

Rule of Law Initiative / Global Human Rights Training and Support

The RIGHTS Consortium

Grant No. AEP-A-00-99-00016-00

Funded by the United States Agency for International Development

Consortium Members: Freedom House (prime partner), the American Bar Association (ABA), and the National Democratic Institute for International Affairs (NDI).

Fifteenth Interim Narrative Report

Reporting Period: October 1 to December 31, 2002

I. Executive Summary

On March 9, 1999, the U.S. Agency for International Development (USAID) awarded a grant in the amount of \$4,000,000 to Freedom House to provide support for a global program in rule of law. On September 27, 2000, USAID raised the funding ceiling to \$12,000,000. Freedom House acts as the prime recipient for the RIGHTS Consortium, which includes Freedom House (FH), the American Bar Association (ABA) and the National Democratic Institute for International Affairs (NDI).

The RIGHTS Consortium supports the transition to and consolidation of democratic regimes throughout the world by supporting and strengthening the rule of law and human rights. Specifically, RIGHTS Consortium activities help USAID achieve the following objectives:

1. Increase legal protections for human rights and gender equity that conform to international standards;
2. Establish judicial, legal, and regulatory frameworks that support democratic institutions as well as market-based economies;
3. Support effective and fair justice sector institutions, including the judiciary, prosecution, legal defenders, and civilian police;
4. Increase equitable access to justice and the skills and knowledge necessary to use the justice system effectively; and
5. Establish technical excellence and "state of the art" sustainable activities in the field of rule of law and human rights.

During the five-year grant period, USAID supports the RIGHTS Consortium in two types of programming: (1) core activities which improve technical aspects and the sustainability of rule of law and human rights programs (through the Leader Cooperative Agreement), and (2) longer-

term, more comprehensive rule of law and human rights development activities that provide technical assistance and training (through Associate Awards). Initial core funding from the Democracy and Governance office provides \$500,000 for rapid response initiatives, \$500,000 for technical excellence and “state of the art” sustainable activities, and \$250,000 for overall Consortium management and ongoing operating costs for each of the last four years. As of December 31, 2002, USAID obligated funds to the RIGHTS Consortium under the Leader Grant totaled \$ 5,668,175.

This narrative report reviews the activity carried out during the fifteenth interim reporting period of October 1 – December 31, 2002.

II. Program Activities

A. TECHNICAL LEADERSHIP AND SUSTAINABLE ACTIVITIES IN RULE OF LAW AND HUMAN RIGHTS

Technical Leadership under the RIGHTS Consortium is designed to improve long-term strategic planning of rule of law and human rights assistance with the aim of creating more effective and sustainable programming. During the fifteenth quarter, the use of new assessment tools developed under the RIGHTS Consortium technical leadership further impacted policy platforms in target countries, informed a broader group of development assistance providers in Washington, DC and Europe, and served as the basis of new training curriculum and resources for further impact on human rights protections. The first two discussion papers on rule of law topics are currently being developed for use by rule of law reformers and assistance providers. RIGHTS Consortium partner, the ABA, conducted two assessment trips to Rwanda and to the Philippines, to examine the current reform initiatives and make recommendations to the Missions.

1. Diagnostic Tools Development

a. CEDAW Assessment Tool

The ABA’s Central European and Eurasian Law Initiative (CEELI) hosted a discussion entitled, “Assessing Women’s Rights through a CEDAW Lens” in November. Over 75 participants gathered at the Carnegie Endowment for International Peace for a presentation by Hadar Harris, Executive Director of the Human Rights and Humanitarian Law Center at Washington College of Law, who spent 4 months in Armenia implementing CEELI’s CEDAW Assessment Tool. The discussion focused on the challenges of running the Assessment Tool, as well as the findings of the research. The discussion also explored the role of local NGOs in conducting the CEDAW Assessment Tool. After the discussion ended, many participants stayed to watch two short videos, which CEELI produced on CEDAW and human trafficking. Overall, the event was well attended by a broad spectrum of representatives from NGOs and government agencies.

In addition, during the quarter, CEELI hosted a groundbreaking workshop in Yerevan, Armenia, entitled, “Promoting Democracy through Equality and the Rule of Law: Developing a Government and NGO Partnership to Improve the Status of Women.” The conference focused

on the findings of CEELI's CEDAW Assessment Tool Report for Armenia and the recommendations issued by the United Nations CEDAW Committee after Armenia's second periodic report to the Committee in New York in August 2002.

The main goal of the workshop was to bring together leaders of the NGO and government communities to devise concrete action plans aimed at improving Armenia's compliance with CEDAW and, more broadly, the status of women in Armenia. According to workshop participant Ivanka Corti, the world's leading CEDAW expert and the former Chairperson of the CEDAW Committee, it was the first workshop since CEDAW's inception in 1979 to focus on the Committee's recommendations and on devising a plan of action to address these recommendations.

CEELI assembled a joint NGO/government working group prior to the workshop to identify a handful of issues on which the workshop participants would focus particular attention. The working group identified the following five issues: domestic violence, labor issues, political participation, special challenges faced by rural women, and the growing problem of human trafficking. After many hours of spirited discussions, the workshop participants devised detailed action plans to jointly address deficiencies in Armenia's compliance with CEDAW in these five areas. Above all, the CEDAW Committee's recommendations guided the discussions, as did CEELI's CEDAW Assessment Tool Report, CEDAW shadow reports issued by two Armenian NGOs, and recommendations previously issued by the Council of Europe.

In addition to Ms. Corti, presenters at the conference included: President of the Constitutional Court, Gagik Hartuotunyan; Deputy Minister of Women's Issues in the Ministry of Social Security, Karine Hakobyan; Deputy Chief of Mission of the U.S. Embassy, Vivian Walker; CEELI Legal Specialist Hadar Harris; CEELI Deputy Director, Michael Maya; Organization for Security and Cooperation in Europe (OSCE) representative, Heinz Drobesh; and Council of Europe representative, Daniele Levy-Puech. The conference was very ably facilitated by CEELI's Yerevan-based Institution Building Advisor, Maria Hovoumian.

During the coming year, CEELI will facilitate follow-up by NGO and government leaders on the action plans devised at the conference. CEELI also expects to conduct a similar conference next year to assess progress achieved and to identify the inevitable challenges that remain.

b. ICCPR Index

The ABA/CEELI held a second working group meeting on the International Covenant on Civil and Political Rights (ICCPR) Legal Implementation Index in December 2002 in order to further refine the tool. Participants in the working group included Michael O'Flaherty, formerly on the staff of the UN Human Rights Commission and now with UNICEF; Rick Wilson and Elizabeth Bruch, professors at American University's Human Rights Clinic; Kelly Askin, director of the International Criminal Justice Institute; Christian Ahlund, chairman of the Human Rights Commission of the Swedish Bar Association; and Penny Wakefield, director of the ABA Section of Individual Rights and Responsibilities.

The working group reviewed the sections of the Index that had been added since the last meeting in August 2001. The meeting was quite successful in generating suggestions for improving and strengthening the Index as an assessment tool. Incorporating comments from the working group, CEELI is revising the Index and will submit an updated copy to USAID under separate cover.

CEELI believes that the tool will be invaluable in assisting the legal reform process. By examining indicia of compliance for thirty different Covenant articles, it provides analysis of the Covenant's provisions and assessment criteria that can be used to determine the extent to which States parties are meeting their obligations. Such a tool can be used by human rights practitioners globally, including indigenous NGOs that seek to encourage their governments to comply with the ICCPR.

ABA/CEELI has also developed a human rights course based on research for the Index. This course was piloted at the CEELI Institute in April, June, and August 2002 with Kosovar lawyers. The course is now being finalized for distribution to the field for use by CEELI and others wishing to conduct trainings on the ICCPR. The materials that CEELI has compiled include PowerPoint presentations, course agendas, and teaching exercises. CEELI is producing a CD-ROM version of the course that will allow for quick distribution and enable trainers to present the course with minimum preparation.

c. Human Rights Defender Assessment Tool

During the last quarter, Freedom House hired an experienced democracy promotion expert, Thomas Melia, to review the most current draft of the human rights defender assessment and develop methodology for testing the tool in an initial pilot in Mexico in February 2003. As a result, the current draft of the assessment instrument has been refined and pared down to a more user-friendly draft, including strategic guidance for an implementation team. The assessment instrument which is based on the United Nations Declaration on Human Rights Defenders, will be used to produce a succinct strategic analysis of the human rights defenders' situation in the country; a census of the human rights defenders in the country and detailed analyses of the organizational or professional capacity of some of them; and a plan of action for how to bolster defenders from both a programmatic and policy support approach.

During the next quarter, a Freedom House team will run the initial test in Mexico. The test will produce a report and recommendations for USAID Mexico. In addition, the team will prepare recommendations for any necessary modifications to the tool to improve implementation and results.

2. Rule of Law Series Discussion Papers

This quarter NDI completed research for the first paper in the series. This first paper provides comparative information on global trends in the structure and jurisdiction of Ombudsman offices and best practices for using these offices to not only protect individual rights, but to promote systemic changes in administrative rules and procedures and/or remedial legislation. The paper looks specifically at the effectiveness of Ombudsman offices in handling cases that are not viewed as within the traditional purview of Ombudsman (e.g. human rights abuses, government corruption and environmental issues), and makes note of the structures/mechanisms within

Ombudsman offices that make some more effective in these areas than others. During the current quarter the Institute completed dissemination of a global survey of existing ombudsman offices in order to obtain necessary information on the effectiveness of these offices in handling cases outside the traditional area of government maladministration and the overall effectiveness of ombudsman offices in engendering systemic change. NDI has analyzed the results of the completed and returned surveys. The completed surveys, though not returned in large enough number to allow for statistically based assumptions, provide a wealth of anecdotal information that will provide political actors with useful comparative information on the role and jurisdiction of ombudsman offices.

During this same period, NDI, with other funding, brought together the trustees of the African Ombudsman Association to develop and begin implementation of a strategic plan for the organization. At this planning meeting in Windhoek, Namibia, the Institute took the opportunity to meet with the ombudsman from 9 African countries to discuss their experiences and informally gather more information regarding the role of ombudsman offices in promoting systemic change. The Institute has also begun collaborating on this first publication with Dr. Victor Ayeni, Deputy Director in Management and Training for the Commonwealth Secretariat. Dr. Ayeni is a member of the editorial board of the International Ombudsman Journal and a leading authority on governmental oversight institutions and specifically, the ombudsman concept. This paper is on target for publication and distribution during the first quarter of 2003, as agreed with USAID.

Additionally, during this quarter the Institute sought and found an international expert on police reform, to supplement NDI's existing in-house expertise in the area, and began development of the second publication, Independent Oversight of Law Enforcement Agencies and Effective Mechanisms for Establishing Police Accountability. This paper provides comparative information on the legal and institutional framework that promotes and supports independent oversight of domestic law enforcement agencies and discusses ways in which this framework can encourage police procedures that promote an effective police force and positive/healthy police-citizen relations. The paper will explore such issues as: 1) overcoming political hurdles to establishing effective civilian oversight; 2) best practices in establishing the legal and institutional framework for oversight functions (including the strengths and weaknesses of civilian review boards); and 3) effective models of community policing.

In the next quarter NDI will publish and distribute the first paper in the research series. The Institute will also complete an initial draft of the second paper in the series and begin research and development of the third paper.

3. Rule of Law Assessment Trips to Rwanda and to the Philippines

ABA-Africa conducted an assessment trip to Rwanda in November 2002, during which it met with a variety of legal professionals in the country. Against the backdrop of Rwanda's violent recent history, the country's legal and law-making institutions are rebuilding both in terms of material and human resources. The overriding legal framework, the Constitution, is being redrafted, Commissions on Human Rights and Law Reform have been established, and a Parliament as well as a judicial system are functional. There are many areas that seem ripe both in need and in gaps in present national and international efforts. There are for example, less than

300 members of the Rwandan Bar Association. The Law Reform Commission is at the end of a national report on the status of the laws and the preliminary assessment is that there will be a need to revisit the entire procedural and legal framework. Given the dearth of trained legal professionals, this is a daunting task. At this time, few international resources appear to be devoted to legal reform.

In November 2002, representatives of ABA-Asia traveled to the Philippines to conduct an assessment on legal reform needs in the country. While there, ABA-Asia met with U.S. Government officials, representatives of the Filipino government, international funders, and local organizations. Through these meetings, ABA-Asia identified several reform needs and opportunities, particularly in the areas of anti-corruption and judicial reform.

Anti-corruption was a priority for a number of organizations with which the ABA met, including the Integrated Bar of the Philippines, the Louis Berger Group, the Department of Justice, and the Civil Service Commission. Some organizations also expressed a need for alternative dispute resolution programming and development of ethics codes for both lawyers and judges.

B. RAPID RESPONSE AND DEVELOPMENT ASSISTANCE UNDER THE LEADER COOPERATIVE AGREEMENT

The Leader Cooperative agreement has allowed for the start-up and implementation of projects addressing new opportunities for reform, and for development assistance projects in non-presence countries. During this quarter, the RIGHTS Consortium carried out strategic rule of law assistance projects in Algeria, China, Mexico, East Timor, and the Baltic States and Russia.

1. Strengthening Human Rights and the Rule of Law in Algeria

This quarter, Freedom House, ABA-Africa, and the International Center for Journalists (ICFJ) continued to implement the second phase of their joint program to strengthen human rights and the rule of law in Algeria. Specifically, the Algeria program is designed to: (1) provide comparative information and technical expertise to improve the Algerian justice sector, with an emphasis on legislation that impacts human rights; (2) promote dialogue between the Algerian government and civil society on justice sector reform; (3) strengthen the policy advocacy skills of civil society, particularly of those organizations that work on the issues of justice sector reform and the disappeared; and (4) promote the development of a free and effective media.

Freedom House program activities include: training in the U.S. and in Bosnia for victims rights advocates and journalists; internships in the United States for Algerian journalists and human rights activists through its Visiting Fellows Program; a series of roundtable discussions with international experts on justice sector reform for Algerian government officials and civil society representatives; and workshops on international standards of freedom of expression and access to information for journalists, judges, and lawyers. ICFJ will conduct a training-of-trainers program for Algerian journalists on investigative reporting on human rights and rule of law issues, and ABA-Africa will send international experts to Algeria to assist in penal procedure code reform and the development of a magistrates' code of conduct .

a. Freedom House Visiting Fellows Program

1) Visiting Fellows Group 38: September 26- November 15, 2002

During this reporting period, Freedom House hosted two journalists from Algeria as part of its Visiting Fellows Program (VFP). This ten-week training program (September 26 to November 15) provides young leaders in journalism and the human rights community with the opportunity to work side-by-side with their American counterparts in media and non-governmental organizations. The two Algerian participants in the Fall 2002 session of the VFP and their respective internship assignments are listed below:

- **Mr. Chafik Bendjoudi** (born: 5/13/1958) is a reporter for the National Algerian Broadcasting Company in Constantine, Algeria. Mr. Bendjoudi covers political, social, and cultural issues in the eastern region of Algeria for the Third Channel of Algerian Radio. In 1991, Mr. Bendjoudi founded a local independent weekly newspaper, which he managed for two years. Prior to his career in journalism, Mr. Bendjoudi worked as an English professor at the University of Constantine. Mr. Bendjoudi earned a Bachelor's degree in English from the University of Constantine in 1981.
- **Mr. Malik Boumati** (born: 10/30/1970) is a local reporter for *La Tribune*, a national daily newspaper, and an active member of the Algerian League for the Defense of Human Rights (LADDH). He is based in the town of Tizi-Ouzou, which is 100 kilometers from Algiers. As a journalist, Mr. Boumati has reported widely on human rights-related events, including visits by international human rights organizations, events organized by university student groups, and efforts by the family of an assassination victim to uncover the truth surrounding the murder. As a member of LADDH, Mr. Boumati facilitates press coverage of LADDH events, educates local journalists about the organization, and attends weekly lecture series given by LADDH's Human and Citizens Rights House project.

The two Algerian participants joined eleven other participants from Central and Eastern Europe on the program in a ten-day orientation, introducing participants to the American opinion- and policy-making community in Washington, DC, New York City and state of Maryland. *Please see Attachment 3 for the complete orientation schedule and the participants' orientation program evaluations.*

The participants began their individualized internship portion of the program on September 26, 2002. During the reporting period, Mr. Bendjoudi had internships at KYW News Radio in Philadelphia, the *Daily Press* newspaper in Victorville, California, the International Center for Journalists (ICFJ) in Washington, DC, and at WHYY FM Radio in Philadelphia. These placements were designed to expose Mr. Bendjoudi to U.S. media organizations and journalistic techniques. Mr. Bendjoudi covered human rights and minority issues and focused on improving his investigative reporting and editorial skills.

During his internship period, Mr. Boumati spent time at the *Denver Post* and at Human Rights Watch. At the *Denver Post*, Mr. Boumati focused on learning about how the U.S media covers

stories that are unpopular with the government. At Human Rights Watch he learned more about international human rights standards and about possible ways to implement these standards in Algeria and North Africa. Also through his work at Human Rights Watch, Mr. Boumati gained a renewed interest in learning about defamation laws in other countries.

2) Visiting Fellows Group 39: January 27, 2003 – April 4, 2003

In addition to supervising the Fall Visiting Fellows Program, Freedom House prepared during this reporting period for the Spring Program, scheduled to run from January 27 – April 4, 2003. The Algerian participant for the Spring 2003 session of the VFP, a description of the spring program, and his internship assignments are listed below.

- **Mr. Mahmoud Belhimer** (born: 10/18/1968) is Deputy Chief Editor at *El Khabar* daily newspaper in Algiers, Algeria. *El Khabar* was created as the first independent newspaper in 1990 and is owned by a group of journalists. As Deputy Chief Editor, Mr. Belhimer supervises all journalists, gives directives to reporters and correspondents and writes current affairs commentaries. Prior to his current position, he served as Chief Editor of *Al Fadjar* daily and as National News Editor of *El Youm* daily. Mr. Belhimer earned a Bachelor's degree in Politics from the University of Algiers in 1991 and is currently working on his graduate degree.

The Spring Visiting Fellows Program begins on January 27, 2003 with an eight-day orientation. During the first week, all Fellows will meet with representatives from the government, media, and non-governmental sectors in Washington, DC and the state of Maryland. The journalists in the group will then spend an additional three days meeting with U.S. reporters and media organizations and will participate in a workshop conducted by David Kaplan, who heads the investigative journalism team at U.S. News and World Report and has conducted numerous journalism workshops in the United States and abroad.

Mr. Belhimer will spend his first assignment with an investigative reporting team at the *Fort Worth Star-Telegram* newspaper in Fort Worth, Texas (Feb. 10-March 7), followed by three weeks working at Amnesty International USA in Washington DC (March 10-28).

b. Freedom House Study Tour on Victims' Rights

Although the civil conflict in Algeria has abated significantly, more than ten thousand Algerians remain missing and are presumed to have been victims of violence by state security forces or Islamic armed groups. Many Algerians state that they will not be able to move past the civil conflict until there has been full disclosure as to the fate of the missing and recognition of the atrocities committed by all parties to the conflict. Algerians have created a number of civic organizations to advocate for victims' rights, but they have not yet obtained information about their family members, nor have perpetrators of disappearances been brought to justice. While relations between some of the victims' organizations have been strained – largely because of their members' perceived sympathies during the underlying conflict (i.e., with the state or with the Islamic armed groups) – they recently have begun to work together to attempt to obtain information and accountability.

Given the importance of the issue of the disappeared to overall peace and stability in Algeria, Freedom House will conduct a two-and-a-half week study tour to the United States and Bosnia in March 2003 for eight Algerian activists from a variety of victims' rights organizations.¹ The study tour will focus on how the key sectors of government, the judiciary, NGOs, and media can play roles in pursuing accountability and fair treatment for the victims of violence. Freedom House expects that the study tour will not only provide participants with information relevant to the victims situation in Algeria, but that it will also foster continued cooperation between the various Algerian victims rights organizations. In Bosnia, the group will learn specifically how civic organizations worked together in a post-conflict setting to obtain information about and justice for their family members. In the United States, the group will meet with international human rights organizations and learn, among other things, about advocacy techniques and transitional justice mechanisms such as truth and reconciliation commissions.

Freedom House Senior Program Officer Mikaela A. McDermott and Freedom House consultant Asta M. Zinbo met in December 2002 to finalize details for both the US and Bosnia portions of the Study Tour. Ms. Zinbo, who has previously worked as a policy advocacy consultant for Freedom House in Algeria, heads the International Commission for Missing Person's civil society initiatives in Sarajevo and will lead the Bosnian portion of the study tour. Freedom House's Washington, DC-based staff also spent extensive time during the quarter assisting study tour participants with the U.S. visa application process.

c. Promotion of a Free and Effective Media

1) Comparative Assessment of Algerian Defamation Laws

In comparison to many other countries in the Arab world, the Algerian print press is highly developed and relatively free. There are more than 30 independent daily newspapers, and Algerian journalists regularly criticize the government and call for increased democracy and respect for human rights. In June 2001, however, the Algerian Parliament adopted amendments to the Algerian penal code that provide for increased prison terms for journalists who insult the President, Parliament, the army, or other constitutional body. The amendments also provide for exceedingly high fines for publishers whose newspapers print such insults. The first conviction under these amendments occurred in December 2002, when Ali Dilem, a prominent political caricaturist was fined 20,000 dinars for a caricature that "insulted" the Minister of Defense.

ABA-Africa and Freedom House are implementing a series of activities to help ensure that the Algerian press continues to be a source of freedom in Algeria and to try to mitigate the effects of the new penal code provisions. As a preliminary activity, ABA-Africa and Freedom House gathered a group of experts in the area of media law to provide a comparative assessment of the aforementioned amendments to the Algerian penal code. The primary purpose of this assessment is to provide objective, comparative information that will promote awareness among Algerian government officials, attorneys, judges, and journalists about the extent to which the Algerian law conforms to international standards and assist them in promoting freedom of expression in

¹ The study tour was originally planned for October 2002, but it had to be postponed because of new delays in obtaining visas to the United States and the Ramadan and Christmas holidays.

Algeria. A first draft of the assessment was completed last quarter, and this quarter it was reviewed by Algerian lawyers. ABA-Africa and Freedom House plan to release the final version of the assessment in early February 2003.

2) Conferences on Freedom of Expression and Access to Information

In late March or early April 2003, Freedom House will send two international media law experts to Algeria to conduct a series of seminars with Algerian judges, lawyers, and journalists on freedom of expression and access to information.² The primary purposes of the seminars will be to provide Algerian judges and lawyers with comparative information that will encourage and assist them in advocating for reform of Algeria's defamation laws and for increased access to information (e.g., through freedom of information legislation). In addition, the international experts will explore with Algerian lawyers possible strategies for defending clients charged with violating Algeria's existing defamation laws. The seminars with journalists will provide participants with comparative information to assist them in reporting accurately on stories involving to freedom of expression and access to information.

In October 2002 trip, RIGHTS Senior Program Officer Mikaela A. McDermott traveled to Algeria to plan for the seminars and secured partnerships with the Algerian Bar Association, the National Magistrates Institute, the Algerian Judges Syndicate, *El Khabar* daily newspaper, and *El Youm* daily newspaper. In addition, Ms. McDermott met with a host of Algerian journalists and lawyers to obtain information about the extent to which journalists and publishers are investigated and prosecuted under the Algerian defamation laws.

In November 2002, RIGHTS Director Lisa L. Davis, Ms. McDermott, and RIGHTS Program Assistant Felicity Amos had a day-long planning meeting with Jane Kirtley, the Director of the Silha Center for Journalism and Ethics at the University of Minnesota and the former Executive Director of The Reporters Committee for Freedom of the Press, to plan the training sessions, select training materials, and discuss procedural and substantive aspects that would make the workshops the most effective. In December 2002, Freedom House gathered and translated seminar materials, prepared seminar agendas, and made various logistical arrangements.

d. Justice Sector Reform and Civil Society Support

1) Freedom House Roundtables on Justice Sector Reform

In late 2002, the Algerian government reiterated its commitment and allocated additional funding to justice sector reform, and reports indicated that future reforms would be in the areas of: (1) increased respect for fundamental liberties and individual rights; (2) modernization of judicial institutions to increase access to justice; and (3) reforms designed to promote economic and

² These seminars were originally scheduled to take place in early January 2003, but Freedom House was forced to postpone them due to the sudden unavailability of an international expert and difficulties obtaining Algerian visas for Freedom House staff.

social development.

To date, however, the government has not opened the reform process to widespread public input and debate, and civil society has not played a significant role in affecting justice sector reform. In late spring and early summer 2003, Freedom House plans to bring international two international experts to Algeria to conduct a series of roundtable discussions on a particular area of justice sector reform to mixed groups of Ministry of Justice officials, legislators, civil society representatives, and journalists. Freedom House will select a topic for the roundtables that is both relevant to the issue of human rights and scheduled to be addressed in the justice sector reform process. The primary goals of the roundtables will be to: (1) provide comparative information that will improve justice sector reform, particularly in the area of human rights; and (2) strengthen the role and policy advocacy skills of civil society in the justice sector reform process; and (3) foster a dialogue between the Algerian government and civil society on justice sector reform.

During the quarter, Freedom House held productive discussions with the World Bank and the United Nations Development Programme about possible co-sponsorship of the roundtables. In the coming months, Freedom House plans to meet with Mr. Mohand Issad, who has directed the Algerian justice sector reform process, to select a topic for the roundtables. In addition, Freedom House will identify international experts to lead the roundtables, as well as Algerian civil society participants and locations for the roundtables. Freedom House will also continue to explore collaboration with the World Bank and UNDP on the project.

2. China Rule of Law and Environmental Governance project

The China Rule of Law and Environmental Governance project seeks to (1) to train a broad group of stakeholders (including attorneys, businesspeople, judges, officials of environmental protection agencies at all levels, citizens, media representatives, academicians, and representatives of environmental NGOs) in specific concepts of both Western and Chinese environmental policy and governance; and (2) to assist them to use this information to develop governance models that provide for greater governmental transparency, increased citizen participation in decision-making, and enhanced respect for and implementation of Chinese law.

During the fall quarter, ABA-Asia conducted follow-on events in two training sites, Wuhan and Chifeng, and worked with local stakeholders to begin the implementation of the follow-on activities. In each case, a smaller group of local stakeholders who had received the initial training gathered for a workshop on the specific follow-on activity that they had elected to undertake. ABA-Asia supplied both Chinese and Western experts to the focused workshops.

In Shenyang, Mr. Li Chao, Deputy Director of Shenyang EPB, informed ABA of a sharp competition between Shenyang Municipal Government and Shenyang People's Congress for the promulgation of the law. After the revision of the draft according to the

comments received in the follow-on workshop, both parties agree that the law seems to be much better. The People's Congress wanted to enact it as a local law, but ultimately the Municipal Government will promulgate it as a law with the People's Congress to follow suit in the next year.

After the EPB made the revisions, they published the revised law in the newspaper again for public comments. They are still in the process of collecting public opinions. The Shenyang EPB hopes to undertake a similar process, including expert commentary and public comment and participation, in revisions to all of its environmental laws, and has requested further assistance from ABA. Mr. Li wants to improve the level of the other rules and laws in their legal system to a level similar to the public participation law, and ensure that they comply with WTO requirements. He has also expressed an interest in holding public hearings on the role of the public in environmental impact assessment.

In Wuhan, a workshop was held with five representatives of the Wuhan EPB and five other stakeholders from the initial training session, as well as three experts on the use of computerized databases to track environmental information. In frank discussions during the workshop, the Director of the Wuhan EPB acknowledged that implementing a system as originally devised would be difficult because it would likely expose corruption in the local government. However, she affirmed her commitment to developing a viable database for the region. The workshop focused on "nuts-and-bolts" issues such as staffing, data gathering, updating, maintenance, and funding, but also touched on the appropriate roles for government oversight and NGO assistance to the project. Based on the workshop, the Wuhan EPB is revising their proposal and will present ABA-Asia with a new draft when they have addressed several of these key issues.

The follow-up workshop in Chifeng occurred in mid-November, also featuring a variety of Chinese and international experts, this time on the subject of land use management and desertification. Over the course of a two-day roundtable, participants described the problems afflicting Chifeng as well as identifying several causes for them, and set forth concrete steps to take to address the issue. Specifically, a consensus developed around the following steps:

- Chifeng EPB, Chifeng Government and Chifeng People's Congress should sponsor a comprehensive study of the Chifeng Municipality with a view to identifying the specific economic and ecological problems affecting the area.
- The study should culminate in concrete recommendations for policy changes designed to address the problems, and promote the sustainable development, of the region
- The study should be primarily based on existing data and research
- A maximum number of concrete products should be sought from the study, including but not limited to:
 - A written report summarizing the data and the conclusions, with maps to illustrate problem areas
 - A special program by National Geographic or Discovery Channel to publicize the area
 - Video and photographic materials for use as educational tools

- A GIS based mapping database of Chifeng for use programmatically in connection with solutions to problems
- Demonstration programs to verify the feasibility of selected recommendations
- An inventory of economic opportunities in Chifeng
- The study should be the product of a maximum number of respected Chinese and foreign experts to lend it credibility and support
- The study must have a maximum amount of cooperation from all levels of Chinese government and the international community
- A rough estimate of the necessary funds to accomplish the objective over an appropriate period of two years could be as high as \$400,000 to \$500,000
- The local authorities do not have the resources for such a study; it cannot be carried out without substantial financial assistance
- The first step must therefore be to prepare a fund raising proposal for submission to likely funding sources such as multilateral donor organizations, country-specific foreign aid programs, Chinese government sources, and private foundations

As the Chifeng EPB, Municipal Government, and People's Congress prepare methodology for the comprehensive study, ABA-Asia is working with Chifeng representatives to assist them in drafting a proposal for outside funding and in order to direct the proposal to appropriate organizations with sufficient resources.

Other Program Activities

ABA-Asia's conduct of the training workshops and follow-on activities has resulted in strong ties to the law faculties of four major Chinese universities, and has cemented a close collegial relationship with the All China Lawyers Association (ACLA) and its Environmental Committee. Close connections with the Center for Environmental Education and Communications (CEEC) of SEPA, the China Law Society, the Environmental Committee of the National People's Congress and the Legislative Affairs Bureau of the State Council have also been developed. These relationships are at the heart of the Program's success. ABA-Asia is poised to build on this foundation as it expands its trainings, good governance models, and support to citizen advocacy efforts.

The American Bar Association helped to cement its ties with ACLA, SEPA, the China Law Society, and other leading Chinese legal organizations during a visit to Beijing of ABA President A.P. Carlton and ABA-Asia Chair Roberta Ramo. Mr. Carlton and Ms. Ramo spent three days in Beijing in October, and met with a variety of leading Chinese legal professionals to discuss further collaboration between the ABA and its Chinese partners.

Indeed, the close ties forged through the project have already had ancillary benefits to other ABA-Asia projects. Contacts made through the PAC, for example, have been instrumental in

assisting ABA-Asia to design an upcoming workshop on Criminal Defense Law that will be co-sponsored by the ACLA Criminal Law Division.

4. Mexico Human Rights Defenders Project

On September 11, 2002, Freedom House received \$120,000 from USAID-Mexico to assess and recommend development assistance programming and to deliver initial technical assistance and training in the human rights field for Mexican human rights organizations and institutions. Through the program, Freedom House proposes to identify opportunities and recommend appropriate and feasible ways to support the human rights community in defending and promoting human rights protections in Mexico, build relationships with actors in the human rights community, and pilot one or more projects to support human rights defenders in their objectives, including training and on-site technical assistance by Freedom House human rights specialists. Freedom House submitted a request for a second obligation of funds in the amount of \$113,400 from the 2003 funding cycle.

Freedom House DC staff worked with staff of the Mexican National Commission on Human Rights (CNDH) and local human rights groups to explore areas for technical assistance through the project. A Freedom House team, composed of the Director of Studies, the RIGHTS Director and program officer traveled to Mexico in December to assess and discuss possible technical assistance in the following areas:

- Developing indicators to measure the situation for human rights in Mexico
- Current research initiatives underway by academic institutions (CIDE), the National Commission on Human Rights, the Government of Mexico, the UN Office of High Commissioner for Human Rights, and human rights NGOs
- Strengthening human rights NGO networks

During the week of the Freedom House trip, the Mexican Federal Congress ratified an agreement with the United Nations Office of the High Commissioner for Human Rights (OHCHR) to open a representative office in Mexico and among other things, help facilitate the development of a comprehensive Human Rights Diagnostic and National Action Plan. The National Diagnostic is intended to be a comprehensive analysis of Mexico's human rights obligations and the obstacles to their implementation, and to lay the groundwork for development of a National Action Plan, pursuant to the Vienna Declaration and Programme of Action (from the 1993 World Conference on Human Rights in Vienna.) The national diagnostic is intended to solicit public and NGO input, to collect data, and define indicators for priority human rights issues for Mexico. The Ministry of Foreign Affairs, the OHCHR, and local human rights groups invited Freedom House to join efforts in planning and assisting in the national diagnostic. Human rights groups have requested assistance from Freedom House to help them develop a system for organizing and presenting data they have collected to the government (and others) during this policy formulation phase.

Next quarter, Freedom House staff will return to Mexico to attend the initial joint meeting among civil society, government, and the OHCHR representative to chart out the next steps of assistance, including placing a representative on ground to assist the NGO sector. In addition, a

Freedom House will conduct a two week assessment trip to Mexico to test the Human Rights Defender Assessment tool (see previous section.)

5. East Timor Human Rights Support Project

As planned, the Freedom House / Coalition for International Justice's program in East Timor was inactive this quarter as consultancies with the Serious Crimes unit have come to an end. The Coalition for International Justice (CIJ) worked with Freedom House to develop an outreach proposal for the first quarter of 2003. Through an extension of this grant, CIJ will work with an experienced, East Timor-based media consultant to produce one 20-minute outreach video highlighting the four-pronged mandate of the Commission for Reception, Truth and Reconciliation (CAVR) and juxtapose its work with that of the Special Panels for Serious Crimes. Because it is the first time two such institutions will work in tandem, the video will answer commonly asked questions about each institution's mandate while acknowledging their common goal of achieving a measure of justice for events that occurred during years of violence and oppression.

The video will be produced in the local language, Tetum. Upon completion the consultant will provide copies to the truth commission and local NGOs whose members will distribute it to the districts to be used during town hall meetings. Copies of the video will also be distributed to members of the Serious Crimes Unit whose investigators have loaded previously produced videos about the work of the formal justice sector onto laptop computers and shown them to smaller groups in the field.

6. The Russian Journalists Project

In April 2002, Freedom House formally launched the Russian Journalist Program (RJP) to better familiarize Russian journalists with efforts underway in Estonia and Latvia to integrate the local minorities, including large Russian minority communities. Through the RJP Program, Freedom House has sponsored three study tours of a total of 20 Russian journalists to visit Estonia and Latvia. Freedom House coordinated the study tour program with local partners in all three countries. The Estonian Newspaper Association in Tallinn and the Latvian Institute in Riga worked with Freedom House to organize the three- to four-day visits to each country. In Russia, Irina Mikhaltchenko of the Saint Petersburg Union of Journalists and Ms. Elena Kuznetsova, an economic journalist now working for a public relations firm, provide logistical support in promoting the program, collecting applications and setting up interview schedules. (Both Russian representatives are alumni of previous Freedom House training programs.)

During this reporting period, Freedom House conducted the third study tour to Latvia and Estonia and continued in preparations for a follow-on conference to take place in Saint Petersburg. The third study tour to Latvia and Estonia took place from December 6 to 15, 2002. The slightly shorter program allowed Freedom House to include several excellent candidates who had been unable to participate in previous trips due to the length of the program. The following candidates were selected for the 3rd Study Tour:

	Name	Title	Org	City
1)	Anatoly Agrafenin	Chief Editor	Sankt Peterburgskiy Vedomosti	St Pete
2)	Anton Bilzho	Correspondent	Gazeta	Moscow
3)	Elena Bocharova	Chief of Political Dept.	Novaya Gazeta	Moscow
4)	Alexander Chizhenok	Chief of the North-Western Bureau	TV Center	St Pete
5)	Natalia Loginova	Reporter	Rossia Daily	Moscow
6)	Irina Mikhilchenko	Director of International Dept.	Saint Petersburg Union of Journalists	St Pete
7)	Olga Nabokova	Journalist	Peterburgsky Chas Pik	St Pete
8)	Boris Volkhonski	Columnist	Kommersant	Moscow

As with the previous two study tours, the program began in Latvia where the participants met with representatives of ethnic Russians and Latvians from government, media and non-governmental sectors. In addition to Riga, the participants visited a smaller city, Valmiera, as well as the village of Seda. Highlights included meetings with representatives of the Latvian Naturalization Board, educators and students from a secondary school, journalists from a Russian-language publication, and the President of Latvia. In Estonia, the journalists visited Tallinn and Paldiski and met with representatives of the Ministry of Foreign Affairs, the Integration Foundation, and a parliamentary group on Russian-Estonian relations, as well as with a secondary school and the Tallinn Pedagogical University. As with the previous two study tours, the Estonian Newspaper Association arranged for the participants to spend meals with local journalists of both Russian and Estonian descent.

While the written evaluations from the 3rd study tour are still being translated, verbal comments indicate that once again, participants were grateful for the opportunity to see the situation of the Russian speaking minorities in both countries for themselves, reflecting the thoughts of a previous participant:

In Russia, there is very little objective information about processes that are taking place in the Baltic countries, which is why the opportunity to see everything with one's own eyes is quite useful. During the trip, I had the opportunity to meet with people who could provide informed commentary on a variety of themes. Maxim Matvejchenkov (2nd Study Tour participant)

Once again, the participants have all promised to use the information they have gathered in stories about Russian-Baltic relations. To date, Freedom House has collected twelve stories written or broadcast as a result of the program. The tone of all these articles and reports has been balanced, containing both negative and positive observations on policies of Latvia and Estonia in

terms of treatment of the ethnic Russians born on their soil. In addition, many of the articles contain factual information rarely if ever reported in the Russian press, including information about the treatment of the Baltic peoples during the Soviet occupation, the negative impact of Russia's foreign and trade policies on the ethnic Russian populations in the Baltics, and the higher living standard that ethnic Russian populations in the Baltics maintain compared to their counterparts in Russia.

Follow-on Conference

Following discussions with USAID, the State Department and the U.S. consulate in Saint Petersburg, Freedom House had issued a grant solicitation to a Saint Petersburg-based think tank to organize a follow-on conference bringing together policy makers, journalists, and other experts on the topic of Russian-Baltic relations. During the reporting period, Freedom House received a funding proposal from the Russian think tank, "Strategy" to organize a three-day conference, "**Baltic Think-Tanks: Strategies for Active Involvement of Larger Civil Society. The Cases on Baltic Security.**" The conference will bring together think-tank and civil society activists from the Northwest Russia and the Baltic States to discuss the most effective models of their involvement in the area of Baltic security. One of the most important issues affecting security in the region has been concern by Russia over the treatment of the Russian minority living in the Baltic States. A chief goal of the conference is to positively affect policy debates about enhancing regional stability in the Baltic Sea region by strengthening advocacy skills of civil society leaders from the Northwest Russia, Estonia, Latvia and Lithuania on a common agenda. Upon approval by USAID, Freedom House will award a sub-grant to Strategy to organize the conference in late March or early April.

C. ASSOCIATE AWARDS

Associate Award mechanisms allow the RIGHTS Consortium to support longer-term, more comprehensive rule of law and human rights development activities by providing technical expertise and training. During the fifteenth quarter, the Consortium implemented projects through the following associate awards:

- **War Crimes Documentation Project in Kosovo (ABA/CEELI)**
- **Morocco: Promoting Ethics in Government (NDI)**
- **Human Rights Promotion in Morocco (Freedom House)**
- **Mediation in Mexico (ABA-Latin America/Freedom House)**
- **Uzbekistan Human Rights Defenders Support (Freedom House)**
- **Kyrgyzstan Human Rights Defenders Support (Freedom House/NDI)**

Full reports of activities under the Associate Awards are submitted under separate cover.