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The OSCE Office in Yerevan - Two Years of Operation¹

Background

On 15 September 1999, the government of the Republic of Armenia and the OSCE signed a Memorandum of Understanding in Yerevan, which contained provisions on the establishment of the OSCE Office. The mandate given to the Office by the Permanent Council is as follows:

- promote the implementation of OSCE principles and commitments as well as the co-operation of the Republic of Armenia within the OSCE framework, in all OSCE dimensions, including the human, political, economic and environmental aspects of security and stability;
- facilitate contacts, co-ordinate activities and promote information exchange with the Chairman-in-Office and other OSCE institutions as well as co-operation with international organizations and institutions;
- establish and maintain contacts with local authorities, universities, research institutions and NGOs and assist in arranging events with OSCE participation;
- perform other tasks deemed appropriate by the Chairman-in-Office or other OSCE institutions and agreed upon between the Republic of Armenia and the OSCE.

It was agreed that, initially, the staff of the Office should consist of six international staff members, seconded by their respective governments, and such Armenian staff as would be required. Seven Armenians are currently working in the Office.

Although it was intended that the Office would begin its operations in the latter part of 1999, the tragic assassinations which took place in the Armenian National Assembly in October 1999 inevitably delayed the formal start-up date. With the agreement of the Armenian government, however, the international staff of the Office were deployed to Yerevan in January 2000 in order to establish themselves on the ground pending the formal ratification of the Memorandum of Understanding by the National Assembly and the Constitutional Court. The ratification was made in February 2000.

¹ The article presents the personal views of the author. It covers the developments up until August 2002.

Activities in 2000

The initial task for the Office was to establish and maintain a wide network of contacts/partners in all parts of Armenian society - government, Parliament, civil organizations and media. In addition, the Office needed to establish close working relationships with international organizations, embassies and international NGOs - either resident or based outside of the country. It must be emphasized that from the very beginning, the open and co-operative manner in which the Office was received and welcomed facilitated our task.

In the opening six months or so of operation, the deliberate policy of the Office was to engage with as many local actors as possible. The objective was not merely to bring attention to the new OSCE presence in Armenia, but above all to identify those areas where the need was greatest and we could make the maximum contribution in terms of our mandate and resources. Over the course of the first year, the following main areas of work emerged:

- 1) *Political:* The issue of anti-corruption was brought to our attention soon after arrival. All of the international organizations in Armenia and many of the bilateral embassies had been working on this subject - but in a piecemeal manner. Corruption had been identified as one of the major constraints to economic development and investment. It also hindered the development of transparent, good governance structures. The OSCE Office was able to propose to both the President and Prime Minister of the Republic of Armenia the creation of a joint task force to draw up a national strategy and programme for its implementation. The international community (including the Council of Europe) agreed to work together in a co-ordinated approach. Despite bureaucratic delays, the Task Force was constituted and the political will of President and government to proceed reaffirmed.

The Office took over responsibility for carrying forward the ODIHR project on electoral law amendments. Throughout the year it worked closely with the ODIHR, the Council of Europe and local as well as international experts - including those from IFES and UNDP. We also involved the Parliamentary Commission and the Central Election Commission in this work.

- 2) *Economic:* Many of the activities the Office became engaged in under the economic portion of our mandate were directed towards finding a role for OSCE in this aspect of our work. The difficult economic situation in Armenia - unemployment, low economic activity, delays in salary etc. - underlies many of the issues encountered in the human rights and democratization aspects of our work. The situation in Armenia is, however, not unique; the problems of transition are common to many countries.

The Office established a series of “dialogues” involving all domestic and international players to examine specific topics related to investment, economic growth and social impact. The conclusions of these meetings were circulated, both within the OSCE and nationally, and will provide the basis for future studies. The Office contributed to the Tbilisi Preparatory Meeting and the 2000 Prague Economic Forum, assisting the Armenian delegations to both. We have tried to add value by acting as a co-ordinator/convenor between groups and organizations, which - until now - have not sat round the same table.

The Office also looked at the issue of regional economic co-operation. A number of potential projects were identified at grass roots level but there has been no political agreement from outside of Armenia to implement them.

- 3) *Environmental*: The Office was successful in lobbying for the ratification by Armenia of the Århus Convention (UNECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters) in our first year of operation. Support was also given to the Regional Environmental Centre in Tbilisi, the only current example of successful co-operation in the South Caucasus at governmental level.

- 4) *Human Rights*: Legislation relating to the establishment of an ombudsman-type institution was a major item of business in 2000. As in other areas, the Office co-ordinated local and international actors working in this field.

The Office was also heavily engaged in monitoring and administering a number of human rights monitoring, education and public awareness projects, some of which were initiated by ODIHR before our establishment. Extensive work has been conducted with NGOs in the field of human rights to improve their capabilities and capacities.

- 5) *Democratization*: An existing ODIHR project for a new system of registration for permanent citizens took up a great deal of time. The project required a radical redirection of effort and a clearer focus of its objectives. The work is ongoing even in 2002.

The Office went on to develop a series of new projects/concepts in the areas of gender issues, anti-trafficking, police/army, youth and local government. It also begun the process of creating “umbrella” organizations for NGOs to improve their abilities to act as genuine pressure and lobby organizations.

- 6) *Media*: Towards the end of 2000, the Office became heavily involved in the new law on broadcast media. Together with the Council of Europe and local press associations, we organized a workshop on the law, involving Parliamentarians, ministries and the Constitutional Court.

The Office was active in its support for the Regional Association of Journalists, founded in 2000, whose formation was inspired by the OSCE Mission to Georgia.

Activities in 2001

Throughout the second year of the Office's operation, much of its working agenda flowed naturally from the activities we had commenced in 2000.

A major priority was the continuation/intensification of work directed towards the establishment of an *anti-corruption* strategy for Armenia. The Armenian government established a cabinet level committee, chaired by the Prime Minister, to review and supervise the work of officials from a range of ministries, who had been tasked with the job of producing a detailed strategy. The experts worked in close co-operation with the international community, whose input was co-ordinated by the OSCE Office. The final draft strategy, complete with a list of concrete recommendations, was submitted to the Prime Minister on 1 August 2002. The cabinet is now discussing it.²

Membership of the international group now consists of the World Bank, IMF, the European Commission, UNDP, Council of Europe, OECD and USAID, as well as the British, French, Russian, German and Italian Embassies and the Swiss Development Agency.

The World Bank gave its first ever grant to a national government (US dollars 300,000) to assist in the drawing up of the strategy.

The Office also worked with civil society organizations, whose participation in this field is critical to success. With Transparency International as co-ordinator, a coalition of 20 relevant NGOs and media representatives has been established. This coalition will participate alongside the government and the international working group in future work. It is to the credit of the authorities that they too recognized the importance of having public organizations involved in this work.

The Office is realistic about this work. Once the strategy is adopted, implementation of the necessary legislative and institutional changes will be a long-term process. However, in our view, we have established a precedent for OSCE activities in the area of "good governance". Our value has been as a catalyst, bringing together all internal and external partners in a structured, focused manner. Our partnership with all levels of government enabled the Office to move the process forward at a more rapid pace than might have been possible without our presence. In addition, the creation of an umbrella grouping from civil society, which will both contribute to policy develop-

2 The OSCE Office has been informed that the Cabinet will agree on a shortened list of immediate action priorities by the end of October 2002. The international community will then meet with the Prime Minister to firstly agree on publication of the strategy for public discussion and secondly to decide which international partners will work with Armenian counterparts on a series of specific projects, legislation and work areas.

ment and monitor the implementation of programmes, adds to the development of transparency and accountability in Armenia.

A second influencing factor on our 2001 operations was the increase in the Office's workload following Armenia's accession to the Council of Europe. Because the Council was not represented in Yerevan, the Office acted as a channel of communication between Strasbourg, the National Assembly and the government. Since many of the commitments undertaken by Armenia are also in the main stream of our OSCE mandate, there has also been a necessity to keep ODIHR informed of progress and involved in developments. Legislative texts require translation and expert commentaries also need to be handed over in Armenian. Issues of particular involvement relate to constitutional amendments to the Electoral Code, legislation on the establishment of the ombudsman institution, police, media, political parties, reform of the penal system and alternatives to military service.

In the economic and environmental aspects of the Office's work, the following were the main achievements:

- *Århus Convention:* The Office conducted a major lobbying campaign which led to Armenia ratifying the Århus Convention. The next stage of the work was to assist in the practical implementation of the Convention. With financial assistance from the British and US governments, a Public Environmental Information Centre will soon be opened in the Ministry of Nature Protection. This will be the first of its kind in the CIS.
- *Co-ordination activities:* From the beginning, the Office saw its role in the economic/environmental sphere as providing a platform for international and domestic players to discuss issues and problems. The Office would "add value" by providing a networking operation for public and private sector organizations and external players. The Office held a series of "dialogues" to focus on specific issues and produced background reports. These activities resulted in the creation of new partnerships, seminars and workshops.
- *Regional visits:* The Economic/Environmental Team made a series of fact-finding visits to the regions of Armenia in order to establish contacts and examine the possibilities for co-operation within the South Caucasus.

Given the wide-ranging nature of its mandate, the Office was also heavily involved in a number of projects and issues in the broad areas of human rights and democratization. Some of the major themes are set out below:

- *ODIHR projects:* The Office was responsible for the implementation of five major ODIHR projects. Within the framework of one project to introduce a new registration system for citizens, a package of three new

laws was drafted and submitted to the National Assembly for consideration. 22 television documentaries and five talk shows dealing with human rights themes were produced and disseminated. An NGO training project resulted in the production of four monitoring reports examining performance in the courts, army, higher educational institutions and the penal system. In the sphere of prison reform, work continues in retraining prison staff following the transfer of the prison system to the Ministry of Justice from the Ministry of Interior.

- *Other projects:* The Office also worked with a range of other international partners and with local organizations on a large number of projects in a variety of fields. Gender courses have been introduced into the curriculum of higher educational institutions and national and regional workshops have been conducted on gender related themes. A survey on trafficking in human beings was conducted in co-operation with IOM and UNICEF and further work continues. Using British government funds, a workshop on national minorities was held - a first for Armenia. This has resulted in a series of proposals for future work. Reform in the women's and children's prison system is underway in partnership with the UK's Department for International Development. In co-operation with the Netherlands Helsinki Committee, a project on democratization of law enforcement bodies was successfully launched. The UNHCR participated directly in the ODIHR registration project and the Office is supporting them and the Norwegian Refugee Council in the field of refugees and IDPs.
- *Co-ordination:* On the Office's initiative, co-ordination meetings on human rights and democratization issues have been held with all relevant international organizations and donors - both public and private. As a result, several working groups have been established to cover specific issues, e.g. electoral law, ombudsman, gender and trafficking issues.
- *Monitoring:* As part of its mandate, the Office continually monitors the implementation of human, religious and civil rights in Armenia. Trials have been monitored and a background report produced on religious organizations in Armenia. The absence of a law on alternative military service and the consequent position of conscientious objectors is an area of concern. In addition, the Office receives and works on a large number of individual complainants.
- *Other activities:* The Office is closely involved with work in support of the ombudsman institution in Armenia and, together with the Council of Europe, acts as co-ordinator for all international assistance. With the assistance of ODIHR, the Office held a round table on torture and ill-treatment that led to the adoption of a series of recommendations for on-going activities.

More broadly, the Office remains committed to the support of all initiatives for increased regional co-operation. In practical terms, this has involved supporting the activities of civil society and professional organizations in meetings, workshops, seminars and in establishing regional networks. The Office assisted Transparency International in convening the first regional anti-corruption meeting in Yerevan with support from the OSCE Office in Baku and the OSCE Mission in Tbilisi. We also convened a regional workshop on the Århus Convention at the request of UNEP/UNECE. The Office also worked with "Internews" to produce three television documentary programmes showing life and attitudes in the three bordering parts of Armenia, Azerbaijan and Georgia. These were broadcast in all three countries in January 2002. In addition, the Office has held intensive discussions with public and private sector organizations in Armenia as well as international donors (e.g. European Commission, Eurasia Foundation, UNECE, USAID and GTZ) to identify concrete proposals for community based projects involving all three countries in the region.

Our Tasks in 2002

During 2002, the political environment has become increasingly dominated by the presidential and National Assembly elections to be held in 2003. New legislation on political parties and electoral reform should lead to the formation of political groupings and alliances and the emergence of more recognizable party structures and platforms. At present more than 100 political parties are registered in the country.

The economy still continues to register strong macro-economic growth (9.6 per cent in 2001) and inflation remains low. Exports of goods and services are increasing and the recent equity-for-debt agreement with the Russian Federation should greatly reduce external debt levels. However, GDP is still only 75 per cent of 1990 levels.

But the benefits of this growth are not distributed fairly. Poverty levels remain high and emigration continues.

Against this background and in the light of budgetary constraints, the Office has focused on the following areas in 2002:

Political

- Ongoing work on *anti-corruption*. Under the terms of the World Bank grant, the National Strategy Paper was to be finalized before the end of July. The role of the Office until then was to continue to co-ordinate international input and monitor progress - particularly as regards the recent involvement of civil society representatives. Following the Strategy's completion, the Office has worked with international donors to

identify specific areas of future co-operation in drafting legislation, making institutional changes and involving civil society. In the context of this work, the Office will also ensure that it is carried forward in close co-operation with the major World Bank-led activity on the Armenian Poverty Reduction Strategy Paper.

- Follow-up actions to the *Freedom of Information* workshop. A joint working group consisting of representatives from the National Assembly, the government and civil society, which also involves the OSCE Office, has been established to examine and draft legislation; the Office has assumed responsibility of the co-ordination of advice and assistance to it. A first draft law is under discussion. In co-operation with the American Bar Association, the work is to be extended to the entire region.
- Intensify contacts with political parties, especially those not represented in the National Assembly until the 2003 elections and passage of new legislation.

Economic/Environmental

- The establishment of the *Public Environmental Information Centre* has been an early priority. Thereafter, monitoring its operation and contributing to its activities will be ongoing tasks.
- Co-operating with UNEP on projects related to *access to information* has also been on our agenda in 2002.
- Linked to consideration of freedom of information questions, the new topic of *e-governance* requires Office attention. This topic entails donors', government and private sector involvement.
- The Office has been involved in the improvement of *environmental and economic legislation* and has been examining the operations of law enforcement bodies and the newly established economic courts.
- Continued attention has been devoted to *regional issues* in both the economic and environmental fields and to the continuation of the Office's co-ordinating function between domestic and external players. The emphasis has been on cross-border water and cross-border trade revival.

Human Rights/Democratization

The Office has continued its activities in the following areas:

1. implementation of the ODIHR registration project;
2. follow up to the joint IOM/UNICEF project on anti-trafficking;
3. follow up to the workshop on national minorities;
4. work with local self-government bodies following the enactment of new legislation and in advance of local elections;

5. youth issues, in particular facilitating regional exchanges;
6. continuation of public awareness campaigns on human rights, using materials produced within the ODIHR project and regional visits as travelling “road shows”;
7. monitoring of the human rights situation;
8. monitoring of religious freedoms;
9. promotion of human rights and civic education;
10. handling of individual cases which, at present, account for 50 per cent of the time of one staff member.

Conclusion

As a small OSCE mission, the Office in Yerevan has, over its two years of operation, developed a wide-ranging and intensive set of activities. Resource constraints have a direct impact on our ability to deliver. For the greater part of 2001, the Office carried gaps in its international staffing at the same time that it assumed an unanticipated role as a channel for Council of Europe operations. Since the beginning of 2002, the Office has been fully staffed and has co-located with it a Council of Europe representative.