helsinki Committee (CHC)
Estonia	Strengthening the Legal Counselling in the Legal Information Centre for Human Rights	Legal Information Centre for Human Rights
Hungary	Promotion of Human Rights in Hungarian Prisons	Hungarian Prison Service; Netherlands Prison Service (DJI); Netherlands Ministry of Justice
Kosovo	Training for the Defence Council of Kosovo	Office of the Defence (OSCE Mission); Netherlands Association of Lawyers in Criminal Cases
Moldova	Coaching and monitoring Human Rights NGO Resource Centre	Helsinki Committee for Human Rights in Moldova, Resource Centre for Human Rights (CReDO)

<i>Country</i>	<i>Project name</i>	<i>Partners</i>
Moldova	Assistance of penitentiary reform in the Republic of Moldova	CARPEM; Prison Service – Moldova; Netherlands Prison Service (DJI)
Romania	Strengthening the training capacity of the National Institute for Magistrates	National Institute of Magistrates in Romania (NIM); Netherlands Training and Study Centre for the Judiciary (SSR)
	Introducing Probation in Bucharest	Romanian Group for Human Rights (GRADO); Probation Services in Romania and in the Netherlands
	Assistance in Strengthening the Independence and Functioning of the Romanian Judiciary System	National Institute of Magistrates in Romania; Training Centre for Clerks, Netherlands Training and Study Centre for the Judiciary (SSR), Netherlands Ministry of Justice
Russia	Media and Human Rights	Management and Media Academy; Moscow Helsinki Group
	Human Rights Monitoring Network in the Russian Federation	Moscow Helsinki Group; International Helsinki Federation for Human Rights
	Legal protection of individual rights in the Russian Federation	International Helsinki Federation for Human Rights; Moscow Helsinki Groups
Ukraine	Strengthening the Judiciary	Centre for International Legal Co-operation – Netherlands; Netherlands Training and Study Centre for the Judiciary (SSR)
	Making standards work in the Correctional Institutions in Ukraine-Partnerships, training and other assistance to correctional institutions of Ukraine	State Department for Execution of Punishment; Kuriazh and Pryluky correctional institutions; Kyiv Institute of Internal Affairs; Ukrainian Legal Foundation; Hunnerberg and Teylingereind Juvenile Institutions, The Netherlands; Child Care and Protection Board
10 EU Candidate Countries	Phare Horizontal Programme on the Strengthening of the Rule of Law for Central and East-European Candidate Countries	Centre for International Legal Co-operation – Netherlands and various other European partners (in Germany, United Kingdom, Italy, France and Spain)

<i>Other</i>	<i>Project name</i>	<i>Partners</i>
Helsinki Monitor 2002	Helsinki Monitor 2002	
Training on European Convention and non-discrimination	Practical Training in international human rights litigation, with an emphasis on non-discrimination and minority rights, and on the European Convention on Human Rights (ECHR)	INTERIGHTS; Netherlands Association for the Judiciary; Netherlands Bar Association; Netherlands Training and Study Centre for the Judiciary (SSR)
Netherlands OSCE Chairman-in-Office in 2003	Conference on 22 April 2002 on the agenda of the OSCE Chairman-in-Office; Conference on 14 November 2002 on the relation between the Russian Federation and OSCE; OSCE Working Group for NGOs in the Netherlands	OSCE Taskforce
	Publication: The OSCE and the Netherlands Chairmanship-in-Office in 2003	Centre for International Conflict Analysis & Management (CICAM); OSCE Taskforce
IHF General Assembly 2002	Organisation of the IHF General Assembly 2002 in The Hague, 14 – 17 November 2002	International Helsinki Federation for Human Rights; Helsinki Committees

Appendix II Donors in 2002

Constitutional Legal Policy Institute / Open Society Justice Initiative

Cordaid

European Commission (Phare and European Initiative for Democracy and Human Rights)

Haella Foundation

Netherlands Ministry of Foreign Affairs (MATRA Programme, Directorate for Development Co-operation, OSCE-Taskforce, Security Policy Department)

Netherlands Ministry of Justice

Numico

Senter

Uniting Protestant Churches in the Netherlands

Appendix III Contribution to the IHF Annual Report 2003, events of 2002**The Netherlands¹**

IHF FOCUS: security of person; prison conditions; death penalty; asylum seekers and immigrants; religious intolerance; discrimination and hate speech; trafficking in human beings and prostitution; international humanitarian law (accountability for past abuses); national and ethnic minorities (the Framework Convention for the Protection of National Minorities).

The cabinet of Prime Minister Wim Kok's government tendered its resignation in April 2002 as a result of the report from the Netherlands Institute for War Documentation (NIOD) on the partial responsibility of Dutch peace-keeping forces for the failure to prevent the genocide in Srebrenica in 1995. During the following election campaign, the immigration and integration were among the main topics of public and political discussion. The elections were also dramatically marked by the political assassination of Pim Fortuyn, the leader of the political party List Pim Fortuyn.

In July, the new cabinet led by Jan Peter Balkenende was formed, which, as a result of infighting within one of the coalition parties and between two ministers, was short-lived.

As a result of the arrests of numerous drugs couriers, the parliament enacted an emergency law which allowed the holding of several detained drugs couriers in one cell and also otherwise restricted the legal rights of drugs couriers in detention.

Another topic in focus was people trafficking: the National Rapporteur on Trafficking in Human Beings appointed by the Kok government published his first report on the theme and issued recommendations for tackling the problem.

Security of Person

The assassination of Pim Fortuyn, the leader of the party that carried his own name, gave rise to political and public discussion about the responsibility of the government to protect politicians against possible attacks.

Pim Fortuyn was assassinated on May 6 as he was leaving a radio studio in the city of Hilversum. He had been expected to win the forthcoming elections on May 15. He had expressed radical views on subjects such as Islam, immigration, and the state of confusion the out-going Kok government had left behind. Due to his opinions and debating talents, he had attracted both left- and right-wing voters. A controversial personality, Fortuyn had also received threatening letters, bomb threats and a barrage of verbal assaults by e-mail.² The assassination suspect was arrested on the same day as the killing and in November he confessed to the crime, saying that "he was

concerned about Fortuyn's generally stigmatizing political conceptions, which would have adverse consequences for certain vulnerable groups in society."³

Pim Fortuyn did not receive protection from the authorities. On the day of the murder, he was accompanied by a private personal bodyguard, who, however, could not prevent the murder. The Kok government set up an independent committee – the Van den Haak Committee – to investigate the matter. The committee published its report in December⁴ into the security situation prior to the murder, the activities of the governmental institutions concerned and whether Fortuyn had requested protection. The report concluded that Fortuyn should have been provided with protection and criticized the failure of the Justice and Interior Ministers to do so. According to the committee, the General Intelligence and Security Service had also failed in its activities because it had not carried out a proper security analysis, despite a request from the Minister of the Interior that it do so. The minister himself had assumed that the Security Service would investigate the case thoroughly and believed its statement that there had been no threats against Fortuyn. In addition, Fortuyn himself had disliked the idea of protection because he had felt it would limit his personal freedom.

The committee furthermore concluded that the system for providing protection to politicians in the Netherlands was unclear. The committee noted that personal protection would only slightly reduce the chances of attacks against politicians. In addition to these conclusions, the committee made several recommendations, most of which dealt with the organization of personal protection.

During the short period of time in which Pim Fortuyn was active as party leader, the political scene was characterized by fierce debate and an atmosphere of political dissatisfaction. With Fortuyn's murder, threats against politicians did not end: after his assassination, leaders of the parties that had opposed him also received serious threats, including bullets sent by post. At the time of writing, the police were still investigating some 20 to 30 cases of threats against various politicians. Only two possible perpetrators have been arrested.⁵

- A female Dutch politician of Somali-Muslim background went into hiding after receiving several threats. She had criticized Islam by stating that Muslims deny the fact that relationships between men and women are perceived in a completely distorted way in the Muslim community.

The Balkenende government took measures to improve the personal protection of political leaders ahead of the campaign for the January 2003 elections.⁶

Prison Conditions

Drugs Couriers

Since 2001, the Dutch authorities have paid special attention to couriers trafficking drugs into the Netherlands by swallowing small capsules containing drugs. Many arrests have taken place at Schiphol Airport, and the problem has led to insufficient capacity in Dutch prisons.

In order to solve this problem, the Temporary Act on the Emergency Capacity Relating to Drugs Couriers (*Tijdelijke Wet Noodcapaciteit Drugskoeriers*) was enacted in March 2002, which made it possible to place several prisoners in one cell where before prisoners had been held in individual cells. The Emergency Act only applies to persons over 15 years of age who have been convicted or suspected of transporting illicit drugs – listed under the Dutch Opium Act – within or outside the Netherlands. In addition, the public prosecutor has to order imprisonment or preventive custody in such cases.

Since January 2002, the Emergency Act has replaced the Prisons Act (*Penitentiare Beginselenwet*), as far as drugs couriers are concerned. For minors, the Emergency Act has replaced the Juvenile Detention Centers Act (*Beginselenwet Justitiële Jeugdinstellingen*).

The Emergency Act provides for fewer rights and opportunities for those treated under it than the Prisons and the Juvenile Detention Centers Acts: for example, it omits rules or requirements on issues such as a committee to supervise whether the institutions operate in conformity with the relevant standards, and it does not provide for labor and educational opportunities, social care or complaint and appeal procedures.⁷

In 2002, on the basis of the Emergency Law, drugs couriers were held in captivity in former prisons and in a former airforce base. By order of the Minister of Justice, a report was compiled by an investigation agency on conditions in these prisons. The report concluded that the imprisonment of drugs couriers in these emergency prisons led to explosive and dangerous situations. In addition, the safety of both the staff and the prisoners was at risk due to inexperienced staff and the detention of more prisoners in one cell.⁸

In January 2003, the Second Chamber of the Netherlands parliament was expected to decide whether the implementation of the law would be extended by another two years.

A group of detained drugs couriers commenced legal proceedings against the state in order to obtain equal treatment to prisoners in the ordinary prisons.⁹ However, the court in The Hague on August 14 ruled in favor of the state. According to the court, the emergency situation at Schiphol Airport justified radical measures, since the other option would have been to allow drugs couriers to freely enter the country.¹⁰

Death Penalty

During a heated discussion on immigration (see below), the Minister for Immigration proposed that the death penalty be reintroduced in the Netherlands.

The death penalty was abolished in the Netherlands in 1870, except for during emergency situations. The statements of the minister were in contradiction with Protocol 6 (which condemns the death penalty, except in time of war) of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR),

which the Netherlands has ratified. The Netherlands Constitution also prohibits the death penalty. The cabinet, parliament and the political party List Pim Fortuyn, to which the minister belonged, explicitly stated their objection to his proposals. The minister later made a public apology during a press conference, stating that he had been speaking as a private person and not in an official capacity.¹¹

Asylum Seekers and Immigrants

The New Aliens Act

The Aliens Act 2000 (*Vreemdelingenwet 2000*) was adopted to introduce a more restrictive aliens policy. The core of the legislation is to provide for a short status determination procedure. In practice, the new law has led to a substantial decrease in the number of asylum seekers.¹²

In addition to the restrictions already brought about by the new Aliens Act, applicable since April 2001, the Balkenende government planned to tighten the asylum policy further. It proposed, for example, that asylum seekers entering the Netherlands without identity documents should be detained or denied access to the asylum procedure.

Furthermore, the government proposed that family reunification of all aliens in the Netherlands should take place within six months of their arrival in the country. A parent could request family reunification only if he/she was aged 21 years or over (previously: 18 years or over). The child at issue should not be over the age of 17. Moreover, a spouse may only come to the Netherlands when his/her Dutch spouse has an income of at least 130% percent (previously: 100%) of the minimum wage.

The Dutch Refugee Council (*VluchtelingenWerk Nederland*) found the proposals to be unfeasible and harsh from a humanitarian point of view and emphasized that also children aged 17 should be able to live with their parents. In addition, the Dutch Refugee Council noted that the proposals were in conflict with the ECHR and the UN Convention on the Rights of the Child. Moreover, according to international standards, refugees cannot be deported on the grounds that they cannot produce identity documents if they live in fear of persecution in the state of origin. Moreover, the Dutch Refugee Council said, deprivation of liberty should not be hastily applied in asylum cases.¹³

Single Minor Asylum Seekers

According to the Netherlands Refugees Organization (*Vluchtelingen Organisatie Nederland*) and Defence for Children, the Dutch aliens policy violated the rights of the child. Children whose parents had been expelled from the Netherlands ended up on the streets, a fact which showed that the asylum procedure did not take into account the best interests of the child: it failed to see that an expulsion decision inevitably has an impact on the children as well.

According to Dutch policy, the Ministry of Justice determined whether the single minor asylum seeker was entitled to a residence permit. If not, the ministry investigated whether the asylum seeker was capable of looking after him/herself in the country of origin. When this was not the case either, the ministry would investigate whether appropriate shelter could be provided in the country of origin. If staying in the Netherlands was the only alternative, the child would be given a temporary residence permit. However, should the situation in the country of origin change, the child might lose this permit. Moreover, should the child turn 18 years of age within three years of his/her arrival in the Netherlands, the child was to return to his/her country of origin. S/he would be able to remain in the Netherlands only if aged, upon arrival, under 15 years and already owning a residence permit for more than three years.¹⁴

The Dutch Refugee Council voiced its criticism regarding the pilot project in a campus for underage refugees in the town of Vught.¹⁵ The project focused on preparing the refugees for return to their country of origin and not on their integration into Dutch society. A number of children had decided to leave the project saying that they felt like prisoners since they were not allowed to leave the area during the project. Another project was scheduled to commence at the beginning of 2003. The Ministry of Justice regularly evaluated both projects.

Immigrants

During 2002, there were approximately 1.6 million non-Western immigrants in the Netherlands, equal to ten percent of the total population.¹⁶

Due to the assumed high crime rate and problems amongst juvenile Moroccans and Turks, a political discussion arose about the necessity of measures to be taken towards better integration of these groups into Dutch society. Several politicians and their supporters found that the current policy of integration was inadequate.

The Balkenende government, which was installed in July, stated that it intended to both strengthen and improve the Dutch integration policy. Several controversial proposals were made, mainly by the Minister for Immigration and Integration, to this end. One of these was to investigate the legal possibilities of deporting Moroccan habitual criminals who held both a Dutch and a Moroccan passport as well as foreign criminals with a residence permit if they had broken Dutch law. Other political parties and ministers, including the prime minister, rejected this idea as a violation of the principles of equal treatment and non-discrimination guaranteed by article 1 of the Netherlands Constitution.¹⁷

Another proposal by the minister was that only Dutch should be spoken in mosques. In addition, the minister said, "Muslim clerics have a duty to convince their fellow believers that they should be loyal to the values and norms of Dutch society." Moreover, according to the minister, a new integration course was needed: apart from lessons in the Dutch language, the course should include lessons on Dutch society and should be mandatory for all new foreigners. If, for instance, a religious leader failed the course he would be denied a residence permit.

In the face of these proposals, a spokesman for an immigrant group stated that young Muslims in the Netherlands felt themselves to be victims of a new anti-Islamic political culture.¹⁸

Past Human Rights Abuses

Accountability

In 1995, during the Bosnian civil war, several thousand Muslims were murdered when Bosnian Serb forces attacked the enclave in Srebrenica, a UN “safe area”, and killed approximately 8,000 Muslim men and boys. The genocide in Srebrenica was the largest massacre in Europe since World War II.¹⁹ At that time, a battalion of lightly armed Dutch soldiers (Dutchbat) was stationed in Srebrenica and assigned by the UN to protect the town's refugees and residents.

In 1996, the Netherlands government asked the Netherlands Institute for War Documentation (NIOD) to investigate the events prior to, during and following the downfall of the enclave in Srebrenica. The NIOD was asked to collect relevant facts and to provide, from a historical perspective and in both a national and an international context an insight into the causes leading up to the fall of Srebrenica. The actions of all parties involved was included in the investigation.²⁰

The NIOD report was published in April 2002. It concluded that the Netherlands government, the senior military officials and the UN had failed to prevent the massacre. However, the task given to the Dutch battalion was, according to the NIOD report, a “mission impossible.”²¹

The entire cabinet of Prime Minister Kok's government resigned in recognition of the gravity of the findings. The prime minister said that the international community had failed to provide sufficient protection to the people in the “safe areas,” and in that respect, the Netherlands government as a member of the international community had failed as well. According to the prime minister, the resignation was the consequence of an accumulation of failures during several cabinet terms and not a result of one specific act. By resigning, the government took responsibility for the policy carried out.²²

The report was criticized by organizations representing the relatives of the Srebrenica victims and the survivors of the massacre for not taking a clear stand on who was responsible for the failure to save the people in Srebrenica, including who was responsible for sending the people away from the safe base. In addition, the organization “Women of Srebrenica” suggested that the Dutchbat and the Netherlands government should have known what would happen to the Muslim men should they be captured by the Bosnian Serbs.²³

Shortly after the publication of the NIOD report, the Netherlands Parliament decided to establish a parliamentary committee to investigate the events leading to the fall of the Srebrenica enclave. The aim was to provide the Second Chamber with sufficient information to draw definitive political conclusions on the performance of the

government and the Second Chamber itself regarding the Srebrenica incident, and to determine which Dutch authorities were responsible for military and administrative failings. The committee was to present its conclusions at the beginning of 2003.

National and Ethnic Minorities

The Framework Convention for the Protection of National Minorities

The Framework Convention for the Protection of National Minorities was signed by the Netherlands in 1995. The Kok government submitted the Convention to the First and Second Chambers for approval. The Netherlands has not, however, yet ratified the convention.

In its commentary on the convention, the Netherlands government provided a broad interpretation of the definition of a “national minority” which can be applied also to minorities whose members are inhabitants, but not always citizens, of the state. This means in practice that, for example, the Friesian people fall under the scope of the convention as well as Moroccans, Malaccans, people from Surinam, the Netherlands Antilles, Turkey, refugees and people entitled to refugee status.

Upon ratification of the convention, the state must incorporate its principles into the national policy and legislation. The bill was passed by the Second Chamber but met with significant resistance in the First Chamber: several politicians believed that, due to wide interpretation of the convention, the obligations deriving from it could not be met. Due to the lack of support in the First Chamber, the Minister for Integration requested that the process be adjourned in order to consult the cabinet and to avoid the bill being repealed.²⁴

Trafficking in and Smuggling of Human Beings and Prostitution

The Kok government appointed a National Rapporteur on Trafficking in Human Beings (NRM) whose main task was to provide the authorities with recommendations on how best to tackle the problem of trafficking in human beings. In March, the NRM's office published its first report on this issue.²⁵ The Balkenende government nominated this problem as one of the main topics for the Netherlands OSCE chairmanship, starting in 2003.²⁶

According to the report published by the NRM,²⁷ the total number of women and children subjected to trafficking globally each year is between 700,000 and two million. Approximately 175,000 to 200,000 people are traded from Central and Eastern Europe into Western Europe, mainly to be forced to work in the sex industry.

It has turned out to be extremely difficult to get victims of human trafficking to file a complaint with the police and to provide them with sufficient information, since victims feared retaliation from their pimps. In 2001, only five percent of the foreign women who came to the Netherlands as a result of trafficking and were forced to work in the sex industry had reported the crime to the police. Another reason for not

filing a complaint was the fact that they were staying in the Netherlands illegally and were afraid of facing charges under migration or labor legislation.

Under Dutch law, trafficking in human beings is understood to mean “to keep or to bring people under pressure to prostitution.” In the same year, police completed investigations into 48 cases, which was almost double the number of investigations completed in 2000. In 2001, 86 traffickers were brought before the courts, most of whom were convicted.²⁸

Both people trafficking and smuggling are punishable in the Netherlands when motivated by the pursuit of financial gain.

The NRM made several recommendations concerning the law and regulations, information on and prevention of trafficking in human beings, the criminal approach to trafficking, its victims and alien labor. It encouraged the Netherlands government to take measures to make possible the ratification of the United Nations Convention against Transnational Organised Crime, including the Protocol on the Prevention, the Combating and the Punishment of Trafficking in Human Beings.²⁹

As far as the protocol is concerned, its implementation has commenced in the Netherlands, which is expected to result in legal changes. A new article will most probably be added to the Dutch Criminal Code to bring other forms of exploitation in the socioeconomic field within the scope of the Dutch Criminal Code. For instance, the amendment is expected to cover the subject of “removal of organs in order to obtain financial means.”

The NRM also noted that there is a need for information on (new) regulations governing organizations working in the field of human trafficking and smuggling. The government granted a subsidy to an NGO called the "Rode Draad" (“Red Thread”) to make an inventory of information amongst people and organizations working in the field of human trafficking and smuggling, with the aim of better coordinating their work.

The NRM also recommended that the police and judicial authorities tackle the problem of human trafficking and illegal prostitution more actively and more directly.³⁰ In addition, closer cooperation between the public prosecutor, the Aliens Department and the Immigration and Naturalization Service was required. While in 2000 the Kok government legalized brothels in order to control the prostitution sector, the NRM was of the opinion that it was not possible to assess the impact of this measure, since prior to the legalization, municipalities had in practice already tolerated brothels.³¹

People from outside the EU were banned from working in prostitution in the Netherlands in 2002.³² However, the NRM reported a tendency that the demand for prostitutes from non-EU countries was on the rise, a fact the government should take into account in its policies. The NRM advised the government to develop a clearer and more uniform policy on prostitution.³³

Endnotes

- ¹ Based on the report by the Netherlands Helsinki Committee to the IHF. The Netherlands Helsinki Committee does not systematically monitor human rights developments in the Netherlands, but mainly organizes projects aimed at strengthening democracy in Central and Eastern European countries. Furthermore, the Netherlands Helsinki Committee monitors and promotes the OSCE process through various publications, such as the *Helsinki Monitor*. This chapter is primarily based on reports by prominent international and national human rights organizations.
- ² *NRC Handelsblad*, "Plan voor bewaking Fortuyn was klaar," May 25, 2002.
- ³ Openbaar Ministerie, press release, November 23, 2002.
- ⁴ Commissie Van den Haak, "De veiligheid en de beveiliging van Pim Fortuyn. Feiten en verantwoordelijkheden," December 17, 2002.
- ⁵ *Algemeen Dagblad*, "Onderzoek naar kogelbrieven stokt," November 22, 2002.
- ⁶ *Algemeen Dagblad*, "Defensie alert op aanslagen," November 11, 2002.
- ⁷ *Memorie van Toelichting op de Tijdelijke wet voor de penitentiaire noodcapaciteit ten behoeve van drugskoeriers*.
- ⁸ *De Volkskrant*, "Noodopvang drugskoeriers ondermaats," December 20, 2002.
- ⁹ *Staatscourant*, "Gelijkheidsbeginsel centraal in kort geding bolletjesslikkers tegen Staat," August 6, 2002.
- ¹⁰ *Rechtbank 's-Gravenhage*, summary judgment, KG 02/953, August 14, 2002.
- ¹¹ Second Chamber of Parliament, "Brief van de minister voor vreemdelingenzaken en integratie," November 19, 2002.
- ¹² For a summary of the law, see IHF, *Human Rights in the OSCE Region: the Balkans, the Caucasus, Europe and North America, Report 2000, (Events of 1999)* and *Human Rights in the OSCE Region: the Balkans, the Caucasus, Europe and North America, Report 2001, (Events of 2000)*, at www.ihf-hr.org.
- ¹³ VluchtelingenWerk Nederland, "VluchtelingenWerk Nederland hekelst voorstellen asielbeleid van CDA, LPF en VVD," June 6, 2002, at www.vluchtelingenwerk.nl.
- ¹⁴ VluchtelingenWerk Nederland, "Ama's: een kwetsbare groep."
- ¹⁵ VluchtelingenWerk Nederland, "Twijfel over aanpak ama-campus," August 11, 2002.
- ¹⁶ Centraal Bureau voor de Statistiek, *Allochtonen in Nederland 2002*.
- ¹⁷ ANP, "Nawijn wil criminele Marokkanen uitwijzen," August 23, 2002.
- ¹⁸ BBC Online, "Dutch should be spoken in mosques," at www.news.bbc.co.uk.
- ¹⁹ United Nations, "'Srebrenica tragedy will forever haunt United Nations history', says Secretary-General on fifth anniversary of city fall," press release, SG/SM/7489, July 10, 2000, at www.un.org.
- ²⁰ Second Chamber of Parliament, *Vergaderjaar 1996-1997*, 25 069, No. 1, "Onderzoeksopdracht aan het Rijksinstituut voor oorlogsdocumentatie."
- ²¹ NIOD, "Srebrenica, een 'veilig' gebied," press summary, April 2002.
- ²² Second Chamber, *86^{te} vergadering*, April 16, 2002.
- ²³ "Overlevenden en IKV teleurgesteld over rapport Srebrenica," April 10, 2002, at www.ikv.nl and www.planet.nl.
- ²⁴ First Chamber, *31^e vergadering*, May 29, 2001.
- ²⁵ Second Chamber, "Mensenhandel," *Vergaderjaar 2002-2003*, 28 638, Nr. 1.
- ²⁶ Second Chamber, *Vergaderjaar 2002-2003*, 28 687, No. 1; "Nederlands voorzitterschap van de OVSE in 2003, brief van de Minister van Buitenlandse Zaken," November 21, 2002.
- ²⁷ NMR, *Mensenhandel, Eerste rapportage van de Nationaal Rapporteur*, The Hague, March 2002.
- ²⁸ NMR, *Mensenhandel, Tweede rapportage van de Nationaal Rapporteur*, The Hague, January 2003.
- ²⁹ Second Chamber, *Vergaderjaar 2002-2003*, 28 638, No. 1, "Mensenhandel."
- ³⁰ *Ibid.*
- ³¹ For more information on the legalisation of brothels, see *Human Rights in the OSCE Region: the Balkans, the Caucasus, Europe and North America, Report 2002, (Events of 2001)*, at www.ihf-hr.org.
- ³² *Uitvoeringsbesluit van de Wet arbeid vreemdelingen*.
- ³³ Second Chamber, *Vergaderjaar 2002-2003*, 28 638, No. 1, "Mensenhandel," October 15, 2002.