MIDDLE EAST AND NORTH AFRICA
OVERVIEW

Human Rights Developments
Positive developments in some countries in the region were overshadowed by a continuing pattern of human rights abuses, political violence, and a faltering Arab-Israeli peace process. At this writing clashes unprecedented in their lethality had erupted between Palestinian demonstrators and Israeli security forces in Gaza, the West Bank, East Jerusalem, and inside Israel itself. Serious abuses including arbitrary arrest, torture, and unfair trials were pervasive, as emergency rule or laws suspending constitutional protections were applied in many countries and the death penalty remained in force in all except Oman, Qatar, and Tunisia. Against this sobering backdrop, local activists and human rights organizations challenged these policies, though they often paid a high price for their courage. The rulers of Saudi Arabia and Bahrain made statements and authorized initiatives that suggested they might be ready to take human rights issues more seriously than in the past. The year also saw a potentially significant transition as Bashar al-Asad took power in Syria, joining the new generation of rulers in Morocco, Jordan, and Bahrain.

The status and rights of women were a key issue in many countries. In Morocco the issue of remedying the discriminatory provisions of the personal status law and a “national action plan” to give women more rights gave rise to large demonstrations for and against in March. Jordanian women and men joined together in a campaign to eliminate laws condoning “honor killings” of women, and women in Kuwait campaigned vigorously for the right to vote and stand for public office. Saudi Arabia in September ratified the Convention on the Elimination of Discrimination against Women (CEDAW). But in all these countries as in others in the region, women continued to suffer from severe forms of institutional and societal discrimination in nearly every aspect of their lives, particularly in the form of unequal personal status laws and the lack of legal redress in cases of domestic violence. Despite some positive initiatives, tens of millions of women throughout the region continued to be denied full equality, a fact that was reflected in high rates of illiteracy and maternal mortality and low rates of political participation and was justified in terms of religion, culture, and tradition.

The issue of refugees, internally displaced and stateless persons was prominent throughout the year. Palestinian activists in the region and beyond initiated a right-of-return campaign that was well-grounded in international human rights law, but the problem of statelessness for Palestinian refugees in host countries in the region, Syrian-born Kurds, and Bidun in Kuwait and Bahrain was largely unaddressed or addressed in unsatisfactory ways. The region as a whole accounted for millions of refugees—officially acknowledged and otherwise—and internally displaced persons who, along with similarly high numbers of migrant workers, endured violations of basic rights at the hands of indifferent or worse government officials and abusive private employers. Serious anti-Moroccan immigrant violence erupted in Spain in February. The government of Iraq continued to force Kurds and other minorities out of the Kirkuk region into the autonomous three northern governorates. At least 200,000 Iraqis were illegal residents in Jordan, vulnerable to pressure from Iraqi and Jordanian intelligence services and to involuntary return to Iraq. Thousands of Iraqis desperately seeking refugee protection have turned up in Europe, Australia, and the U.S. Many Iranians and Iraqis fleeing to Turkey were denied protection there and forcibly returned to the countries they were fleeing. Iran hosted an estimated half a million Iraqi refugees and 1.4 million Afghan refugees, making it, according to the United Nations High Commissioner for Refugees, the leading refugee host country in the world. Egypt continued to be host to an estimated two million or more Sudanese,
Morocco began to come to terms with the legacy of human rights abuses under King Hassan II, who died in July 1999. His powerful and feared interior minister, Driss al-Basri, was sacked in November 1999 by the king’s son and successor, Mohamed VI. In October, Moroccan activists protested at the infamous Tazmamert prison, carrying candles and red roses to commemorate those who died under horrific conditions at the secret facility in the 1970s and 1980s. The demonstrators were not permitted access to the prison itself, which reportedly was ringed by dozens of paramilitary forces. They called for the trial of those responsible for “disappearances,” deaths in custody, and arbitrary detention, and the return to the families of the bodies of those who perished.

This year saw another potentially important generational transition of power when the reign of Syrian President Hafez al-Asad came to an end with his death in June, but the carefully orchestrated succession of his son Bashar left no doubt that the apparatus of the ruling Ba’th party was still firmly in place. Nevertheless, supporters of political reform broke the ice with bold public statements that would have been unimaginable under the rule of the new president’s father. In Iran, expectations that the election of a new parliament with the majority composed of reformers would lead to substantive progress in human rights were thwarted when hardline conservatives fought back by closing down some thirty independent newspapers and magazines, effectively destroying what had been a vital element of the reformists’ power base, and dealing a severe setback to freedom of expression. Prominent reformists also faced intimidation, detention, and prosecution throughout the year.

The year also saw important reminders, positive and negative, of the potentially constructive role of an independent judiciary in creating an environment of legal protection of basic rights. In Israel the high court issued important rulings outlawing common interrogation techniques that amounted to torture and the practice of hostage taking. In Egypt, the Constitutional Court struck down the restrictive associations law of May 1999 and the Court of Cassation ruled that parliamentary elections had to be supervised by the judiciary rather than representatives of the executive branch. The absence of an independent judiciary was unfortunately more apparent throughout the region. In Tunisia, the judiciary continued at the service of the state to harass and convict human rights activists and other peaceful dissidents. Egypt and Bahrain continued to try political critics and protestors before state security courts. In Iran President Khatami and his allies spoke eloquently about the importance of rule of law, but his conservative adversaries used revolutionary courts and special clergy courts to deliver unfair verdicts, persecute citizens peacefully advocating political reforms, and close down the country’s freewheeling print media.

Military operations claimed civilian lives in Algeria, Iraq, Lebanon, Yemen, Israel, the occupied West Bank and Gaza Strip, and the Palestinian Authority territories. Several hundred persons were killed each month in Algeria as civilians were killed in indiscriminate attacks, and clashes continued between armed groups and security forces. U.S. and British air forces continued to enforce the “no-fly zone” over northern Iraq from Incirlik base in Turkey and southern Iraq from bases in Saudi Arabia, although according to press reports the number of overflights and use of missiles and bombs was considerably lower than in the previous year.

The Israeli occupation of the West Bank, Gaza Strip, and south Lebanon generated civilian casualties and damage, as well as regional tension, as U.S.-brokered peace negotiations faltered repeatedly. Israel bombed Lebanon’s electricity infrastructure twice during the year, targeting on February 8 the Jamhour plant supplying Beirut as well as facilities in Baalbek and Deir Nbeouh near Tripoli, and the Bsalim station in Beirut and the Deir Ammar station in Tripoli on May 5. It appeared that the Israeli Air Force used U.S.-manufactured helicopters and U.S.-sup-
pplied AGM-114 Hellfire laser-guided missiles in the Bsalim attack, which completely destroyed three of the facility’s six large transformers. In a previous Israeli attack on Bsalim on May 16, 1996, U.S.-built F16 fighter planes dropped laser-guided bombs on the plant.

Israel’s unilateral military withdrawal from south Lebanon in May, followed by the rapid collapse of the Israeli-backed militia—the South Lebanon Army (SLA)—marked the abrupt end of over two decades of occupation for the civilian population. Families who had fled violence, intimidation and impoverishment in the occupied zone began to return as well as those whom the SLA had summarily expelled from their homes. On May 23, local residents stormed the notorious Khiam prison, which since its opening in 1985 had been a joint enterprise of Israel and the SLA. They routed the SLA jailers without violent incident and freed about 130 detainees, some of whom had been held without charge for fifteen years. Within days, the facility was transformed into an informal museum, drawing thousands of Lebanese who toured the cramped cells and solitary confinement rooms, and read the names of torturers which were prominently posted on a large handwritten list near the entry gate.

At this writing, the death toll from Palestinian clashes with Israeli police, border police, and IDF that began on September 29 had risen to some 120, almost all of them Palestinians. More than 4,800 were injured. Human Rights Watch’s investigations in Israel, the West Bank, and Gaza Strip in early October revealed a pattern of excessive, and often indiscriminate, use of lethal force by Israeli security forces in situations where demonstrators were unarmed and posed no threat of death or serious injury to the security forces or to others. By mid-October the IDF had expanded its use of tanks and helicopter gunships armed with both missiles and medium-caliber machine guns in Palestinian residential areas in the West Bank and Gaza Strip. On October 7, Hizballah guerrillas captured three Israeli soldiers on the south Lebanon-Israel border, announcing that they were being held hostage in exchange for nineteen Lebanese in Israeli jails and possibly other Arab prisoners. A fourth Israeli was in Hizballah custody as of this writing; the Lebanese group alleged that he was a spy but the Israeli government said he was a businessman and army reservist. Successive Israeli governments have long maintained that two of the Lebanese prisoners, Shaykh ‘Abd al-Karim ‘Obeid and Mustafa al-Dirani, captured in Lebanon in Israeli commando operations in 1989 and 1994 respectively and held without charge ever since, were bargaining chips in exchange for Ron Arad, the Israeli navigator who went missing after his plane was shot down over Lebanon in 1986.

Comprehensive international economic sanctions remained in place on Iraq. High oil prices and a Security Council resolution in December 1999 that removed limits on the amount of oil Iraq could sell meant that the oil-for-food humanitarian relief program no longer faced cash constraints. As a short-term emergency assistance program limited to commodities, however, the oil-for-food program could not provide the extensive investment and development efforts needed to address the overall humanitarian situation, which remained grave. The Security Council resolution provided for the “suspension” of non-military sanctions in the event that Iraq cooperated satisfactorily with a new arms inspection regime, but Iraq insisted that it had fully complied with earlier resolutions and that sanctions should therefore be lifted without qualification or delay.

In the region and around the world, advocacy and demonstrations increased on behalf of Palestinian refugees and their right of return under international law. On October 7, Israeli troops opened fire at a crowd of 500 demonstrators in Ramieh on the Lebanese side of the Israel-Lebanon border. The protesters, carrying Palestinian flags and demanding the right to return, reportedly threw stones at a nearby Israeli outpost. Two Palestinians, residents of Lebanon’s Shatila and Bourj al-Barajneh refugee camps, were killed and twenty-three wounded, two critically, according to press reports. Some 25,000
people participated in funeral processions for the victims the next day in Beirut. On October 24, security forces dispersed forcibly thousands of Jordanians who marched from Amman to the Allenby Bridge connecting Jordan and the West Bank to press for the right of return. The BBC reported that the demonstrators “were beaten into retreat by Jordanian police with baton, water cannon and tear gas, as helicopters hovered overhead.” Among the protestors were Jordanian parliamentarians and members of professional associations.

The rights to freedom of expression and association were trampled across the region. There were no independent and critical local media in Saudi Arabia, Libya, Iraq, and Syria. In Tunisia and Egypt, the state-run broadcast and major print media were not open to independent or critical perspectives. Journalists were harassed, arrested, or imprisoned in Egypt, Iran, Morocco, Tunisia, Yemen, and areas under the control of the Palestinian Authority (P.A.), and the independent weekly *La Nation* remained suspended in Algeria. P.A. authorities ordered the closure of five radio and television stations between May 5 and June 2, and arrested Samir Qumsiah, chair of the Council of Private Radio and Television Stations, after he called for a thirty-minute broadcasting halt to protest the closures.

In Morocco, despite positive developments in other areas, foreign and local journalists faced harassment and threats during the year, and newspapers were banned or seized because of critical commentary about the current and former king, and interviews with Islamist and Polisario (*Popular Front for the Liberation of Saguia el Hamra and Rio de Oro*) leaders. Three journalists from France 3 were placed under house arrest for three days in October, the Paris-based press freedom organization Reporters without Borders said, after they had filmed the October 7 protest march to Tazmamert prison, and authorities confiscated their material before they left Morocco. The Moroccan government’s relations with Qatar soured in July in part because of the content of programming by the emirate’s regionally popular *al-Jazeera* satellite television station. Moroccan Prime Minister Abdel Rahman al-Youssoufi charged that the station “led a campaign against Morocco, against its democratic evolution, its institutions and image.” Qatar’s foreign minister, Sheikh Hamad bin Jassim bin Jabr al-Thani, said that “today’s world does not fear the press” and press freedom “should not be a reason for tension in relations between states.”

The trials of Capt. Mustafa Adib, including a prison hunger strike, attracted considerable attention in Morocco. Adib, 32 years old, had written in 1998 to then-Crown Prince Mohamed, in his capacity as head of the armed forces, to inform him of corruption and racketeering among the high command at the airbase where he served in the southeastern province of Errachidia. An initial inquiry led to the dismissal of those involved and cleared Adib of any wrongdoing, but he subsequently faced arbitrary transfers and retaliatory disciplinary measures. After failing to get relief inside the army, he filed a complaint in a civil court about his treatment, also to no avail. He was arrested on December 17, 1999, the day after he was quoted about the situation in the French daily *Le Monde*. A trial in February led to his conviction and a five-year prison term on charges of “violating military discipline” and “insulting the royal armed forces,” despite objections by his lawyers that they were not allowed to call witnesses and that one of the judges had been among his commanders at the time of his original complaint. After Adib went on hunger strike in May the Supreme Court finally acted on his appeal, overturning the February sentence and returning the case to the Rabat military court. In what Adib’s defense lawyer called “a parody of justice,” the court on October 6 sentenced him to two-and-one-half years of imprisonment after again finding him guilty of the same charges. In late September, Transparency International, the global anti-corruption organization, named Captain Adib as one of four winners of the group’s Integrity Awards at its annual general meeting.

Intellectuals, including prominent nov-
elists, poets, and songwriters in Egypt, Kuwait, Lebanon and Yemen were prosecuted for the content of their work, sometimes based on complaints from self-appointed private guardians of the Muslim faith. In December 1999, Lebanese musician Marcel Khalifa was tried in a Beirut court for singing a song viewed as blasphemous of religious values because its text included a short verse from the Koran. The song was adapted from a poem written by Palestinian poet Mahmoud Darwish. In his testimony, Khalifa, who faced a maximum sentence of three years in prison, said “Could you imagine that Lebanon would bring its artists to court? When a country brings its artists to court, it brings itself before the court.” The court acquitted Khalifa of the charges on December 15, 1999.

In Yemen, conservative clerics and political groups targeted Samir al-Yusufi, editor of the weekly al-Thaqafiya, for serializing Sana’a is an Open City, a novel by Mohammed Abdulwali. He was charged in a criminal court in July with “insulting Islam,” and the case was pending as of mid-October. Egyptian author Salahuddin Muhsin was arrested in March because prosecutors found two of his books, A Night Talk with Heaven and Trembling of Enlightenment, offensive to Islam. He was tried in a state security court and received a six-month suspended sentence in July. Earlier in April, violent clashes erupted between protesters and security forces in Cairo after an Islamist newspaper charged that A Banquet of Seaweed by Syrian author Haidar Haidar was blasphemous. A panel of literary experts appointed by the Ministry of Culture held that the novel was not blasphemous but authorities said that it would be withdrawn from circulation.

A Kuwaiti appeals court in March banned a novel and a collection of poetry by prize-winning novelist and short-story writer Laila al-‘Othman and Kuwait University philosophy professor Dr. ‘Aliya Shu’ayb and fined them both. While the court did not specify which references in the works constituted illegal expressions, during pre-trial questioning prosecutors focused on a description of an apple in feminine terms in Dr. Shu’ayb’s collection of poetry and a description of the “lustful” coming together of sea waves in al-‘Othman’s novel.

Palestinians who publicly criticized P.A. policies were arbitrarily arrested and detained. Security forces arrested eight prominent personalities who signed a November 27, 1999, petition criticizing P.A. “tyranny and corruption.” Six were released on JD50,000 (U.S. $70,000) bail on December 19, but Ahmad Dudin and `Abd al-Sattar Qassem were held until January 6, 2000. Qassem was re-arrested on February 18 and detained until July 28, despite a July 11 high court order for his release.

The tightening of restrictions on freedom of opinion and expression extended to scholars and universities. The Tunisian government in January summarily dismissed and later expelled Jean-Francois Poirier, a French philosophy teacher at the Institute for Social Sciences, in retaliation for his association with Tunisian human rights activists, and in late July dismissed Moncef Marzouki from his post as professor of community medicine at the University of Sousse after he spoke out publicly in Paris and Washington about the government’s human rights record. In late June, Egyptian authorities arrested Saadeddin Ibrahim, professor of sociology at the American University in Cairo, in connection with his efforts to mobilize students and others to monitor the country’s parliamentary elections in October and November. The government held him without charge for forty-five days and subsequently filed charges against him before the Supreme State Security Court for allegedly receiving foreign funding without permission and disseminating information harmful to Egypt’s reputation.

Palestinian academic Jawad al-Dalou of the Islamic University in Gaza was suspended in November 1999, along with two students, for writing in a student newspaper that many beggars in Gaza came from a particular district. Yemeni authorities closed a women’s studies center at Sana’a University in December 1999 in the wake of conservative objection to a conference the center had sponsored. The pervasive presence of Yemeni
security personnel on campus led some faculty to request parliamentary legislation barring them from such a role, and Iran’s parliament was reportedly considering similar legislation. On August 5, Iranian authorities arrested Hojatoleslam Hassan Youssefi Eshkevari, a leading independent religious scholar, after his return from Berlin where he had presented a paper on “Dictatorship and its History.” He was held in solitary confinement for two months and put on trial in October before a Special Court for the Clergy on charges of apostasy and “being corrupt on earth,” which carry the death penalty. As of this writing no verdict or sentence had been announced.

Peaceful freedom of assembly, virtually non-existent in several countries including Iraq, Syria and Saudi Arabia was still a sought-after right throughout much of the region. Tunisian authorities closed down a publishing house after it had hosted a meeting on freedom of the press in that country. Palestinian Police Chief Ghazi al-Jabali in February issued new regulations prohibiting processions, demonstrations, or public meetings without prior approval from the district police commander. Offenders faced up to two months of imprisonment or a maximum JD50 (U.S. $70) fine. The high court suspended their implementation on April 29, but as of September had not acted to revoke these or other regulations limiting freedom of assembly.

The Lebanese government in April suppressed peaceful, student-led protests against the Syrian role in Lebanon and prosecuted demonstrators in the military court. At an April 17 demonstration, dozens assembled at the Ministry of Justice in Beirut to protest the arrest of two students on April 13 for distributing leaflets calling for Syria’s withdrawal of military forces. On April 18, demonstrators gathered near the National Museum and some put tape over their mouths to underscore the government’s attempts to silence them. When this crowd refused to disperse on the order of a Lebanese army officer, security forces forcibly dispersed the demonstrators, and in an ensuing clash, several were reportedly injured. Eight demonstrators received sentences ranging from ten days to six weeks in prison. In the wake of these two incidents, some one thousand students peacefully rallied on three university campuses on April 19 to cries of “The Israeli army out, the Syrian army out,” and “Lebanon first.” Although the campuses were surrounded by security forces and army troops, there were no arrests and the rallies did not spill out onto the streets.

Following serious clashes on October 6 between police and demonstrators protesting Israeli policies in the occupied Palestinian territories, the Jordanian government announced a complete ban on public demonstrations and detained hundreds of people. Clashes developed after Friday prayers, with the worst incidents taking place in Palestinian refugee camps. Police responded to crowds calling for an end to Jordan’s peace treaty with Israel with baton charges, tear gas, and live ammunition. At least one demonstrator at the Baq’a refugee camp near Amman was killed and scores were injured. Demonstrators and their supporters claimed that the police had used excessive force in quelling the protests.

Shaikh Hamad Bin Issa Al Khalifa, Bahrain’s ruler, announced on October 2 that he envisaged “a new organizational and constitutional concept of our state,” but it was not clear if he intended to institute such changes through mechanisms specified in the constitution of 1973, whose provisions for a partially elected parliament were suspended by decree in 1975. The government continued to hold without trial five opposition activists arrested in January 1996 in connection with their campaign to reinstate the 1973 constitution. One of the five, Abd al-Wahab Hussain, was released on March 17 following an order by the High Court of Appeal but was rearrested after spending about an hour at home. Others who had been released in 1999, including Shaikh Abd al-Amir al-Jamri and Shaikh Ali Ashoor, had been compelled as a condition of their release to refrain from speaking out or engaging in political activities. On April 3, Peter Hain, the British foreign minister responsible for the Middle East, responding
to a query from a member of parliament, said that Abd al-Wahab Hussain was being held in “a flat on Ministry of Interior property” and that “the decision to renew the detention order was again made on public security grounds.”

In Bahrain, individuals as well as associations and organizations with views critical of government policy continued to face severe restrictions. According to the London-based Bahrain Freedom Movement (BFM), for example, in late December 1999 the authorities intervened to prevent a planned meeting at the prestigious Uruba Club on the subject of human rights. On August 8 security officials intervened to force the cancellation of a long-scheduled public speech that evening at the Al-Ahli Club by Hassan Radhi, a leading defense lawyer, on the subject of constitutional rights. The BFM also reported that on July 4 speakers at the Al-Ahli club publicly criticized the ruling family’s refusal to revive the partially elected National Assembly.

Bahrain’s government maintained its policy of providing no information concerning the numbers or identities of persons arrested, tried, convicted, acquitted, or released under the State Security Law or brought before the State Security Court, where procedures do not meet basic fair trial standards and verdicts were not subject to appeal. The government announced the release of several hundred prisoners during the year, but the opposition BFM charged that there were numerous new arrests and state security court trials.

Women in the Middle East and North Africa continued to suffer from severe forms of discrimination in nearly every aspect of their lives and women’s rights continued to be one of the most contested areas for reform. Institutionalized discrimination in personal status laws and the lack of legal redress for violence against women characterized the majority of women’s human rights abuses. The year 2000 was declared by the Arab Parliamentarian Union as the year of the Arab woman. Instead of governments adopting reform policies that would address discrimination and violence against women, women’s rights became a chip in political negotiations between conservative and liberal forces in society, and inaction on the part of the governments unfortunately prevailed. Countries that have signed or ratified the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)—Iraq, Israel, Egypt, Jordan, Kuwait, Lebanon, Morocco, Libya, Algeria, Tunisia, Yemen, and Saudi Arabia—maintained national laws that contradicted the spirit and letter of CEDAW.

Workers’ rights were limited or nonexistent, particularly in Gulf states that employed large numbers of foreign workers. According to the annual report of the International Labour Organization released in May, Oman, Saudi Arabia, and the United Arab Emirates were among the few countries anywhere that prohibited outright any type of labor organization, while Bahrain and Qatar allowed only committees or councils “whose freedom of action is tightly constrained and which therefore do not have attributes of independent workers’ organizations.”

Governments in the Gulf continued to use legislation to promote employment of their own nationals and to discourage the use of foreign workers. In Kuwait, over one million foreign workers enjoyed little legal protection against abusive practices of employers, and women domestic workers were excluded from the labor law, increasing their vulnerability to physical and sexual abuse. In March, the Indian government stopped issuing immigration clearances for domestic workers in Kuwait due to reported abuses.

In Saudi Arabia, 69 percent of the workforce of 7.2 million was composed of foreigners, many of them Asian. Nongovernmental organizations in Indonesia pressed the government of President Abdurrahman Wahid for a three-month hiatus in sending women workers to Saudi Arabia. In August, twenty-two groups demonstrated at the Manpower Ministry in Jakarta, demanding that the government educate women about their rights prior to leaving the country, and reach an agreement with Saudi authorities that would ensure the workers’ protection against abuse.
and the availability of legal remedies. On June 19, an Indonesian domestic worker, Warni Samiran Audi, was beheaded in al-Ahsa in eastern Saudi Arabia. The Saudi interior ministry said she had been convicted of killing the wife of her employer. Indonesia’s Manpower Ministry director general for labour, Din Syamsuddin, said the next day that the Indonesian embassy had not been officially informed of the execution, although the government had been seeking the woman’s release or a reduced sentence for three years.

In the United Arab Emirates (UAE), foreigners comprised about 70 percent of the population of 2.76 million and 90 percent of the labor force. Workers did not have the right to organize trade unions, to strike, or to bargain collectively, and faced deportation if they carried out such activities. Domestic and agricultural workers were excluded from protection under the labor law, and reports continued of the physical abuse of women domestics and withholding of their wages. Migrant workers also faced corporal and capital punishment following unfair trials. An Indonesian domestic worker, Kartini binti Karim, was handed over to the police in 1999 when her employer discovered that she was pregnant and her husband was not in the country. The Fujairah Sharia court in February convicted her of adultery and sentenced her to death by stoning, while it acquitted in their absence the Indian national who was the woman’s accused partner. Commenting on the trial, Sulaiman Abdulmanan of the Indonesian Foreign Ministry said that Kartini “did not understand Arabic, and it seems she was just trembling and saying yes to everything.” Though she did not refute the adultery charges during the trial, she later testified that her pregnancy was the result of a rape. Kartini was never informed of her right to communicate with the Indonesian embassy or her right to a translator, and the embassy was not notified in advance of her trial. The harsh and inhumane sentence attracted international attention, and on April 25 the appeals court reduced the sentence to one year in prison and deportation. In September, the Sharia court in the emirate of Ras al-Khaimah found a Bangladeshi man and woman guilty of adultery and sentenced them to three months in jail and 150 lashes each. UAE Labor and Social Affairs Minister Humaid al-Tayer said the same month that employment visas would be issued “only to those who possess at least secondary education.” The new measure was expected to affect adversely mainly South Asians, who comprised the largest number of unskilled workers in the emirates.

In Bahrain this year labor activists made an effort to win the right to establish an independent trade union body. The International Center for Trade Union Rights, an independent London-based nongovernmental organization, reported in August that the executive committee of the General Committee of Bahraini Workers (GCBW), set up by the government in 1981 as an alternative to independent trade unions, requested government permission to reconstitute itself as an independent union in accordance with ILO and Arab Labor Organization principles. Shaikh Khalifa bin Salman Al Khalifa, prime minister and uncle of the amir, reportedly summoned the executive committee to a meeting where he rejected the request and said that there would be grave consequences if they persisted with such demands. The minister of labor and social affairs subsequently instructed the committee to postpone GCBW general assembly elections scheduled for November 2000 to choose a new executive committee.

Foreign workers were violently attacked in Libya, where hundreds of thousands of Africans reportedly migrated over the past several years in search of work. On September 21-22, there were clashes between African immigrants and Libyans in az-Zawiyah, a town near Tripoli, in which approximately fifty Chadian and Sudanese migrants were killed, according to the daily al-Hayat (London). Dozens of others reportedly were injured, according to the Libyan media and Sudan’s foreign ministry. The Reuters news agency reported from Lagos on October 5 that some three thousand Nigerians returned home from Libya on Nigerian-government-organized flights and that state television featured the migrants “describing killings and beatings
as ordinary Libyans had set upon alleged illegal immigrants.”

Governments in the region continued gradually to embrace some of the language of human rights discourse and to establish what they said would be rights-monitoring bodies. There were welcome developments in the Algerian government’s decision to permit four international human rights organizations to visit the country; the invitation that Saudi authorities extended to the U.N. special rapporteur on judicial independence; and the launching in Rabat of a human rights center co-funded by Morocco’s ministry of human rights and the U.N. to provide training for judges, police officers, prison administrators, and teachers.

Information about human rights developments in Bahrain remained difficult to access but there were several indications from high government officials that they were taking human rights issues more seriously. In October 1999 the amir announced the formation of a human rights committee comprising six members of the Shura Council, an appointed advisory body with no legislative or other authority. According to Bahrain Brief, a London-based pro-government newsletter, the committee’s duties were to “scrutinize legislation,” investigate reports of abuses, and “raise awareness within society that the government considers the protection of human rights a priority.” Bahrain Brief also reported that in February the committee was asked to examine the treatment of foreign workers. As of October, no further information was available regarding the committee’s activities or the results of any investigations it may have carried out. On August 2 the amir told Cable News Network (CNN) that he was ready to allow international human rights groups free access to the country. “I am ready to carry them on my private aircraft and they can meet any group,” he said. A two-person delegation from the office of United Nations High Commissioner for Human Rights Mary Robinson visited Bahrain in late October to discuss technical assistance and human rights teaching. The delegation reportedly met with the ministers of education, justice, and the interior as well as the chairman of the Shura Council’s human rights committee and the president of the University of Bahrain.

On a less positive note, however, the government deferred once again a visit by the United Nations Working Group on Arbitrary Detention that was initially planned for 1999 and most recently scheduled for October 2000; the visit was rescheduled for February 2001. On October 28, according to the Bahraini daily Al-Akhbar al-Khalij, the minister of labour and social affairs denied the August 8 written request of eighteen Bahraini citizens for permission to set up an independent human rights committee.

There were conflicting signals from the government of Saudi Arabia in response to the launching of Amnesty International’s worldwide campaign—“End Secrecy, End Suffering”—that focused on the kingdom’s human rights practices. The Ministry of Foreign Affairs stated in March that the government had a “keen interest and commitment to the cause of human rights.” Interior minister Prince Nayef in April dismissed as “merely nonsense” the allegations of human rights abuses in the kingdom, and added: “We welcome anyone to see for himself the facts in the kingdom as it has nothing to conceal.” But Foreign Minister Prince Saud al-Faisal appeared to rule out access to the kingdom for Amnesty representatives. He told the leading Spanish daily El Pais in April: “If Amnesty International was seeking the truth and if it informed itself honesty of the truth, we would consider” a visit. He continued: “But so long as it continues to use erroneous information as its basis without taking into account our responses,” the visit would have “no sense.”

In October, Jordan signed a memorandum of understanding with the International Labor Organization that was designed to address the problem of child labor in the kingdom through actions of state ministries and NGOs. The ministry of labor said that the memorandum represented the initial step for Jordan’s participation in the ILO’s International Program on the Elimination of Child Labor. Jordan was the first West Asian coun-
try to ratify ILO Convention 182 Concerning the Prohibition and Immediate Action for Elimination of the Worst Forms of Child Labor, which calls for immediate measures to eliminate child slavery, debt bondage, child prostitution, trafficking, and other forms of hazardous and exploitative child labor.

There were also positive developments with respect to international justice. On September 8, Morocco and Kuwait signed the Rome Treaty for the establishment of an International Criminal Court, joining Jordan, which signed in October 1998.

**Defending Human Rights**

The region’s vibrant and growing community of human rights activists persevered, despite widely differing local environments. At this writing, three Syrians remained in prison, serving long sentences that the state security court imposed in 1992 following an unfair trial. In Bahrain, government-controlled Iraq, Libya, Oman, Qatar, Saudi Arabia, and the United Arab Emirates severe internal restrictions meant that it was impossible for human rights activists to speak and meet openly. Elsewhere, defenders variously faced surveillance, official harassment, arrest and detention, threats of criminal prosecution, and the inability to register human rights groups under the law. In an increasingly worrying trend, the issue of foreign funding was used in Egypt and Jordan, and by the Palestinian Authority, to disparage the intentions of committed individuals and independent, locally based organizations. For example, in September the Jordanian Press Association suspended Nidal Mansour, chief editor of *al-Hadath* weekly, for receiving foreign funding for a local branch of a press freedom organization, the Center for Defending Freedom of Journalists.

In Tunisia, government efforts to monopolize human rights discourse and smother independent activists were challenged repeatedly by human rights defenders on the ground, who faced job dismissals, judicial proceedings, intensive surveillance, and sometimes physical assault at the hands of police. The Kuwaiti cabinet’s 1993 order dissolving all unlicensed human rights and humanitarian organizations remained in force and local advocates were forced to meet informally or under the auspices of organizations that enjoyed legal status. In Yemen, local groups were allowed to function although some were threatened with closure.

Activists were particularly at risk when they undertook efforts to expose corruption and gross human rights abuses. In Iran, the independent press that had been playing an increasing role in exposing human rights violations and promoting human rights principles was dealt a crippling blow with the enforced closure by hardline religious and political conservatives of thirty newspapers and the imprisonment and prosecution of leading journalists and writers. Palestinian Authority security forces in December 1999 detained eight signatories of a November 27, 1999, petition criticizing P.A. “tyranny and corruption” for periods between three weeks and seven months.

In Algeria, security forces in May detained Mohamed Smain, head of the Relizane office of the Algerian League for the Defense of Human Rights (LADDH), after he attempted to document evidence at a grave site connected with the case of two former mayors implicated in mass killings in the area. Egypt’s large and sophisticated human rights community was under attack throughout the year. The controversial 1999 Law on Civil Associations and Institutions overturned on procedural grounds by the Supreme Constitutional Court had been strongly criticized by local human rights activists since it allowed the government undue interference in the internal affairs of NGOs and criminalized any activity that authorities deemed political. The Egyptian Organization for Human Rights (EOHR) was informed in late July that its application for official registration under the previous law had been granted. However, several days later the EOHR was notified that a final decision had been deferred upon the request of security officials. Due to criticism by the government and in some of the media of NGO reliance on foreign funding, several rights groups were facing the possibility of
cutting back on their activities since they were largely dependent on this form of financial support.

Women’s rights defenders in the region continued to address legal discrimination and violence against women. In Morocco, Egypt, Jordan, and Kuwait, they were castigated by parliamentarians, conservative parties, and the media, who alleged that their actions were destroying the family, the unity of the nation, imposing “immoral” values on society, and that they were agents of the West. The Permanent Arab Court to Resist Violence Against Women, established in December 1999 in thirteen Arab countries, launched the Feminine Rights Campaign, which called for equality between men and women especially with respect to divorce. The one-year campaign’s main objective was to achieve equality in the right of divorce and its consequences; unify laws and juridical procedures; ensure equal rights as to the custody of children, marital property and all other marital rights; and establish government funding to guarantee the payment of alimony.

Human rights defenders also continued initiatives to promote joint work in the region. In October 2000 a follow-up conference to the April 1999 First International Conference of the Arab Human Rights Movement was organized by the Arab Working Group for Human Rights in coordination with five human rights organizations. The meeting, held in Rabat, Morocco, and attended by over 60 participants and observers from 43 local and international human rights organizations focused its discussions on some of the recommendations from the earlier conference. The conference called for improved coordination among Arab human rights groups and activists and more effective use of international human rights protection and the role of the movement in facilitating democratic and constitutional reforms.

Also in October the Cairo Institute for Human Rights Studies organized the Second International Conference of the Arab Human Rights Movement around the theme of human rights education and dissemination. Over one hundred Arab and international experts and activists from human rights groups and governments—including artists, writers, media experts—examined the political and cultural obstacles to the dissemination of human rights in the region and sought to identify ways and to develop strategies for overcoming them. The conference adopted the Cairo Declaration on Human Rights Education and Dissemination setting out principles and standards for human rights education in the region and establishing an agenda for the 21st century. It called on Arab governments to draw up national plans for human rights education and to urgently revise existing educational curricula to ensure their consistency with human rights values.

The Work of Human Rights Watch

Staff and other representatives of Human Rights Watch’s Middle East and North Africa division travelled during the year to Algeria, Egypt, Iran, Israel and the occupied Palestinian territories, Jordan, Kuwait, Lebanon, Morocco, and Yemen. The missions were multifocused, involving research, coordination and cooperative work with local human rights activists and lawyers, and dialogue with government officials wherever possible. Thematically, the major concerns of Human Rights Watch included violations of freedom of expression and association, women’s rights, the absence of due process in legal proceedings in civilian and military courts, and minority rights and statelessness. In Algeria and Lebanon, the focus included accountability for past human rights abuses, including “disappearances” and extrajudicial executions at the hands of state agents and armed militia groups. Human Rights Watch covered from the field the Israeli military withdrawal from occupied south Lebanon.
and closely monitored and publicized subsequent developments, including the kidnap-
ning of Lebanese civilians by Hizballah op-
eratives. In Israel, the West Bank, and Gaza
Strip Human Rights Watch investigated ex-
cessive and indiscriminate use of force by
Israeli security services in clashes with Pales-
tinian civilians, failures to protect civilians by
Palestinian security forces, and attacks on
civilians by civilians.

Human Rights Watch’s requests for
access to Saudi Arabia, Bahrain and Syria,
some of them longstanding, were all pending
with their respective governments at this
writing.

Human Rights Watch representatives
presented concerns to governments in the
region, and met with senior government offi-
cials in Algeria, Egypt, Iran, Israel and Ku-
wait, as well as with officials in the Palestin-
ian Authority. In Egypt and Israel, Human
Rights Watch brought its concerns about
detention, torture, and prison conditions to
the ministries of justice. In Iran, a Human
Rights Watch researcher met with the judge
presiding over the trial of thirteen Iranian
Jews in Shiraz to discuss due process and fair
trial issues: It was the first time since 1979
that a revolutionary court judge had accepted
to meet with a representative of an interna-
tional human rights organization. In Kuwait,
Human Rights Watch met with Ministry of
Interior officials to discuss that ministry’s
discriminatory treatment of the Bidun,
Kuwait’s stateless long-term residents, and
met with parliamentarians to express con-
cerns about proposed legislation which dis-
criminated against women and Bidun, and
restricted freedom of expression. Human
Rights Watch observed the military court
trials in Lebanon of former South Lebanon
Army soldiers and officers as well as civilians
who were charged with criminal offenses
under Lebanese law for contact with Israel,
and collected information from Lebanese fami-
lies whose relatives were known or believed
to be “disappeared” in Israel or Syria.

In January 2000 Human Rights Watch
wrote to the U.N. Security Council urging
that the sanctions in force against Iraq be
radically restructured to remove restrictions
on non-military trade and investment while
tightening controls on Iraq’s ability to import
weapons-related goods. The letter was ac-
companied by a memorandum addressing the
impact of the sanctions on the humanitarian
situation in Iraq. Human Rights Watch also
called on the Security Council to set up an
international tribunal to try top Iraqi leaders
for war crimes and crimes against humanity.
The letter acknowledged the high degree of
responsibility of the Iraqi government for the
unfolding humanitarian emergency, but in-
sisted that the United States and other pow-
ers also face up to their share of the respon-
sibility and take action to improve condi-
tions.

Together with five other international
organizations and religious groups, Human
Rights Watch in March and August again
urged the Security Council to address the
grave humanitarian consequences of the sanc-
tions, and in September Human Rights Watch
wrote to both the Security Council and the
government of Iraq setting out urgent steps
necessary to alleviate the humanitarian crisis.

Human Rights Watch did not forget that
other war crimes or crimes against humanity
had been committed in the region and that to
date no one has been held accountable in
courts of law with local or international juris-
diction. It was eighteen years ago, in Septem-
ber 1982, that at least 700 to 800 Palestinians,
and possibly as many as several thousand,
were slaughtered in the Sabra and Shatila
refugee camps in Beirut by the Israeli-armed
and -allied Lebanese Phalange (Kata’eb) mi-
litia while nearby Israel Defense Forces (IDF)
personnel looked on and did nothing to stop
the sixty-two-hour indiscriminate carnage. In
December 1999, we wrote to Israeli Prime
Minister Ehud Barak to condemn the ap-
pointment of Maj. Gen. (Reserves) Amos
Yaron as director-general of Israel’s Ministry
of Defense and urge his immediate dismissal
from public service. While serving as an IDF
division commander during Israel’s invasion
of Lebanon in 1982, his actions and omissions
facilitated the massacre in the camps. By all
accounts, the perpetrators of this indiscrimi-
nate slaughter were members of the Phalange (or Kata’eb, in Arabic) militia, a Lebanese force that was armed by and closely allied to Israel since the outbreak of Lebanon’s civil war in 1975, but the killings were carried out in an area under IDF control. An IDF forward command post, commanded by Amos Yaron, was situated on the roof of a multi-story building located some 200 meters southwest of the Shatila camp.

Human Rights Watch noted in the letter that the Sabra and Shatila massacre was a grave violation of international humanitarian law and a crime against humanity, and urged that General Yaron—as well as the other Israelis and Lebanese with direct or indirect responsibility for the killings—should face criminal investigation and prosecution. Human Rights Watch also sent a letter to Lebanese president Emile Lahoud that raised the same point and inquired about legal or administrative measures that the government of Lebanon initiated or was contemplating with respect to investigation and prosecution of Lebanese citizens who are known or suspected to have had direct responsibility for the killings in Sabra and Shatilla. Human Rights Watch did not receive replies from either government.

In the lead up to the February parliamentary elections in Iran, Human Rights Watch issued a short briefing on current human rights conditions. Noting that the atmosphere surrounding the election campaign was notably freer than at the time of the last elections in March 1996, Human Rights Watch pointed to a number of human rights issues as still impeding a free and fair election in the Islamic Republic, and said little had changed in the legal framework relating to the enjoyment of rights in Iran.

In March, Human Rights Watch published the findings of international observers who attended the trial of Tunisia’s outspoken human rights lawyer, Radhia Nasraoui, and twenty co-defendants, most of them students, on charges related to membership in or activities on behalf of an unauthorized left-wing political association, the Tunisian Communist Workers Party (Parti Communiste des Ouvriers Tunisiens, PCOT). The trial dramatized many aspects of Tunisia’s human rights situation. In addition to government measures to harass and imped the work of human rights defenders like Nasraoui, the case illustrated the use of repressive laws to imprison Tunisians who engage in peaceful political activity deemed critical of the country’s present government. It also demonstrated the commonplace nature of torture during interrogations in Tunisia and the judicial system’s disregard of this abuse and its failure to provide defendants with basic guarantees of a fair trial.

In advance of the Israeli withdrawal from occupied south Lebanon, Human Rights Watch disseminated a briefing paper that identified the human rights issues that were largely being neglected by the international media, and briefed Israeli and international journalists in Jerusalem.

In its 38-page report, “Promises Betrayed: Denial of Rights of Bidun, Women, and Freedom of Expression,” released in October, Human Rights Watch detailed Kuwaiti laws and practices that systematically discriminate against women and stateless Bidun, and that criminalize free expression by journalists, academics, and writers. Human Rights Watch called on Kuwait to amend its Penal Code and Printing and Publications Law to protect freedom of expression and to revoke laws that discriminate against women and long-term non-citizens of Kuwait.

Also in October Human Rights Watch published the results of a week-long fact-finding investigation into the unlawful use of force against civilians by security and police forces in Israel, the West Bank, and the Gaza Strip. The organization condemned a pattern of repeated Israeli use of excessive lethal force during clashes between its security forces and Palestinian demonstrators in situations where demonstrators were unarmed and posed no threat of death or serious injury to the security forces or to others. In cases that Human Rights Watch investigated where gunfire by Palestinian security forces or armed protesters was a factor, use of lethal force by the Israel Defense Forces (IDF) was
indiscriminate and not directed at the source of the threat. Human Rights Watch also documented a pattern of IDF disregard for and targeting of Palestinian medical personnel and ambulances evacuating or treating injured civilians in the West Bank and Gaza Strip. In the report, Human Rights Watch also criticized the failure of the Palestinian police to act consistently to prevent armed Palestinians from shooting at Israeli Defense Forces (IDF) from positions where civilians were present and thus endangered by the Israeli response.

In a six-page briefing published in October as the first round of People’s Assembly elections were getting underway in Egypt, Human Rights Watch noted several factors not conducive to a free and fair election. These included restrictions on freedom of association and assembly, including the ability to form political parties and to hold public rallies as part of an electoral campaign; arrests and prosecution before military and state security courts of political opponents, in particular members of the Muslim Brotherhood; restrictions on freedom of expression, including banning of books and newspapers and the use of criminal charges against journalists; and harassment of human rights activists and others preparing to monitor the elections.

Throughout the year Human Rights Watch sought to defend those who were persecuted for their human rights work and to protect and enlarge the political space in which independent institutions of civil society could express diverse—and dissenting—views. In the case of Tunisia, Human Rights Watch spoke out repeatedly in opposition to the government's systematic efforts to intimidate that country’s human rights activists and to silence its most outspoken writers. In Egypt, Human Rights Watch intervened to criticize a restrictive NGO law and to condemn threatened prosecution of activists under military orders. Following the Palestinian Bar Association’s decision to remove the names of Palestinian lawyers associated with human rights groups from its list of practicing lawyers, Human Rights Watch intervened to urge the Palestinian Authority to ensure that human rights lawyers did not face threats, intimidation or professional sanctions because of their human rights activities. In Iran, Jordan, Kuwait, Lebanon, and Yemen Human Rights Watch wrote to the governments to protest arrests or harassment of journalists, writers, artists and academic, and to urge that the fundamental right to freedom of expression be respected.

The division also devoted time and resources to advocacy efforts within the United Nations. For example, in July Human Rights Watch attended the U.N. Human Rights Committee’s review of Kuwait’s implementation of the International Covenant on Civil and Political Rights, where we briefed committee members on the results of our investigation into violations of women’s rights, rights of Bidun residents, and freedom of expression. In October, we called for the creation of an independent panel of experts to investigate human rights violations committed during clashes between Israelis and Palestinians that began on September 29, and urged the creation of a standing body of independent international criminal justice investigators to be available for deployment by the U.N. at short notice whenever the need arises for independent, impartial investigations of a criminal justice nature.

In our continuing efforts to maximize communication with activists and others throughout the region, we translated public statements and press releases into Arabic and made these widely available. The Arabic section of Human Rights Watch’s web-site continued to grow and provided access to key documents produced by the organization in its global coverage of human rights violations. Traffic to this section tripled during the year, up from about 650 page-views per day during 1999 to about 2,000 pages per day in September 2000. During September close to 250 users each day visited this section of the web-site.

The Role of the International Community

European Union

Human rights abuses in the Middle East
did not occasion much in the way of public
diplomacy by the European Union or mem-
ber states, despite visits to European capitals
by Algerian President Abdelaziz Bouteflika,
Iranian President Mohamed Khatami, King
Mohamed VI of Morocco, and Shaikh Hamad
bin Issa Al Khalifa of Bahrain, and visits to the
region by Chris Patten, the European Union’s
commissioner for external affairs, Javier
Solana, the E.U.'s high representative, and
the foreign ministers of France, the United
Kingdom, and other European countries. The
E.U. at the U.N. General Assembly in Octo-
ber sponsored resolutions on the human rights
situation in Iraq and Iran. The E.U. speech on
October 26 on “the human rights situation in
the world” mentioned Syria as a country
“where the expression of opposition or dis-
sidence is systematically repressed” and ex-
pressed concern about the human rights situ-
ation in Saudi Arabia, “in particular by re-
strictions on fundamental freedoms.” The
speech welcomed Algeria’s invitation to sev-
eral international human rights organizations
but said that the E.U. “remain[ed] concerned
by the persistence of violence and by the fate
of missing persons.”

The year also saw little movement in the
“Barcelona process” of establishing a Euro-
Mediterranean free trade and cooperative
security zone. The European-Mediterranean
Association Agreement between the E.U. and
Israel, signed in 1995, went into force in June
2000 after completion of ratification by all
E.U. member states. Israel thus joined Tuni-
sia and Morocco as countries with opera-
tional association agreements. A draft agree-
ment with Egypt was completed in July
1999, but as of this writing Egypt had not yet
taken steps to sign it. There was no public
discussion of how the human rights practices
of these countries, especially Tunisia and
Israel, could be reconciled with the stipula-
tion in article 2 of each agreement that the
agreement was premised on “respect for
human rights and democratic values.” There
were no indications that the year had seen
progress regarding negotiations over associa-
tion agreements with Algeria, Lebanon, and
Syria. Signed agreements with Jordan and the
Palestinian Authority remained to be ratified
by some E.U. member states before coming
into force.

External relations commissioner Patten,
speaking in Cairo in early April on the E.U.’s
Mediterranean policy pointed to human rights
along with drugs, terrorism, immigration, and
conflict prevention as areas where “we need
some practical results.” “Our handling of
these crucial topics needs to be sufficiently
flexible to allow the partners who wish to
advance ahead of others to do so without
prejudicing the right of all Barcelona partners
to participate in the discussions,” he said.

In his Cairo speech Patten observed that
Europe “now” accounted for 47 percent of
total “Mediterranean imports,” amounting to
30 billion euros (U.S. $25.1 billion). E.U.
countries took 52 percent of all “Mediterra-
nean exports,” he said, worth 63 billion euros.
(U.S. $52.7 billion). Europe, he said, “is by far
the largest donor of non-military aid in the
region,” amounting to 9 billion euros (U.S.
$7.5 billion) in grants and loans.

According to a U.S. Congressional Re-
search Service study of transfers of conven-
tional arms released in August and covering
the 1996-1999 period, 85 percent of United
Kingdom arms deliveries to developing coun-
tries were to the Middle East, while the
comparable figures for France, Germany, and
Italy were 43 percent, 40 percent, and 12.5
percent respectively. European countries
accounted for just over 48 percent of all arms
deliveries to the region in this period. Accord-
ing to the study, the bulk of the sales com-
prised tanks and self-propelled guns, other
armor, supersonic aircraft, and naval vessels.

United States

The Middle East—especially Israeli-
Palestinian negotiations and conflicts and
Iraq—occupied much of the Clinton
administration’s diplomatic energies over the
year. In a June speech to the American-Arab
Anti-Discrimination Committee devoted to
Israeli-Palestinian negotiations and Iraq,
Under Secretary of State for Political Affairs
Thomas Pickering identified the components
of U.S. policy in the region as achieving a
comprehensive Arab-Israeli peace, ensuring regional stability, stemming the proliferation of weapons of mass destruction, creating free market conditions, encouraging sustainable development, and “expanding political reform and adherence to international norms for human rights.”

In his presentation to Congress in March of the Near East segment of the Administration’s foreign operations budget for fiscal year 2001, Assistant Secretary of State Edward S. Walker, Jr. said, “Advancing vital U.S. political and economic interests in the Middle East is complicated by a legacy of ethnic conflicts, border disputes, economic dislocations, ecological disruptions, and human rights abuses—all of which have contributed to terrorism and violence.” Walker also stated that the Administration was “pursuing a strong program for developing civil society in a region that often lacks the most rudimentary institutions for peaceful transition of leadership, freedom of expression, or respect for women’s rights.”

In its budget presentation the Administration requested military and economic assistance grants of U.S. $2.8 billion for Israel, nearly U.S. $2 billion for Egypt, and U.S. $228 million for Jordan. The request for democracy programs in the region, “particularly in Algeria, Morocco, Yemen, and Oman,” was $4 million. In requesting allocations for individual countries, Walker’s presentation mentioned human rights or support for democratic institutions as issues of concern in Algeria, Egypt, Morocco, and Yemen, though there was no such mention in the presentations for Bahrain or Jordan. Surprisingly, Tunisia was characterized without qualification as “a stable democratic country,” raising serious question about the ability of the U.S. government to recognize, let alone encourage or support, democracy in the region. The U.S. was a key convener of a conference of foreign affairs ministers in Warsaw in June entitled Towards a Community of Democracies, to which Tunisia, Algeria, Egypt, Israel, Jordan, Kuwait, Morocco, Qatar, and Yemen were invited. In a press briefing on June 19, Assistant Secretary of State for Democracy, Human Rights, and Labor Harold Koh said that the list of countries invited “was an inclusive one which included not just countries that were established democracies, but those that were striving for democracies and those that had made a commitment on the democratic path.” He added that “those countries that have experienced backsliding, we hope that the conference will itself be an occasion to engage them and press them aggressively on the extent to which we found their recent progress to be lacking.”

Koh visited Tunisia in June—the first visit to any country in the region by him or his predecessor since 1993 (see Tunisia chapter below). In October 1999, Koh’s deputy, Bennett Freeman, visited Israel and also met with Palestinian officials and human rights activists.

The State Department’s Country Reports on Human Rights Practices for 1999, released in February 2000, continued to provide comprehensive coverage of the human rights situation in each country in the region. Koh’s introduction to the report, however, which set the tone for much of the media coverage, avoided citing abuses by Middle Eastern allies of the U.S., with the exception of Saudi Arabia regarding religious freedom, and Egypt, Oman, and Yemen with regard to the practice of female genital mutilation. Inexplicably, the introduction referred approvingly to Tunisia’s presidential election, where President Ben Ali won with an official 99.4 percent of the vote, as “a modest step forward,” and pointedly failed to include Tunisia in a discussion of Middle Eastern countries where dissidents and human rights defenders face arbitrary arrest, unfair trials, and intensive surveillance.

In September, the State Department released its second annual congressionally-mandated report on international religious freedom, which also included chapters on each country in the region. The report cited Iran, Iraq, and Saudi Arabia for intolerance towards religious minorities, and Egypt, Israel, and Jordan for discriminatory policies. The report also noted limited improvements in Egypt, Iran, Israel, Qatar, and Saudi Arabia.
According to the report, Assistant Secretary of State for International Organizations David Welch met with Saudi Arabia’s foreign minister, Prince Saud al-Faisal, to discuss religious freedom and human rights issues. In the Saudi Arabia chapter, the report’s authors wrote that “the overwhelming majority of citizens support an Islamic state and oppose public non-Muslim worship,” without any indication of how this conclusion was reached concerning a country where freedom of expression is severely restricted.

The Congressional Research Service report on arms transfers released in August noted that “the high value of U.S. arms transfer agreements with developing nations is attributable to major purchase by key U.S. clients in the Near East, and to a lesser extent in Asia, together with a continuation of well-established defense support arrangements with such purchasers.” For the most recent period covered, 1996 to 1999, Middle East countries accounted for more than 65 percent of total deliveries of U.S. arms to developing countries, and the U.S. accounted for nearly 50 percent of all arms purchase agreements by Middle East states. The principal Middle East purchasers of U.S. arms in this period were Egypt ($5.8 billion), Saudi Arabia ($5.5 billion), and Israel ($4.2 billion). The report listed tanks and self-propelled guns, armored vehicles, naval vessels, supersonic aircraft, helicopters, surface-to-air missiles and anti-ship missiles as the main categories of weapons systems purchased.

The U.S. signed a wide-ranging free trade agreement with Jordan on October 24 similar to agreements already concluded with Canada, Mexico, and Israel. U.S. and Jordanian officials expressed hope that the agreement would attract international investment to Jordan. The Clinton Administration promoted the agreement with Jordan as a model for future trade pacts on the grounds that its provisions mandated compliance of both parties with international labor and environmental standards.

**ALGERIA**

**Human Rights Developments**

President Abd al-Aziz Bouteflika’s “civil harmony” initiative achieved only partial success in bringing an end to the political violence that has ravaged the country for most of the last decade. Although the violence was on a lesser scale than in earlier years, brutal and indiscriminate attacks on civilians and clashes between government forces and armed groups continued to claim an estimated 200 lives per month. There were very few reports of perpetrators being caught and brought to justice. The generally improved public security situation, especially in major cities, was reflected in fewer reported incidents of arbitrary arrests, “disappearances,” and torture, but the lack of progress in resolving thousands of cases of “disappeared” persons remained a blight on the government’s human rights record. The government failed also to institute reforms to prevent a possible resurgence of systematic human rights violations by the security forces.

The Civil Harmony Law, adopted in July 1999 and endorsed overwhelmingly in a national referendum the following September, set a deadline of January 13, 2000, for members and supporters of armed groups to surrender to the authorities. The law offered immunity from prosecution for persons who had not themselves committed killings or bombings or other serious crimes, and significantly reduced sentences to persons who acknowledged responsibility “for causing death or permanent injury of a person or for rape, or for using explosives in public places or in places frequented by the public.” In principle, individuals wishing to take advantage of the law were required to surrender their arms and make a full disclosure of their actions to the authorities. According to officials, the law’s probation or reduced sentence provisions became applicable once the information in such disclosures had been verified by local and national security offices.

The issue of whether or not to accept the terms of the Civil Harmony Law reportedly
created considerable dissension within the armed groups, in particular the Islamic Salvation Army (Armée Islamique du Salut, AIS), which had, in practice, observed a cease-fire with the army since October 1997. Some reportedly held out for terms that included a political role for the Islamic Salvation Front (Front Islamique du Salut, FIS), banned since 1992. On November 22, 1999, Abdelkader Hachani, the top-ranking FIS official not in detention, was assassinated in Algiers. In December 1999, the authorities announced the arrest of his alleged murderer, but as of October 2000 no information concerning any investigation into the killing had been made public.

On January 10, three days prior to the expiry of the Civil Harmony Law’s six-month grace period, President Bouteflika issued a decree granting a “pardon with the force of amnesty” (grâce amnistiante) to “persons belonging to organizations which voluntarily and spontaneously decide to put an end to acts of violence, which put themselves entirely at the disposal of the state and whose names appear in the annex to [this] decree”—namely, the AIS. This decree exempted all persons covered from having to make any declaration of the acts that they had committed and from imprisonment or other sanction. It also exempted them from the ten-year deprivation of civil and political rights, such as the right to vote or stand for office, that had been applied to persons “repenting” under the terms of the Civil Harmony Law. It was, in effect, a blanket amnesty for all crimes no matter how heinous. The next day, January 11, AIS commander Madani Mezrag formally announced the group’s dissolution. Two days later, the Islamic League for Preaching and Holy War (Ligue Islamique de la Daâwa et du Djihad, LIDD), which had broken from the Armed Islamic Group (Groupe Islamique Armé, GIA) and, with the AIS, observed the cease-fire with the army, also dissolved itself under the terms of the pardon. GIA elements led by Antar Zoubir and Hassan Hattab’s Salafist Group for Preaching and Combat denounced President Bouteflika’s overtures and continued to mount attacks on civilians as well as security posts and military patrols.

The government claimed widespread public support for the Civil Harmony Law, citing the September 1999 referendum, yet the law made no provision for transparency, or for involving the victims of crimes or the general public. Many Algerians, most vocally groups representing families of victims of attacks by armed groups, contended that investigations of “repentis”—those accepting amnesty under the law—were cursory and that many were cleared before the veracity and thoroughness of their confessions could be established. They also charged that the January 10 pardon betrayed the spirit of the Civil Harmony Law by amnestying all crimes, however grave, enabling perpetrators of killings and rape to return to the communities they had formerly terrorized.

Reflecting this lack of official transparency, accurate information about the law’s implementation and the numbers of persons who benefitted from it was difficult to obtain and often contradictory. Algerian and French press reports suggested that some 1,500 fighters had turned themselves in under the law, and estimated that the January 10 amnesty covered at most between two and three thousand AIS adherents. The Algiers daily El Watan, citing “sources close to the security services,” wrote on July 13 that those remaining with the armed groups numbered more than nine hundred, operating in small units away from the main populated areas. Interior Minister Yazid Zerhouni, in a January 20 press conference, asserted that “eighty percent of the terrorists” had surrendered their arms. However, when pressed as to how these estimates were calculated, he stated “I can’t give you the numbers for the simple reason that we are presently at the stage of identification and census.” Ministry of Justice officials told Human Rights Watch in May that the total number of beneficiaries of the Civil Harmony Law and the January 10 pardon was about 5,600, of whom some 330 were serving reduced sentences for crimes of violence. Murad Zoughir, the public prosecutor for the wilaya (province) of Algiers, told
Human Rights Watch that the probation committee he headed had dealt with approximately one hundred “repentis,” of whom about thirty had been sentenced to jail terms, forty exonerated, fifteen placed on probation, and fifteen of whom remained under investigation. The failure of the government to provide precise information about those benefitting from the Civil Harmony Law or the full pardon, the offenses to which they confessed or with which they were charged, and the disposition of their cases fueled considerable suspicion that perpetrators of grave abuses were being cleared and given immunity with little scrutiny or accountability.

There was virtually no progress in efforts to resolve some 4,000 documented cases of alleged “disappearances” in previous years at the hands of security officials. Throughout the year Algerian human rights lawyers and organizations of relatives continued to receive and document further cases. In an interview in Middle East Insight, a Washington, D.C.-based bi-monthly, President Bouteflika said, “As to disappeared individuals, Algerian justice will spare no effort, conducted in the framework of the law, to seek solutions to cases fully documented with verified evidence.” In response to repeated requests by Human Rights Watch in May, however, as well as requests by other international organizations and families of the “disappeared,” government officials declined to provide names or information in cases they claimed to have resolved.

Such limited information as was made available by different ministries and official sources was inconsistent, and the government made no apparent effort to reconcile the discrepancies evident in the different accounts. Interior Minister Zerhouni, at his January 20 press conference, said that of 4,600 complaints of “disappearances” known to his ministry, “among them 2,600 or 2,700 have been cleared up. It includes persons who have gone back to the maquis (lit. “the bush”), and others who have been killed by their comrades, some who’ve been incarcerated, and still some who were found in the camps of the AIS.” Minister of Justice Ahmed Ouyahia told the government daily El Moudjahid on May 21 that his ministry had opened files on 3,019 cases of missing persons and that “a large number of the so-called disappeared were in fact in the ranks of terrorist groups,” while two hundred were “alive and well either in prison or among the beneficiaries of the Civil Harmony Law.”

Ministry of Justice officials told Human Rights Watch that of those 3,019 cases, 833 were persons being sought by the security forces, ninety-three had been killed in clashes with security forces, eighty-two were in detention, nine had been killed in clashes among armed groups, forty-nine had been released from detention and “may have joined the terrorists,” and seventy-four were at their homes. Human Rights Watch requested the names of individuals in any of the categories mentioned, to determine to what extent they corresponded to those compiled by lawyers and human rights groups. The officials declined to provide them, however, on the grounds that they were all still “under investigation.”

Kamel Rezzag-Bara, head of the quasi-official National Human Rights Observatory (Observatoire National des Droits de l’Homme, ONDH), told Human Rights Watch in May that the ONDH had 4,146 “disappeared” files open, 70 percent of which dated from the 1993-1995 period, and none of which were more recent than 1998. He declined to provide a list of names of missing persons, insisting that to do so would be “not useful,” but provided oral summaries of several cases in which individuals reported as being “disappeared” had allegedly been killed in clashes with security forces or had turned up at home.

Ministry of Interior officials, reflecting the lack of seriousness with which they have addressed the issue of the “disappeared,” told Human Rights Watch in May that the problem of three thousand “disappearances” and missing persons out of a population today totaling thirty million did not compare adversely with Algeria’s independence war, which had left some fifty thousand individuals out of a population then of around nine
Women, as well as men and children, continued to be killed by armed groups (see WRD section). The Algerian press, reflecting official estimates, reported that 2,600 women had been sexually assaulted or raped during the conflict, mostly in the 1995 to 1998 period, but some women’s rights activists estimated the number at some 5,000. Government officials, when meeting Human Rights Watch in May, pointed to the high proportion of women engaged in professions, such as medicine and the judiciary, as an indication of sexual equality, but they were unable to indicate progress in dealing with the discriminatory Family Code of 1984, which institutionalized the unequal status of women in matters of personal status, marriage, divorce, property, and inheritance. President Bouteflika, at a March 2000 conference organized by several women’s rights groups, asserted that changes regarding women’s rights had to take into account a society’s religious beliefs and traditions.

Several individuals were detained and held incommunicado by security forces, at least one of whom remained unaccounted for. Seventy-three-year-old El Hadj M’lik was arrested at his home in central Algiers on the evening of April 13, several hours after security officials had visited his house seeking his son. His family reported that by mid-September they had had no contact with him nor received any clarification from the authorities concerning his whereabouts.

Ali Mebroukine, a law professor at the National School of Administration in Algiers and former advisor to President Liamine Zeroual, was arrested in Algiers on May 27 on his return from Paris. According to Algeria-Interface, a Paris-based information website, he was seen once by his wife in mid-June when he was brought along by police who searched their home and seized documents. His wife, Insaf, was later taken to a secret location and questioned, then released after being instructed to “be quiet” about her husband. On June 28, the military investigating magistrate overseeing the case confirmed to Mebroukine’s lawyer that he was being held in Blida military prison but did not divulge any charges or other information about his detention.

Ministry of Justice officials assured Human Rights Watch in May that the government treated allegations of human rights abuses by government officials seriously, and stated that 348 persons associated with the security forces, including members of “self-defense” militias (Groups for Legitimate Defense, GLD) organized and armed by the interior ministry, had been prosecuted for human rights abuses since 1992. Of these, they said, 179 were cases of physical abuse and fifteen concerned arbitrary detention or torture. The officials declined, however, to disclose names or other details, but noted that the numbers included several police officers punished for their involvement in a well-publicized incident in December 1999 in the town of Dellys. There, after a bomb explosion, the authorities had indiscriminately rounded up some one hundred persons and beaten many of them. Officials told Human Rights Watch that there had still been no prosecutions, however, in the case of two mayors and GLD leaders in the Beliza area who had been briefly detained in April 1998 for allegedly carrying out a series of abductions and executions, although the case was still “under investigation.”

The authorities appeared to make little effort to establish an effective process to ensure that basic forensic work was carried out in order to help identify homicide victims and suspects, and so to help establish whether those found buried in unmarked graves included persons reported to have “disappeared” in the custody of the security forces in previous years. During a visit to Canada in April, President Bouteflika reportedly dismissed the question of undertaking credible and independent inquiries into responsibility for “disappearances” and massacres in Algeria as “intellectual coquetry.”

The government maintained the state of emergency proclaimed in 1992, and on several occasions acted to prevent public gatherings by human rights groups as well as critics of its policies. On March 22, for example, police...

...
Oran forcibly dispersed a demonstration of relatives of the “disappeared” and subsequently charged several women with participating in an unauthorized gathering in a public place. On June 25, police clashed with demonstrators at an unauthorized rally in Algiers held to mark the second anniversary of the murder of Kabyle singer and rights activist Lounes Matoub.

Several human rights organizations told Human Rights Watch that government policies curtailed their right to freedom of association. The National Association of Families of “Disappeared” (ANFD) held weekly demonstrations outside the offices of the ONDH to demand that the government provide information about missing relatives, but it was not able to obtain official authorization to function. The Association of Families of “Disappeared” in Constantine faced a similar problem, and said that the authorities had interfered several times with their regular demonstrations outside government offices. Ali Mrabet, a founder of Sumoud (Steadfastness), which advocates investigation of killings and kidnappings, said that the Ministry of Interior had ignored its three-year-old application for registration, without which the group could not obtain official authorization to hold meetings or open a bank account. Similarly, Rassemblement Action Jeunesse (RAJ), a national youth association, produced documentation from recent years showing numerous refusals by local authorities to their applications to hold meetings, conferences, exhibitions, or film showings in Algiers and Tizi Ouzou. RAJ Secretary General Hakim Addad told Human Rights Watch that the authorities had continued to interdict RAJ or other organizations’ gatherings, though no longer in written form.

The government’s commitment to freedom of association was called into question by its response to efforts begun in December 1999 to register a new political party, the Movement for Fidelity and Justice (WAFA), under the leadership of former foreign minister and 1999 presidential candidate Ahmed Taleb Ibrahimi. WAFA was seen by some as representing a segment of the banned FIS. The political parties law allowed the government sixty days to reject WAFA’s application, but it did not do this. However, the interior minister refused to publish notice of the party’s registration in the Official Gazette, a step that requires his signature, and without which the party could not get permits for meetings and conferences. The minister declared on May 10 that he “would not be the one to sign the decision to return the banned party.” The Algerian League for the Defense of Human Rights (LADDH) and the Algerian Human Rights League (LADH) both called on the government in July to register WAFA in compliance with the law, but ONDH head Rezzag-Bara asserted to Human Rights Watch that WAFA did not need an official response to function.

FI leader Abbasi Madani remained under house arrest and the party’s number two, Ali Belhadj, remained in prison but was allowed to receive family visits. When questioned about their status by the pan-Arab daily Al-Hayat in an interview published on September 13, President Bouteflika replied, “The FIS was disbanded by court order before I came to power. The new constitution doesn’t provide for FIS’s existence at all. So don’t talk to me about this subject because to me FIS doesn’t exist.” He said that Belhadj “is now being kept in better conditions than he has ever been,” and that “If Ali Belhadj disavows all those who use violence, then I will help him.”

Algeria’s privately-owned print media covered many politically sensitive issues in a critical fashion, although some topics, such as the political role of the military leadership, remained the off-limits. Press accounts of security operations continued to rely almost exclusively on official sources, depicting raids and clashes that resulted in the deaths of unnamed “terrorists” but seldom their apprehension. No journalists were prosecuted for publication of “security-related information,” but Reporters without Borders (Reporters Sans Frontières, RSF) reported that several publishers were subject to libel suits, including some brought by army officers or directors of state companies. The independent
weekly *La Nation* remained suspended, ostensibly for failing to pay outstanding invoices to the Société d’Impression d’Alger (SIA), one of the state printing houses that effectively monopolize newspaper printing. According to RSF, which visited the country in June, the directors of several newspapers suspended in 1992 had been unable to secure the official authorization required by state-owned printing companies to resume publication. Broadcast media remained a government monopoly. Journalists working for the Paris daily *Libération* and Radio France International were unable to get visas to visit Algeria immediately prior to President Bouteflika’s state visit to Paris in June. (See below.)

**Defending Human Rights**

In March, the government invited four international human rights organizations to visit the country after having barred visits by the groups for several years. Human Rights Watch, Amnesty International, the International Federation of Human Rights (FIDH), and RSF visited the country in separate ten-day missions in May and June. Amnesty International and RSF subsequently said that they had been able to move around the country without restriction. The FIDH, however, “strongly deplored” the “continuous tight surveillance” it said it had experienced and the “misinformation and unfounded attacks” of “certain organs of the so-called ‘independent’ private media.” The Human Rights Watch delegation was able to travel freely and meet with officials, lawyers, nongovernmental organizations, and victims and families of victims of abuses by the government and by armed groups.

The government ignored requests by the U.N. special rapporteurs on torture and on extrajudicial, summary, or arbitrary executions to visit the country. Foreign ministry officials and ONDH head Rezzag-Bara told Human Rights Watch that Algeria considered the rapporteurs as “secondary mechanisms.” They contended that official reports to the U.N. Human Rights Committee and other treaty bodies, and cooperation with international human rights organizations, adequately discharged the country’s obligations with regard to U.N. human rights mechanisms.

Several lawyers and other human rights defenders continued to document abuses, and women’s and victim’s rights organizations were active. The government imposed limits on the activities of some groups (see above), however, and activists complained to Human Rights Watch that the authorities were often unresponsive when they requested investigations or information on cases. On May 27, security forces detained Mohamed Smain, head of the Relizane office of the LADDH, after he attempted to document evidence at a grave site connected with the case of the two former mayors implicated in mass killings in the area (see above). He was released the next day but authorities confiscated his videotape of the site. Rachid Mesli, a human rights lawyer who had been released from prison in July 1999 after serving all but a few days of a three year sentence on trumped up charges, was stopped at the airport and questioned in June after returning from Geneva after attending a meeting about the future of Algeria. Mesli left Algeria with his family in August and requested political asylum in Switzerland. He told Human Rights Watch that following his return from Geneva surveillance of his activities had intensified and that a prison acquaintance had been tortured in an effort to elicit, among other things, damaging information about Mesli, leading him to fear that he would be arrested and returned to prison.

The International Committee of the Red Cross, after a seven-year absence, conducted prison visits in October-November 1999 and March-May 2000, in which they visited seventeen places of detention administered by the Ministry of Justice and interviewed 763 prisoners of their choosing. They did not, however, have access to persons who may have been held in military barracks or police facilities.
The Role of the International Community

European Union

The states of the European Union publicly supported what political leaders termed the reconciliation policies of President Bouteflika but said little about human rights violations or the problem of impunity. An E.U. ministerial “troika” comprising External Affairs Minister Chris Patten, Common Foreign and Security Policy High Representative Javier Solana, and Finnish Foreign Minister Tarja Halonen, visited Algiers in November 1999. A fifth round of negotiations on the E.U.-Algeria Association Agreement took place in July, but there were no signs that a final agreement was near.

President Bouteflika made his first foreign visit as president to Italy in November 1999. According to Radio Algiers, when asked at a press conference about investigations into responsibility for killings, he replied that, “politics are one thing and history another. Now I am extinguishing a fire and tackling political issues, with priority given to the present.” He visited France in June 2000, the first official visit by an Algerian head of state for seventeen years and only the second since Algeria’s independence in 1962. France agreed in principle to a debt-for-equity exchange which would convert a small portion of Algeria’s U.S. $3.4 billion debt—Ffr400 million (U.S. $58 million)—into private investments by French companies. French and Italian warships paid official visits to Algeria over the course of the last year. During Spanish Prime Minister José María Aznar’s visit to Algiers in July, the Spanish daily El País reported that Madrid was inclined to look favorably on Algeria’s request for help in training its security forces. The newspaper reported also that Algeria had requested action be taken against Islamist “fundamentalists” residing in Spain.

Qatar confirmed British media reports in July that £4.6 (U.S. $6.65) million worth of British military equipment that it had purchased was destined for Algeria. The Qatari purchase order to BAe (formerly British Aerospace) had specified that, as directed by its ruler, Shaikh Hamad bin Khalifah Al Thani, Qatar would forward the equipment freely as a gift “to the armed services of the state of Algeria.” The equipment included Landrover Defender rapid deployment vehicles and night vision equipment.

According to a U.S. Congressional Research Service study of arms transfers released in August, Algeria took deliveries of U.S. $600 million worth of arms from European countries other than the U.K., France, Germany, and Italy in the 1996-1999 period. During that same period, Russia delivered U.S. $400 million and China sent U.S. $100 million worth of arms to Algeria.

United States

The United States quietly but publicly supported President Bouteflika’s political initiatives and his efforts to privatize the state-dominated economy. Commenting on the Civil Harmony Law in late January, Ambassador Cameron Hume told the Chicago Tribune that “Algerians are the ones who have to forgive and forget. Every country has to find its own way. We allowed the people of Northern Ireland, and Turkey and South Africa to do this.” He added, “If it [the law and the pardon] works for them, I’ll respect it,” but failed to make clear that grave offenses such as crimes against humanity should not be covered by an amnesty. Hume was quoted in the Algiers daily El Watan on June 21 as saying that “the United States is in the best position to encourage positive change in Algeria, together with and not in competition with its European allies.”

Signs of growing U.S. economic interest in Algeria included visits by leading private U.S.-based international banks and investment houses such as Chase Manhattan to Algiers in June 2000, a month that also saw a visit by Under Secretary of the Treasury Stuart Eizenstat. U.S. private investments in Algeria were estimated at between U.S. $3.5 and $4 billion, almost entirely in oil and gas exploration and production. Many of these investments were backed by the U.S. Export-Import Bank, whose chairman, James
Harmon, visited Algiers in December and whose $1.6 billion exposure in Algeria was by far the bank’s largest in any Middle Eastern or North African country. Following Harmon’s visit the bank announced that it had eliminated the previous U.S. $2 billion ceiling on Export-Import financing in Algeria. According to Algerian press reports, Eizenstat told Algerian officials and heads of companies that U.S. private investments outside of hydrocarbon industries would depend on the creation of a North African free trade area with Tunisia and Morocco.

The U.S. also pursued closer military ties with Algeria. There were several visits by high-level military officers following the September 1999 visit of Vice-Admiral Daniel Murphy, commander of the U.S. Navy’s Sixth Fleet. Admiral Charles Abbot, deputy commander of U.S. armed forces in Europe, met with President Bouteflika and army chief of staff Maj. Gen. Mohamed Lamari on April 24 and reportedly discussed setting up a permanent joint military program. Maj.Gen. Randall Schmidt, director of aerospace operations for the U.S. Air Force in Europe, met with Algerian military and defense officials in late July in Algiers.

Deputy Assistant Secretary of State Ronald Neumann, commenting on the text of President Bouteflika’s remarks on human rights at a cabinet meeting in mid-March, wrote to Algerian ambassador Idriss Jazairy on March 24 expressing support for the president’s “determination to strengthen the rights of individuals in detention and in preventive custody” and “his proposals to reinforce control by the judiciary of the criminal investigative branch of the police services.” The text of the letter appeared in the May 7 edition of the government daily El Moudjahid.

EGYPT

Human Rights Developments

The government of President Husni Mubarak intensified its efforts to exercise control over civil society institutions, harassing and restricting the activities of political parties, human rights and other nongovernmental organizations (NGOs), professional associations and the press. Infringements of freedom of expression, association and assembly, particularly in the run up to the People’s Assembly elections scheduled for October and November 2000, raised doubt about the government’s stated commitment to fair and free elections. State security forces continued to commit grave human rights violations with impunity, including the detention without charge or trial of political detainees and torture, and political opponents continued to be sentenced after unfair trials.

In May, the state of emergency was extended for a further three years. In force almost continuously since 1967, the emergency laws gave the authorities extensive powers to arrest suspects at will and detain them without trial for prolonged periods, and to refer civilian defendants to military courts or to exceptional state security courts whose procedures fall far short of international standards for fair trial.

Elections for the People’s Assembly, initially scheduled to start in mid-November, were brought forward to October 18, 2000 and spread out over three rounds to allow judicial supervision of both principal and auxiliary polling stations. The change came as a result of the Supreme Constitutional Court ruling on July 8 that legislation governing parliamentary elections was unconstitutional due to the absence of full judicial supervision. In two extraordinary sessions on July 15 and 16, the People’s Assembly and the Majlis al-Shura (consultative council, the upper house of the parliament) approved three presidential decrees that amended the legislation governing the elections. The principal amendment was to Article 24 of the Law on the Exercise of Political Rights (Law 73 of 1956), which had provided for judicial supervision of principal polling stations only, while auxiliary stations were supervised by civil servants.

On May 20, the Political Parties Committee of the Majlis al-Shura froze the activities of the Islamist opposition Labor Party and
banned its publications, ostensibly because of a leadership dispute within the party. This action, widely perceived as part of an attempt to silence government critics ahead of the elections, followed violent street demonstrations in early May over the publication of a novel alleged to be offensive to Islam. The Labor Party’s bi-weekly newspaper, *al-Sha’ab*, had denounced the novel (see below). Despite several court rulings in favor of the party, the ban on its publications remained in force as of October.

In another legal move on July 24, the Political Parties Committee formally requested the Labor Party’s dissolution by referring the case to the Political Parties Tribunal, an exceptional court established by the Law on Political Parties (Law 40 of 1977). This followed a decision by prosecutors to charge nine Labor Party figures with having links with the banned Muslim Brotherhood, receiving unauthorized funding and “working against national unity,” among them Labor Party secretary general ‘Adel Hussain. In April, he and three other Labor Party figures were convicted for slandering Deputy Prime Minister Yusuf Wali. Hussain was fined and the others sentenced to between one and two years in prison.

In keeping with past practice of referring civilian political suspects to military courts, the government brought twenty defendants allegedly linked to the Muslim Brotherhood to trial before the Supreme Military Court on December 25, 1999. The defendants faced incitement and other charges under articles 30, 86, and 88 of the Penal Code, including membership of, and recruiting others to, an illegal organization and attempting to control the activities of professional associations. None of the charges involved the use or advocacy of violence. The defendants, mostly lawyers, university professors, and other professionals had been arrested in October 1999 and detained at Mazra’at Tora Prison. The 2000 announcement of the verdicts, due in July, was deferred first to October 3 and then to November 7. Many Egyptians saw the prosecutions as an attempt by the authorities to prevent the defendants from running as independent candidates in elections for the People’s Assembly and for the boards of their respective professional associations. Mukhtar Muhammad Nouh, for example, a former member of parliament, had been expected to stand as a candidate in the Egyptian Lawyers’ Association’s board elections due to be held on July 1 but postponed by the authorities pending a court ruling in a dispute over election procedures. This was resolved on September 5 when the Supreme Administrative Court rejected a government appeal against a lower court decision that board elections be held solely on the premises of the Egyptian Lawyers’ Association and its branches. By October 2000 no new date had been set for these elections.

In the absence of official figures, it was not possible to specify the number of political detainees being held without trial, but the authorities freed at least several hundred between January and July. They also made scores of new arrests, mostly of suspected members of the Muslim Brotherhood, and thousands of other political detainees, the vast majority of them actual or suspected membership of banned groups, in particular *al-Gama’a al-Islamiyya* (Islamic Group) and *al-Gihad* (Holy Struggle), continued to be held in administrative detention under emergency legislation. They included some who had completed prison sentences and others who had been held without charge or trial for prolonged periods, in some cases for over ten years. Many detainees successfully challenged the legality of their continued detention in the courts, but Ministry of Interior officials routinely ignored the courts’ rulings and continued to hold the detainees in harsh conditions at prisons such as al-Fayyum, Wadi Natrun I and II, and Abu Za’bal al-Sina’i, where detainees were deprived of all contact with the outside world for long periods. In a positive development, at least sixty-eight detainees held in these prisons were allowed family visits in September.

Security forces tortured and ill-treated detainees, and there were reports that as many as fifteen detainees died in custody due to poor conditions and lack of medical care,
and, in at least one case, due to torture. Again, however, the authorities’ failure to disclose information on such cases, or whether official investigations were held to determine the causes of such deaths, hampered efforts to assess the true scale of the problem in Egypt’s prisons and detention centers. One case, however, did lead to official action. The authorities charged six police officers following the death of Ahmad Muhammad ‘Issa, beaten to death on February 10 in Wadi Natrun prison, and their trial was continuing in October.

In a positive development, Interior Minister Habib al-Adli announced on September 17 that the practices of flogging and caning as disciplinary measures in prisons would be banned.

Egyptian courts sentenced as least sixty-six people to death, and the authorities carried out eighteen executions between February and September, according to Amnesty International. Most death sentences were imposed for ordinary criminal offences, but two of those executed had been sentenced in their absence for membership of an armed illegal group after an unfair trial.

The controversial Law on Civil Associations and Institutions (Law 153 of 1999), condemned by Egyptian and international human rights groups for excessively restricting the activities of NGOs and facilitating undue government interference in their internal affairs, was overturned by the Supreme Constitutional Court on June 3. Issued shortly after the 1999 law’s registration deadline for NGOs, the court ruled the law unconstitutional on procedural grounds because it had not been presented to the Majlis al-Shura. Egyptian human rights activists welcomed the ruling, which also noted that administrative courts, not the courts of first instance, should hear cases arising from disputes between NGOs and the authorities. The day after the ruling, the Ministry of Social Affairs announced that Law 32 of 1964, which the 1999 law had been intended to replace, would remain in force, but that NGOs that had been granted registration under the overturned law would retain that status, giving rise to confusion as to which law governed their activities.

On September 3, Deputy Justice Minister Fathi Naguib told Human Rights Watch that the overturned law would be revised in light of the constitutional court decision and then submitted again to the People’s Assembly after the elections. He said there would be no further consultations with NGO representatives regarding the provisions of the law, which he asserted was “fair and democratic.”

The government prosecuted at least one writer for his exercise of freedom of expression. On March 10, police arrested author Salahuddin Muhsin, charging him with writing books deemed offensive to Islam. Prosecutors cited two of his books, A Night Talk with Heaven and Trembling of Enlightenment, when he appeared before the State Security Court for Misdemeanours in Giza on June 17. On July 8, the court imposed a six-month suspended sentence, rendering Muhsin liable to certain imprisonment should he be convicted of a similar offence in future.

The November 1999 decision of the Ministry of Culture to authorize the re-printing of A Banquet of Seaweed by Syrian author Haidar Haidar, first published in Lebanon in 1983, led to widespread protests in Cairo following an April 28 article in the Islamist al-Sha’ab newspaper, which denounced the book as blasphemous. Several thousand demonstrators, many of them al-Azhar University students, staged a series of protests from May 7, and students at ’Ain Shams and Cairo universities held similar protests. As the protests became increasingly violent, police reportedly used rubber bullets and tear gas to disperse the demonstrators, and several police officers and tens of students were injured. Police also arrested scores of students, prompting further demonstrations calling for their release, and all were freed without charge within days. Although a panel of literary experts appointed by the Ministry of Culture cleared the novel of the charge of blasphemy, the authorities announced that the book would be withdrawn from circulation. On May 12, the prosecutor-general’s staff interrogated two Ministry of Culture employees about the
re-printing of the novel but no formal charges were brought.

The right to freedom of conscience and religion also came under attack in other ways, involving both Muslims and Christians. On September 5, the Emergency State Security Court sentenced Manal Wahid Mana’i to five years in prison under Article 98(f) of the Penal Code for denigrating Islam. She was arrested, together with fifteen others, in December 1999 as the alleged leader of a Sufi sect and accused of “claiming prophecy and using the Islamic religion to propagate extremist ideas.” Twelve of her co-defendants, among them her husband ‘Abd al-Hamid Muhammad Kamel, received sentences ranging from six months to three years of imprisonment. Two other defendants were fined. Another died in custody, reportedly of natural causes before the verdict.

In another case, the Sohag Criminal Court sentenced Sourial Gayed Ishaq, a Coptic Christian, to three years in prison under articles 160 and 161 of the Penal Code for insulting Islam. He had reportedly made offensive remarks in public about Islam after sectarian violence broke out between Muslims and Christians in his village, al-Kusheh, on December 31, 1999. A financial dispute between a Muslim and a Christian had led to three days of rioting and the deaths of some twenty-three victims, most of them Christians. Security forces imposed a curfew and arrested scores of villagers to end the bloodshed, and both the government and local human rights groups, including the Egyptian Organization for Human Rights (EOHR) and the Centre for Human Rights Legal Aid (CHRLA), launched their own investigations. On March 11, Prosecutor-General Maher ‘Abd al-Wahed announced that those responsible would be tried on murder, attempted murder, incitement to violence, robbery, and other charges, and two trials involving 135 defendants began before criminal courts in Sohag and Dar al-Salam in the first week of June. On September 5, the Sohag court sentenced four defendants tried in their absence to ten years of imprisonment and sixteen others to prison terms of between six months and two years. The court acquitted nineteen others. The trial of the remaining defendants before the Dar al-Salam criminal court was still continuing in October 2000.

Defending Human Rights

The government closely monitored the activities of human rights organizations and restricted their work. Official investigations brought against targeted activists were kept pending, in some cases for years. The case against Hafez Abu Sa’da, secretary general of the EOHR, who had been detained for fifteen days in December 1998, remained ambiguous. The government had charged him and other EOHR members with accepting funds from a foreign donor—the British embassy in Cairo—to harm to Egypt’s national interests. On February 13, several days before the EOHR was due to issue a report on renewed sectarian violence in al-Kusheh (see above), the Prosecutor-General’s Office announced that it had referred the case to the Emergency Supreme State Security Court. In March, however, Prosecutor-General ‘Abd al-Wahed told Human Rights Watch that the British ambassador had confirmed that the funds in question were intended to support a women’s legal aid project, and that in light of this information Abu Sa’da’s “file was closed.” By October 2000, however, the authorities had still not informed Abu Sa’da officially that the case was closed.

The EOHR and other local human rights groups condemned the government’s extension of the state of emergency. The EOHR was among a number of human rights groups that applied for official registration under the 1999 NGO law in the first half of the year but of these, only CHRLA had been granted registration before the law was overturned by the constitutional court. Applications by other human rights groups had not as yet been fully processed. The Arab Organization for Human Rights (AOHR) was granted legal status as a regional organization in early May under a separate agreement with the Ministry of Foreign Affairs. After the 1999 law was declared invalid, the Ministry of Social Affairs informed the EOHR on July 24 that its
application for registration would be considered under the 1964 law and requested that it provide the necessary documentation. Several days later, ministry officials told the EOHR verbally that its registration had been granted, and gave a registration number, but on July 30 the ministry informed the EOHR in writing that the decision on its application had been deferred upon “a request from security officials.”

Human rights activists preparing to monitor the People’s Assembly elections also came under attack. On the night of June 30, State Security Intelligence (SSI) officials arrested Sa’adeddin Ibrahim, sociology lecturer at the American University of Cairo and director of the Ibn Khaldun Center for Development Studies. The SSI raided both his home and the center and confiscated documents, computers and other belongings. The authorities also arrested the center’s chief accountant, Nadia ‘Abd al-Nur, and her assistant, Usama Hammad, and they, together with Ibrahim, were interrogated by officials of the prosecutor-general. The authorities issued renewable, fifteen day detention orders against Ibrahim and ‘Abd al-Nur under Military Decree No. 4 of 1992. ‘Abd al-Nur went on hunger strike for two days to protest the conditions in which she was being held at the Women’s prison. During her first two weeks in detention, the authorities interrogated her without the presence of a defense lawyer. Prosecutors initially accused Ibrahim of receiving foreign funding without the authorities’ permission, forgery of election documents, fraud and the dissemination of false information damaging to Egypt’s interests, but failed to specify the legal basis for these or later accusations. The authorities questioned at least fourteen others in connection with the case, some of whom they detained for several weeks.

In early July, the authorities detained and interrogated staff of the Women Voters’ Support Center, a NGO cooperating with the Ibn Khaldun Center on educational programs for voters. They included Warda ‘Ali Bahi and Magda al-Bey, detained without charges for six days and one month respectively. The authorities then released Sa’adeddin Ibrahim and Nadia ‘Abd al-Nur on bail on August 10, and others in the ensuing days, but took further action on September 24 after Ibrahim announced that he intended to monitor the parliamentary elections. The prosecutor general formally referred the case to the Supreme State Security Court, naming twenty-eight defendants, including ten who were not in custody and would be tried in their absence. Both the Ibn Khaldun Center and the Women Voters’ Support Center remained closed. The trial was set for November 18.

The Role of the International Community

United Nations

The U.N. Working Group on Arbitrary Detention, in an opinion issued on September 15, 1999, requested the government to remedy the situation of Mahmoud Mubarak Ahmad, a medical doctor held without charge or trial since January 1995, in contravention of Egypt’s international legal obligations. The working group had raised the case with the government in June 1998 but received no response. In its December 1999 report, the U.N. Working Group on Enforced or Involuntary Disappearances stated that it had submitted new information to the government on seven cases, and had received a response on one case.

The U.N. Committee on Economic, Social and Cultural Rights on May 2 and 3 considered Egypt’s initial report on the implementation of the International Covenant on Economic, Social and Cultural Rights. In its concluding observations, adopted on May 12, the committee noted improvements in the educational system and the reduction of illiteracy, granting divorce rights to women, and improvements in the public health system. However, it criticized the state of emergency for limiting “the scope of implementation of constitutional guarantees for economic, social and cultural rights,” and expressed concern about infringements of workers’ and women’s rights, child labor, media censorship, and freedom of association. The com-
committee recommended, among other things, that the Law on Civil Associations and Institutions (Law 153/1999) be repealed or amended to conform with Egypt’s constitution and its international obligations, noting that the law “gives the government control over the rights of NGOs to manage their own activities, including seeking external funding.” The committee further recommended that the new Personal Status Code be reviewed to remove provisions that discriminate against women, and that new labor laws be promulgated “to protect children from abusive working conditions” and to eradicate child labor.

European Union

The European Parliament, in a January 20 resolution, expressed concern about “sectarian clashes between Copts and Muslims in Egypt, which resulted in the deaths of more than 20 Egyptian citizens in several villages in Upper Egypt on 1 and 2 January 2000.” The resolution called on Egypt to “raise awareness about religious tolerance and respect for human rights and minority freedoms by launching a campaign on sectarian hatred and violence,” and to consider the abolition of the death penalty. It also expressed support for the stated efforts of the Egyptian government to investigate the clashes and to compensate those injured.

The E.U. Commissioner for External Relations Chris Patten visited Egypt on April 1 for talks with Prime Minister Atef Obeid and senior cabinet members focusing on E.U.-Egypt relations, the Middle East peace process and the Euro-Mediterranean Association Agreement. Negotiations over the Association Agreement were concluded in June 1999 but as of October 2000 Egypt had not signed it. On September 6, the European Commission adopted a series of recommendations in preparation for the Fourth Meeting of Euro-Mediterranean Foreign Ministers, scheduled to be held in Marseilles on November 16 and 17. These urged Egypt to sign the Association Agreement and, referring to E.U. economic assistance mechanisms, advocated “greater emphasis on human rights issues,” in order to make financial assistance programs “more dependent on substantial progress in these areas.”

United States

The U.S. remained Egypt’s largest provider of foreign aid, with military assistance in fiscal year 2000 estimated at U.S. $1.3 billion and U.S. $727 million in economic support funds, but U.S. criticism of Egypt’s human rights record remained muted. For fiscal year 2001 the Clinton Administration requested U.S. $1.3 billion in military assistance and U.S. $695 million for economic support funds, describing Egypt as “a key supporter of the Middle East peace process ... [and] an indispensable ally in the region.” The administration’s budget document stated that 10 percent of the economic support funds were for educational and health programs, as well as to “support democracy by assisting civil society organizations’ role in public decision-making.”

In the case of Sa’addedin Ibrahim (see above), who held dual Egyptian-U.S. citizenship, the State Department several times called on the Egyptian government to press formal charges or release him from detention. In its Country Reports on Human Rights Practices for 1999, the State Department said that Egypt “continued to commit numerous human rights abuses, although its record improved somewhat over the previous year, mainly due to a decrease in terrorist activity by Islamic extremists.” In its Annual Report on International Religious Freedom for 2000, released on September 5, the State Department claimed to observe “a trend toward improvement in the Government’s respect for and the protection of the right to religious freedom.”

President Mubarak visited Washington, D.C., in late March, and President Clinton stopped briefly in Cairo on August 29 to discuss Israeli-Palestinian negotiations. In neither case was there any indication that human rights issues were on the agenda. Prior to President Mubarak’s March visit, the U.S. Commission on International Religious Freedom as well as several U.S. legislators pub-
licitly urged President Clinton to raise the issue of sectarian violence and alleged discrimination against the Coptic Christian community.

**IRAN**

**Human Rights Developments**

There was continued struggle between reformists and conservatives over the political direction of the Islamic republic leading to new human rights abuses, notably violations of freedom of expression. Reformist candidates supporting President Khatami won a significant victory in February’s parliamentary elections, hailed as the fairest in Iran’s history, but hopes that this would lead quickly to institutionalized gains for the legal protection of human rights proved misplaced. Conservatives used their control over powerful state institutions, most importantly the judiciary, to intimidate and silence supporters of greater political freedom. Twenty-five independent newspapers and magazines were closed, and leading publishers and journalists were imprisoned on vague charges of “insulting Islam” or “calling into question the Islamic foundation of the republic.”

The early part of the year was dominated by elections for the sixth Majles (Islamic Consultative Assembly). Parliamentary elections in 1996 had been marred when the Council of Guardians vetoed more than 44 percent of the candidates. This year the council, a government-appointed body of twelve senior clerics and legal experts, vetoed less than 10 percent of the candidates. Of 6,083 candidates who stood for election to the 290 seats, 576 were disqualified. Despite the exclusion of representatives of parties opposed to, or openly critical of, clerical rule, Iranians were presented with a choice of candidates representing a range of views.

Conservatives maneuvered, however, to limit the extent of the reformist victory, and blocked high-profile reformists from running as candidates in a variety of ways. Abdullah Nouri, the impeached former minister of the interior, publisher of the prominent daily newspaper Khordad, and reformist candidate for speaker, was brought to trial in November 1999 before the Special Court for the Clergy. However, he used his trial as an opportunity to advocate reform, reminding his conservative accusers that they could not impose their own interpretation of Islam and challenging the religious and legal authority of the court, which he likened to an inquisition. Nouri’s statements, which included favorable reference to Ayatollah Montazeri’s criticisms of the velayet-e faqih (rule of the supreme jurist) were widely reported in the opposition press. Nevertheless, Nouri was convicted, sentenced to five years of imprisonment, and disqualified from standing in the election.

In January, the Council of Guardians removed other prominent reformists from the list of candidates, including Abbas Abdi, a leader of the 1989 seizure of the U.S. embassy in Tehran, which occasioned the hostage crisis, who had since then taken public steps to reconcile with his former captives. Candidates from the opposition Iran Freedom Movement, including its leader Ebrahim Yazdi, were again banned from participating in the elections.

Mahmoud Ali Chehregani, an advocate of the rights of the Azeri minority, was prevented from registering as a candidate for the election in Tabriz by being detained by local police until after the registration deadline had passed.

On March 12, a gunman shot and severely wounded Saeid Hajjarian, a director of Sobh-e Emrouz, the reformist newspaper that had taken the lead in exposing the involvement of state officials in extrajudicial
executions of dissident intellectuals. He was also a leading political advisor to President Khatami, and regarded as the architect of the reformists’ February electoral triumph. His assailant escaped from the scene of the shooting on a motorcycle of the type reserved for use by security forces and police at the scene made no attempt to apprehend him, raising suspicion that he was acting in collaboration with members of the security forces. However, the assailant was arrested soon afterwards and, together with four co-conspirators, tried, and sentenced to fifteen years of imprisonment.

The attempt on Hajjarian’s life heightened fears that paramilitary death squads were at work within the state apparatus. A group of police officers charged with an attack on a Tehran University student dormitory in July 1999 (see World Report 2000) went on trial in March, but they did not include uniformed paramilitaries who witnesses said were responsible for the worst of the violence, in which at least four students were killed. In July, a senior police officer among those charged was acquitted. Scores of students who were detained during demonstrations and in the raid on the dormitory remained in prison.

State officials accused of involvement in the murder of dissidents and intellectuals at the end of 1998 have not yet been tried in public. In September, a statement from the judiciary, published in the press, announced the beginning of court proceedings against eighteen former ministry of information officials accused of involvement in the killings. Only two of the accused were in detention. Lawyers for the victims’ families, who were granted access to prosecution files, complained that the files were still incomplete and raised questions about what had happened to material gathered during two years of investigations.

Conservatives mounted a concerted campaign to close independent newspapers in order to weaken the reformists’ influence. In the absence of formal political parties, newspapers were key agents for mobilizing popular support for the reformist cause, with many leading reformists publishing their own newspapers, which acted as forums for wide-ranging discussion of issues confronting the country. The press had been a major factor in the reformists’ electoral success and, increasingly, was exposing corruption within the ruling conservative elite and its involvement in gross human rights violations, including extrajudicial executions of dissidents. The conservatives’ action against the press dealt a devastating blow to what had been one of the few visible achievements of the reform movement, a vibrant, independent print media.

The reformist movement was far from monolithic. It included both Islamist democrats, who advocated a more responsive political system, and others who more directly challenged the clergy’s central role in politics and the notion that the supreme leader of the Islamic Republic should have absolute power to determine divinely ordained policy.

In April, conservative elements within the judiciary began to close down independent newspapers and magazines, and to imprison leading journalists and editors. On April 10, Mashallah Shamsol-Vaezin, a pioneer of independent media and editor of a succession of banned titles, was imprisoned for thirty months on the grounds that an article he had published criticizing the death penalty defamed Islam. On April 22, Akbar Ganji, a leading investigative journalist for Fath newspaper, was imprisoned by the Tehran Press Court for defaming the security forces in articles he had written about official involvement in political killings and the attack on Saeid Hajjarian. On April 23, Shamsol-Vaezin’s publisher, Latif Safari, was imprisoned for two and a half years by the press court. The same day, eight daily and three weekly newspapers were ordered closed. Other prominent publishers or editors, some of whom were also politicians, were indicted for press offenses or summoned to appear before the press court. In August, Ahmad Zeidabadi, Massoud Behnoud, Ebrahim Nabavi, all journalists for independent newspapers, were taken into detention without charge or explanation.

Supreme Leader Ayatollah Khamenei,
while endorsing “the free flow of information,” openly condoned the action taken against the press accusing some un-named titles of being “bases of the enemy.” Following this lead, conservatives redoubled their attacks on reformists as agents of hostile alien forces, and the last remaining major independent daily, Bahar, was closed down in August. Ayatollah Jannati, a member of the Council of Guardians, remarked that closing down the newspapers was “the best thing the judiciary had done since the revolution.”

In April, leading Iranian reformist politicians attended an international conference on Iran in Berlin, which was also attended by banned, exiled political activists. This allowed conservatives to portray the reformists as linked to hostile foreign powers, and many were prosecuted for participating in what the state-controlled media portrayed as an anti-Iranian, anti-Islamic event. Veteran independent politician, Ezzatollah Sahabi, now more than seventy years of age, spent more than six weeks in detention under interrogation before being released on bail. Three participants in the Berlin conference remained in prison at the end of the year. Five others are awaiting trial, but free on bail.

With the reformist press suppressed, conservatives were emboldened to tamper with the election results. In May, the Council of Guardians nullified the results in eleven constituencies and canceled 726,000 of the more than three million votes cast in the Tehran constituency, without explanation. For the clerical establishment, the most embarrassing outcome of the election was former President Rafsanjani’s failure to gain enough votes to win a seat in the new Majles. Revised results several months later placed Rafsanjani higher in the poll but, rather than face humiliating criticism that the vote had been rigged, the powerful former president stood down from his seat.

When the new Majles convened in late May the reformists controlled some 150 of the 290 seats, but it was unclear whether the diverse factions of the reformist bloc would be able to operate as a unified voting group. Many reformists appeared chastened by the conservative backlash and anxious to reassure conservatives that change would not undermine the foundations of the state. Mehdi Karroubi, a cleric with a long history of senior government service, was elected speaker as a candidate acceptable to all factions.

The new parliament promised to amend the repressive press law passed in the closing months of the previous parliament. The law required applicants for new newspaper licenses to obtain prior approval from the judiciary, closing a previous loophole that had enabled banned newspapers to reopen days later under a new name. The law also facilitated the closure of newspapers on vaguely worded charges of “insulting Islam” or “undermining the religious foundation of the republic,” leaving the press court with wide discretion to censor titles of which it disapproved. Reformists drafted a new bill that would better protect press freedom but this was vehemently attacked by conservatives as un-Islamic and likely to spread corruption in society. On August 6, Ayatollah Khamenei ordered the parliament to drop its consideration of a new press law. This unprecedented intervention in the legislative process by the supreme leader was accepted by Speaker Karroubi, averting open conflict between the parliament and the Council of Guardians, which was anyway expected to veto the proposed new law.

Other early actions by the new parliament indicated a pragmatic approach. New legislation to facilitate access by foreign investors to the Iranian market passed unanimously, indicating a shared recognition that the country’s severe economic problems needed government attention. Reformist pledges to carry out public inquiries into the attack on student dormitories remained unfulfilled, however. On a positive note, a parliamentary commission carried out an investigation into prison conditions, visiting prisons in different parts of the country. The publication of the commission’s findings, scheduled for mid-October, was delayed, reportedly because of their critical tone and exposure of torture.

Former detainees, arrested after the stu-
dent disturbances in July 1999, informed Human Rights Watch that they were tortured and sexually abused while in prison in 1999 and early 2000. Ahmad Batebi, a student sentenced to thirteen years of imprisonment, wrote a letter to the head of the judiciary that was published in the international press, protesting beating and lashing that he had suffered while in detention.

Unfulfilled expectations were the cause of several clashes between demonstrators and hardline conservative supporters and the security forces. On the anniversary of the student demonstrations of July 1999, students marched and were joined by other demonstrators expressing their frustration at poor economic conditions. The protesters in Tehran were beaten by the self-styled partisans of the party of God, ansar-e hezbollahi, and forcibly dispersed.

More serious clashes occurred in the provincial town of Khorramabad in West Azerbaijan province in late August. Two leading reformist thinkers, Abdol Karim Soroush and Mohssen Kadivar, were prevented by hezbollahis armed with clubs and knives from attending a student convention in the town at which they were due to give speeches. There followed a week of street clashes between students and hardline vigilantes in which a police officer was killed and dozens of people were injured, requiring hospital treatment. Townspeople joined in the protests on the side of the students. One hundred and fifty protesters, mostly students, were detained after these disturbances.

Hardline vigilantes were less active in the early part of the year, partly because the judiciary was more actively targeting reformists. On April 14, the supreme leader condoned “legal-violence” against the “bases of the enemy” and “centers of corruption,” suggesting that the vigilantes should act only when the judiciary and the legal authorities were not doing enough to maintain order. His remarks at Friday prayers contained a barely veiled threat that citizen violence to protect Islam was justified if the state was failing in its obligation to protect the faith. As demonstrations of popular discontent mounted towards the end of the year, the vigilantes resumed their usual activities of assaulting reformists, breaking up demonstrations, and provoking disorder designed to discredit the reformist cause. In September, a group of vigilantes attacked a book exhibit in Esfahan, claiming that the titles showed disrespect for Islam. After the extreme vigilante violence of July 1999, Minister of Information Ali Younesi declared that such violence would no longer be permitted, but one year later he could only acknowledge “they have their own leadership network and do as they please.” The activities of the shadowy paramilitary supporters of conservatism, and the identities of the leaders behind the violence, had been favorite topics of the independent press. With suppression of this media, hardliners were able to intimidate political opponents free from the threat of public exposure.

A former vigilante, Amir Farshad Ebrahimi, stated in a videotape that vigilantes had received payments from senior clerics in order to carry out attacks on reformist personalities and to disrupt public events. He was sentenced in October, after a closed trial, to two years of imprisonment for defamation of public officials. His lawyer, Shirin Ebadi, and another lawyer, Mohssen Rahami, who had received a copy of the tape, were given suspended prison sentences and banned from practicing law for five years. False allegations were made by the conservative press that a Human Rights Watch researcher had been involved in the production and dissemination of the tape, but no formal charges were made against her.

The April trial in Shiraz of thirteen Iranian Jews accused of spying for Israel was conducted against this background of factional conflict. The factual basis of the case against the accused remained shrouded in mystery even after ten of them were convicted of forming an illegal organization and maintaining contacts with Israel, a hostile foreign power. While the trial was in progress, defendants gave interviews on state-controlled television in which they confessed to espionage. These confessions were contested by their lawyer, however, and appear not to have
formed part of the court proceedings. The trial, before a revolutionary court, was unfair. It was conducted in closed session, and observers, including a representative of Human Rights Watch, were denied access to the proceedings. Before trial, the defendants were held incommunicado for many months, during which the statements that formed the basis for their conviction were taken from them by the judge in his dual role as prosecutor as well as judge. The defendants, three of whom were acquitted at trial, were allowed access to legal counsel only once they had confessed.

Yet, in some respects, the trial of the Jews was uncharacteristically transparent by the standards of Iran’s revolutionary courts. The trial judge met with journalists, diplomats, and human rights observers and answered questions about the case. Whereas most defendants tried before such courts are denied all access to legal counsel, in the Shiraz trial, principal defense lawyer Esmail Naseri openly challenged the validity of his clients’ confessions, made while they were denied access to their lawyer, and pointed out the absence of other incriminating evidence. After the July sentencing of ten of the defendants to prison terms of between two and thirteen years, Naseri commented that, by law, they should be released pending an appeal because of the many procedural violations in the prosecution process, but that he feared political interference would rule this out. Then, in September, days before the result of the appeal was due to be announced, Naseri told a press conference that he had been pressured to withdraw his objections to his clients’ confessions and told that they would choose new lawyers if he refused to do so. He said that the thirteen had been held in prolonged solitary confinement until they were disoriented and willing to incriminate themselves, and that he would reveal the source of the pressure and threats against him if his clients’ confessions were upheld. In September, the appeals court upheld the convictions but reduced the sentences to between two and six years. In October, the defendants allowed the deadline for filing an appeal to the Supreme Court to pass, and dismissed their defense lawyers without explanation.

While all Iranian leaders took exception to international criticism of the case, stressing that the judicial process should be allowed to take its course, President Khatami repeatedly emphasized that the Jewish community formed an integral part of Iranian society. In August, he received leaders of the Iranian Jewish community and relatives of the Shiraz defendants.

Other minority religious communities continued to be subjected to persecution. In February, three Baha’is, Sirus Zabihi-Moghadam, Hedayat Kashefi-Najafabadi and Manouchehr Khulusi, were sentenced to death, apparently because of their religious activities. Two of the three had been detained since 1997 for violating the ban on Baha’i religious gatherings. The details of the third man’s detention were not known.

The Iraq-based armed opposition group, the People’s Mojahedine Organization of Iran, continued to carry out attacks against targets inside Iran. Although the organization claimed to be targeting officials, several civilians were killed or injured in incidents, such as a mortar attack on the presidential office in downtown Tehran in February.

Defending Human Rights
The closure of independent newspapers was a major blow to public awareness of, and discourse on, human rights, but some steps were taken towards the creation of independent local human rights organizations. An Iranian Committee for the Protection of Journalists continued to promote and protect international standards on freedom of expression, but most of the organization’s leaders were subsequently imprisoned for facing prosecution for their journalism. The nongovernmental Writers Association publicly criticized attacks on the press and restrictions on freedom of expression, and the Islamic Commission on Human Rights, an official body based within the judiciary, also spoke out against the closure of newspapers and prosecutions of editors and journalists. Mehrangiz
Kar, a lawyer and women’s rights activist, was arrested in April after making a speech advocating women’s rights at the Berlin conference. She was freed on bail after a month.

In August, Hassan Yousefi Eshkevari, a religious scholar, was imprisoned on his return from Germany for his advocacy of liberal interpretations of Islam supportive of human rights principles. He had delayed his return from the Berlin conference. He was charged as an apostate and with being corrupt on earth, charges which carry the death penalty.

Access to the country by international human rights observers remained restricted and the U.N. special representative on Iran continued to be denied entry. However, a Human Rights Watch researcher in possession of an Iranian passport was able to visit in April and to meet with officials, but other Human Rights Watch representatives and those of other nongovernmental organizations were generally not issued visas. The government allowed representatives of a French legal association to visit Iran at the time of the Shiraz trial of Iranian Jews.

The Role of the International Community

United Nations

The U.N. Commission on Human Rights, while welcoming a number of positive developments such as the February elections, “expressed concern” about Iran’s human rights record in a resolution in April. The resolution called on the government to resume cooperation with the U.N. special representative on Iran, Maurice Côté of Canada, and it extended his mandate. The resolution also expressed concern over the Jews’ trial, discrimination against the situation of religious minorities, and the prevalence of the death penalty. In his report to the General Assembly in October, Côté was more critical, singling out the “accelerating attack on the press” as the most dramatic development, but also noting the lack of progress in judicial reform and the execution of 130 people between January and July.

European Union

The prospect of lucrative Iranian trade and investment contracts for European corporations was a high priority for E.U. leaders, but the Shiraz trial of Iranian Jews strained the improving relations between E.U. member states and Iran. In France and other European countries, demonstrations called for the severing of diplomatic relations with Iran if the defendants were convicted, and in April the European Parliament passed a resolution urging the Iranian authorities to guarantee a fair trial, allow access to international observers, and introduce a moratorium on the death penalty. Many E.U. leaders, while condemning continued violations of human rights, publicly expressed support for the reformist policies of President Khatami, and he made state visits to France and Germany during the year.

United States

There was a continued slow warming of relations between the United States and Iran. The U.S. commented favorably on the February elections, but continued to express concern over Iran’s alleged support for international terrorism and efforts to develop nuclear weapons. President Clinton and other U.S. leaders publicly criticized the Shiraz trial. Restrictions were eased on the import to the U.S. of certain goods, but restrictions on U.S. corporations investing in Iran remained in place, to the increasing displeasure of corporations who saw contracts being awarded to their European competitors.

A delegation of Iranian parliamentarians led by Speaker Karrubi attended an Inter-Parliamentary Union conference in New York in August, and met several members of the U.S. Congress at a reception. During President Khatami’s visit to New York for the U.N. Millennium Summit, President Clinton and Secretary of State Madeleine Albright conspicuously attended his speeches. The State Department’s Country Report on Human Rights Practices for 1999, issued before the post-election crack-down on the reformist movement, gave some credit for improvements in the freedom of expression field,
while remaining critical of a wide range of violations. The *Annual Report on International Religious Freedom*, issued by the State Department in early September identified Iran as “a country of concern,” because of its persecution of religious minorities.

**IRAQ AND IRAQI KURDISTAN**

**Human Rights Developments**

The Iraqi government continued to commit widespread and gross human rights violations, including arbitrary arrests of suspected political opponents, executions of prisoners, and forced expulsions of Kurds and Turkmen from Kirkuk and other districts. Known or suspected political opponents living abroad were reportedly frequently targeted and threatened by Iraqi government agents.

Relations between the two opposition groups, the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK), that retained control over most of the northern provinces of Duhok, Arbil and Sulaimaniya, remained strained despite a 1998 U.S.-brokered peace agreement and continued mediation efforts by the U.S. In the north, the year was punctuated by clashes between these and other Kurdish parties, resulting in casualties and some arrests, and human rights abuses were committed by the KDP, PUK and opposition groups. Municipal council elections were held in PUK-controlled territory in February, the first in the region since May 1992.

In the area under Iraqi government control, elections were held on March 27 for a new four-year term National Assembly, in which 220 of the 250 parliamentary seats were contested. The other thirty, reserved for the Kurdish population, were filled by presidential appointees.

Economic sanctions imposed on Iraq by the United Nations Security Council in August 1991 remained in force. The Security Council adopted a resolution expanding the “oil-for-food” program and setting up a new weapons inspection system, proposing the suspension of the sanctions for a limited period following compliance by Iraq with the provisions of the resolution. The Iraqi government rejected the proposal, stating that none of the Security Council’s resolutions provided for such suspension, and continued to demand the total lifting of sanctions. International consensus over the sanctions was further eroded following several “humanitarian flights” by Russia, France, Syria and Egypt, among others, following the reopening of Baghdad’s Saddam International airport in mid-July.

**Human Rights Developments in Government-controlled Iraq**

Five Republican Guard officers were reportedly executed on December 29, 1999, after being accused of complicity in the alleged attempted murder of President Saddam Hussein’s younger son, Qusay. Among them were Lieut. Col. Ibrahim Jassem and Capt. ‘Umar Abdul Razzaq. In April, a number of Republican Guard and Special Security Forces personnel were reportedly arrested following an alleged coup attempt. Some forty Republican Guard members were reportedly among those taken to Radiwaniyya prison, including Staff Lieut. Col. Hashem Jassem Majid and Lieut. Col. Shawqi Sraishi. Further arrests and executions were reported in May of four officers belonging to the Special Security Forces, among them staff colonels Kadhim Jawad ‘Ali and ‘Ali Muhammad Salman.

Numerous executions of political prisoners as well as those convicted for criminal offences were apparently carried out as part of the government’s “prison cleansing” campaign involving several prisons, including Abu Ghraib and Radiwaniyya. In March, the opposition Iraqi Communist Party’s Center for Human Rights submitted to the U.N. special rapporteur on Iraq details on 223 executions that it said were carried out between October 12, 1999, and March 9, 2000. They included twenty-six political detainees executed on November 26, 1999, and a further
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twenty-six executed on January 27, all in Abu Ghraib prison near Baghdad. The majority were Shi’a Muslims from Basra, al-Samawa, al-Nasiriyya, al-Diwaniyya, al-Hilla, al’-Amara and Baghdad, some of whom had been held without judicial due process since 1991 on suspicion of having participated in the March 1991 uprising. The bodies of the victims were reportedly buried in mass graves near the prison.

Iraqi security forces continued to target suspected supporters of Ayatollah Muhammad Sadeq al-Sadr, a leading Shi’a cleric who was assassinated in al-Najaf in February 1999 together with his two sons. In March, scores of Shi’a Muslims who had fled Iraq earlier in the year and in 1999 told Human Rights Watch that they had been repeatedly interrogated and in some cases detained and tortured. Some of those detained were relatives of prominent clerics or of Ayatollah al-Sadr’s students who had been arrested shortly after his assassination. Twenty-two of those arrested soon after his murder were tried by a special court attached to the Mudiriyyat al-Amn al-’Amma (General Security Directorate) in Baghdad on charges including carrying out armed attacks on military and Ba’th Party personnel, membership of a prohibited organization, and sheltering supporters of Ayatollah al-Sadr who were being sought by the authorities. On May 13, at least six, all students of religion in al-Najaf, were sentenced to death and their homes demolished. They included Shaikh Salim Jassem al-’Abbudi, Shaikh Nasser al-Saad and Sa’ad al-Nuri. Other defendants received sentences of life imprisonment or lesser terms. By October 2000 it was not known whether the death sentences had been carried out. Some of their relatives were also arrested and tortured.

Iraqi intelligence agents targeted political opponents who had fled Iraq, threatening and intimidating them or arresting and torturing family members still in the country. On June 7, Staff Lieut. Gen. Najib al-Salihi, former chief of staff of the Iraqi army’s Sixth Armoured Division who had fled to Jordan in 1995, received a videotape showing the rape of a female relative by intelligence personnel. The rape or threat of rape has long been used in Iraq as a punitive measure against opponents to extract confessions or information or to pressure them into desisting from anti-government activities. Shortly afterwards, Salihi received a telephone call from his brother in Baghdad, asking him to cease all opposition activity. Iraqi political exiles living in Europe and elsewhere consistently reported being threatened with the arrest or execution of their relatives if they did not return to Iraq or abandoned opposition activity, and asylum seekers in Jordan, Syria and other countries reported being under surveillance by Iraqi intelligence agents.

The government continued its forced expulsion of Kurds and Turkmen from Kirkuk, Khaniqin, Makhmour, Sinjar, Tuz Khormatu, and other districts as part of its ‘Arabization’ program. Those expelled included individuals who had refused to sign so-called “nationality correction” forms, introduced by the authorities prior to the 1997 population census, requiring members of ethnic groups residing in these districts to relinquish their Kurdish or Turkman identities and to register officially as Arabs. The Iraqi authorities also seized their property and assets; those who were expelled to areas controlled by Kurdish opposition forces were stripped of all possessions and their ration cards were withdrawn. A smaller number, mostly Turkmen, were forcibly expelled to central and southern Iraq, including al-Ramadi, and were allowed to take some of their possessions. In both cases, the Iraqi authorities frequently detained heads of households until the expulsions were complete. Over 800 people were reportedly expelled between January and June, bringing the total number of those expelled since 1991 to over 94,000, according to Kurdish opposition sources.

Press freedom and the right to information remained severely restricted. The government maintained tight control on all media outlets, including television, radio, and newspapers, most of which were state-owned. Satellite dishes and modems remained under ban, and the installation of facsimile machines...
continued to require special permission. Plans announced by the authorities in November 1999 to allow Iraqis to tune into selected satellite television channels through a paid service had not materialized by October 2000. Internet services, provided solely by the Ministry of Culture and Information, became available to Iraqis for the first time on July 27 when an Internet café opened in Baghdad. The authorities announced that additional centers would be opened in other cities in the future. Minister of Transport and Communications Ahmad Murtada Khalil reportedly said that customers could browse those Web sites that did not violate “the precepts of the Islamic religion” or offend “morals and ethics.” However, users were reportedly banned access to unmonitored Web-based electronic mail systems.

On June 28, two staff members of the United Nations Food and Agriculture Organization (FAO) were shot dead in Baghdad and seven others wounded, reportedly by an Iraqi identified by the authorities as Fowad Hussain Haidar. He said he had carried out the attack in protest at the U.N.-imposed embargo.

The overall humanitarian situation in Iraq remained dire despite the expanded “oil-for-food” program. In his March 10 report to the Security Council on the operation of the program, U.N. Secretary-General Kofi Annan noted that “an excessive number of holds” continued to impede the relief program. These included holds on contracts in the water and sanitation and electric power sectors, which he stated were a major factor impeding progress in the area of public health. In his most recent report of September 8 to the Security Council, the Secretary-General noted some improvements in this area, but said that “infrastructural degradation” of the water and sanitation sector was being exacerbated by “the absence of key complementary items currently on hold and adequate maintenance, spare parts and staffing.” As regards the electricity sector, the report stated that the “entire electricity grid is in a precarious state and is in imminent danger of collapsing altogether.” The overall provision of health care and services was said to be in “steep decline.” This assessment was supported by the findings of U.N. and other humanitarian agencies. In a report published in December 1999, the International Committee of the Red Cross (ICRC) said the sanctions have had a “devastating effect on the lives of civilians,” and that while the “oil-for-food” program has alleviated their plight, “it has not halted the collapse of the health system and the deterioration of the water supplies, which together pose one of the gravest threats to the health and well-being of the civilian population.” In a report published on September 13, the FAO said that while existing food rations, combined with market food purchases, have “halted further deterioration in the nutritional situation, they have not by themselves been able to reverse this trend.” It concluded that acute malnutrition among children under five had decreased only slightly from the 12 percent recorded in 1995, and that at least 800,000 children under five were chronically malnourished.

**Human Rights Developments in Iraqi Kurdistan**

The two major Kurdish opposition groups in Iraqi Kurdistan, the KDP and the PUK, retained control over most areas in the three northern provinces of Arbil, Duhok and Sulaimaniya. Despite mediation efforts by U.S. government officials, little progress was made towards the implementation of the provisions of the 1998 Washington Accord. Both sides pledged to normalize relations but continued to maintain separate administrative, legislative and executive structures in areas under their control. On October 22, senior officials from the two parties agreed on a series of measures, including prisoner exchanges, the gradual return of internally displaced people to their homes, and arrangements for the organization of free movement of people and trade between their respective areas. Most of these measures were not implemented. In December 1999, the PUK announced that it would set up a separate court of cassation to serve areas it controlled, and on February 3 held municipal council
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elections. One prisoner exchange took place on March 6, the PUK releasing five KDP prisoners and the KDP releasing ten PUK prisoners. Both sides continued to grant regular access to their prisons to ICRC representatives who, as of April, were visiting an estimated 500 detainees held by both parties.

In March, the KDP broadcast on its television channel, Kurdistan TV, statements by five detainees in its custody who had apparently admitted to carrying out acts of sabotage in the Arbil region in previous months. The five were allegedly members of the opposition Islamic Unity Movement of Kurdistan (IUMK), whose leaders denied these allegations in a statement issued on March 15, saying that Iraqi government agents were likely to be responsible for these acts. They also said the five detainees had been denied judicial due process and their confessions extracted under torture, which KDP officials denied in an April 2 statement. Acts of sabotage continued, however, with two bomb blasts occurring in June in both Arbil and Sulaimaniya amid reports of the Iraqi government’s deployment of additional troops to the northern region, apparently with the aim of launching armed attacks on Kurdish-controlled territory.

KDP security forces attacked the headquarters of the opposition Iraqi Turkmen Front (ITF) in Arbil on July 11, killing Abdullah Adil Hursit and Feridun Fazil Mehmet, both guards. The immediate reason for the attack was unclear, but relations between the two sides had deteriorated since an earlier incident in April, when several ITF members staged a sit-in at their headquarters in protest at what they stated was undue interference by the KDP in the Turkmen community’s internal affairs. The KDP denied these charges.

PUK forces arrested members and supporters of the opposition Iraqi Workers Communist Party (IWCP) in July and August in an apparent attempt to pressure them into leaving PUK-controlled areas. Thirteen demonstrators protesting the cutting of water and electricity supplies to IWCP bases were arrested on July 13 outside the PUK’s Ministry of Interior building in Sulaimaniya. Others were arrested in the ensuing days, including three IWCP leaders who were reportedly negotiating a settlement with PUK officials at the time. The premises of two organizations affiliated to the IWCP, the Centre for the Protection of Women in Kurdistan and the Independent Women’s Organization, were raided on July 21. Twelve women sheltering at the center, a shelter for abused women, were taken away and their whereabouts remained unknown. Most of the IWCP detainees were released by late September.

A number of people were killed and attempts made on the lives of others by unknown assailants in apparently politically motivated acts. Among them was Farhad Faraj, a political activist and founder of a trade union organization, the Union for the Unemployed in Kurdistan, who was killed outside his home in Sulaimaniya city on October 17, 1999. In another incident, Hawjin Mala Amin, a researcher at the anthropology department of Sulaimaniya University, was shot outside his home in the city on December 9, 1999. He survived and later stated that he may have been targeted because of his outspoken views on Islam. In a speech on December 23, 1999, PUK leader Jalal Talabani condemned the attack and stated that “perpetrators of terror” who were targeting writers and artists would be punished. On July 17, a parliamentarian in the Kurdistan Regional Government (KRG), Osman Hassan, was shot dead by a group of armed men near Arbil. He had represented the PUK prior to 1996, and had elected to remain in Arbil when PUK forces were ousted from the regional capital that year and withdrew to their strongholds in Sulaimaniya province. The KDP initiated an investigation into his death, but its outcome was not known by October 2000.

There were repeated military incursions by Turkey’s armed forces into northern Iraq in pursuit of members of the opposition Kurdistan Workers’ Party (PKK) of Turkey. Several thousand troops were deployed in September and November 1999, with the Turkish airforce targeting PKK positions in
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both KDP and PUK-controlled areas. Further incursions were carried out in April, May, and August 2000, resulting in one case in the killing of thirty-eight Iraqi Kurdish civilians. (See Turkey). In July, armed clashes broke out between PKK and KDP forces, lasting several days and reportedly resulting in forty casualties, most of them PKK fighters. In mid-September, fierce fighting broke out between PKK and PUK forces, which continued intermittently for over two weeks in several areas, including Qala Diza, Rania, and Zeli, with scores of casualties reported on both sides. The fighting ended on October 4 when the PKK declared a unilateral ceasefire.

The Role of the International Community

United Nations

Policy toward Iraq continued to cause divisions within the Security Council and the international community generally, exacerbated by mounting evidence that U.N. sanctions were having a devastating humanitarian impact in Iraq. As evidence of this, the Security Council was able to adopt Resolution 1284 on December 17, 1999, only after three permanent members, France, China, and Russia agreed to abstain. The resolution established, as a subsidiary body to the council, the U.N. Monitoring, Verification, and Inspection Commission (UNMOVIC) to carry out weapons inspections in Iraq authorized by Resolution 687 (1991). Its predecessor, UNSCOM, was disbanded following the withdrawal of its staff from Iraq in December 1998. The resolution proposed the suspension of sanctions for a 120-day period, renewable by the council, made contingent upon Iraq’s cooperation with UNMOVIC. It also removed the dollar ceiling on Iraqi oil exports, allowing increased funding of the “oil-for-food” humanitarian relief program authorized under Resolution 986 (1995). However, it did not incorporate fully the March 1999 recommendations of the council’s “humanitarian panel” addressing Iraq’s urgent humanitarian needs, notably the infrastructure planning and investment required to meet basic civilian needs. Iraq’s Deputy Prime Minister, Tariq Aziz, condemned the resolution and said that no weapons inspectors would be permitted into the country.

On February 14, the Secretary-General appointed Yuli Vorontsov as high-level coordinator for the return of missing property and missing persons from Iraq to Kuwait, as required by Resolution 1284. An estimated 605 Kuwaiti and third-country nationals remained unaccounted for since the withdrawal of Iraqi forces from Kuwait in February 1991.

On June 8, the Security Council adopted Resolution 1302, extending the “oil-for-food” program for a further six months, introducing accelerated procedures for the approval of water and sanitation equipment, and instructing the secretary-general to appoint independent experts to conduct a comprehensive assessment of the humanitarian situation in Iraq. In his September 8 report to the Security Council on the operation of the “oil-for-food” program, the secretary-general reported that the Iraqi government had refused to issue visas to the experts he had appointed. He also refused to discuss how a “cash component” to the “oil-for-food” program could allow U.N.-controlled funds to be used to purchase locally sold goods and services. The report also cited serious problems stemming from protracted holds by the Security Council’s sanctions committee on key infrastructure repair items affecting public health, emphasizing that humanitarian relief alone cannot address the overall impoverishment of ordinary people.

U.N. Humanitarian Coordinator for Iraq Hans von Sponeck left Iraq on March 31 after resigning in protest at the effect of sanctions on the Iraqi population, and was succeeded by Tun Myat. On August 15, Benon Sevan, executive director of the U.N. Office of the Iraq Program (OIP), urged the Security Council to adopt a “fresh approach and more flexibility” following a 17-day visit to Iraq.

In a resolution adopted on December 17, 1999, the General Assembly strongly condemned Iraq’s human rights record, including widespread and systematic torture, summary and arbitrary executions, widespread
use of the death penalty, and “the suppression of freedom of thought, expression, information, association, assembly and movement.” It called on the government to “cease its repressive practices” and to “bring the actions of its military and security forces into conformity with the standards of international law.” It also urged cooperation with U.N. human rights mechanisms, “in particular by receiving a return visit by the Special Rapporteur to Iraq.”

In November 1999, Max van der Stoel, special rapporteur on Iraq since 1991, resigned. He was succeeded by Andreas Mavrommatis, who said in a preliminary report to the Commission on Human Rights in March that he had received numerous communications alleging human rights violations by the Iraqi government, including arbitrary detentions, executions, torture, “disappearances,” and discrimination against religious and other minorities. While expressing concern about the grave humanitarian situation in Iraq, the special rapporteur also noted that serious violations of human rights and fundamental freedoms could not be justified under any circumstances. He added that he had made a formal request to the government to visit Iraq to “study, in situ, the human rights situation.” The special rapporteur’s mandate was extended for a further year in a resolution passed on April 18, in which the commission strongly condemned the “systematic, widespread and extremely grave violations of human rights and of international humanitarian law” in Iraq. It urged the government to abide by its international legal obligations and to cooperate with the U.N. human rights mechanisms, including by granting the special rapporteur access to the country. In a report to the General Assembly, issued in August, the special rapporteur presented additional information he had received about human rights abuses in Iraq, including arbitrary arrests, torture, and the harassment of political opponents. By October, the special rapporteur had not been invited to visit Iraq.

On August 18, the U.N. Subcommission on the Promotion and Protection of Human Rights adopted a resolution calling on the Security Council to lift the embargo provisions affecting the humanitarian situation of the population of Iraq. The resolution also appealed to all governments, including that of Iraq, to alleviate the suffering of the Iraqi population, in particular by facilitating the delivery of food and medical supplies to meet their basic needs.

On June 14, the Committee on the Elimination of Discrimination against Women considered Iraq’s combined second and third periodic reports submitted under article 18 of the Convention on the Elimination of Discrimination against Women. The committee noted that the advancement of women and their socio-economic well-being had been adversely affected by the ongoing sanctions, but stressed Iraq’s obligations under the convention to implement the relevant anti-discriminatory measures. The committee criticized, among other things, discrimination against women under Iraq’s nationality law and violence against women perpetrated through honor killings.

European Union

The E.U. remained the largest donor of humanitarian aid to Iraq, with 8.6 million euros allocated for the year through the European Community Humanitarian Office (ECHO). It was intended to fund operations in central and southern Iraq run by U.N. specialized agencies and NGOs related to health care, water and sanitation, food, and education.

The European Parliament, in a January 20 resolution, criticized Iraq for failing to clarify the cases of 605 Kuwaiti and third-country nationals taken prisoner during Iraq’s occupation of Kuwait, calling for their immediate release and for the names of those who may have died in captivity to be revealed; demanding a review of all cases submitted through the ICRC over the past six years; and urging Iraq to resume participation in meetings of the Tripartite Commission, which was set up in April 1991 under ICRC chairmanship to ascertain the fate of missing military personnel and civilians after the 1991 Gulf
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War. In an April 13 resolution, the parliament observed that “sanctions are penalizing the civilian population but, in nine years, have not succeeded in weakening the Iraqi regime,” and called on the E.U. to take action to ensure that the Security Council “clarifies the terms of Resolution 1284 by specifying precisely what is expected of the Iraqi government.” The resolution also called for the lifting of sanctions “as a matter of urgency” once Iraq agreed to cooperate in implementing relevant U.N. resolutions. In a further resolution on July 6, the European Parliament reiterated its call for the lifting of economic sanctions on Iraq “while maintaining a strict arms embargo,” and proposed sending a fact-finding parliamentary delegation to Iraq to assess ways of extending the “oil-for-food” program as a means of improving living conditions in Iraq. The resolution also proposed that the E.U. play a role in bringing about “a lifting of the no-fly zone, together with a formal renunciation by the Iraqi Government of the use of military force in dealing with the demands for autonomy of the Kurdish people.”

The report of an all-party inquiry by the International Development Committee of the U.K. House of Commons entitled The Future of Sanctions concluded in January that the heavy responsibility of the Iraqi government for the humanitarian crisis in the country did not “entirely excuse the international community from a part in the suffering of Iraqis.” “A sanctions regime which relies on the good faith of Saddam Hussein is fundamentally flawed,” the report said.

British policy on Iraq remained closely aligned with that of the United States, although there were reports that U.K. officials were pushing their U.S. counterparts on some aspects of policy, especially Security Council “holds” on contracts under the “oil-for-food” program. In a July 17 letter to Church of England representatives following a mission to Iraq, Peter Hain, the minister of state with responsibility for the Middle East, wrote that “this is an area in which we continue to press the U.S. for greater flexibility.” On the question of “smarter sanctions,” Hain wrote that “the regime in place against Iraq is already targeted as far as it can be on the government.”

United States

The U.S., together with the U.K., maintained its policing of the “no-fly zone” over northern Iraq from Incirlik base in Turkey, and that of southern Iraq from bases in Saudi Arabia. Scores of civilians were reportedly killed as a result of air strikes carried out by the coalition forces in these zones. In response to information released by Iraq on August 15 that since December 1998, U.S. and U.K. forces had flown over 18,500 sorties killing 311 Iraqis and wounding 967 others, a State Department spokesman said on August 28 that air strikes in the no-fly zones “are only taken in self-defense in response to Iraqi threats to our forces,” and that “we make every effort to avoid civilian casualties and damage to civilian facilities.”

The U.S. continued to insist on the maintenance of comprehensive sanctions on Iraq, including full compliance with Security Council resolution 1284, despite mounting evidence from U.N. specialized agencies and NGOs working in Iraq that the ongoing sanctions have caused a humanitarian crisis. In a statement before the Security Council on March 24, Deputy Permanent Representative to the U.N. James Cunningham noted that the sanctions “have never targeted the Iraqi people and have never limited the import of food and medicine.” He placed full responsibility on the Iraqi government, “due to both its failure to meet its obligations under Security Council resolutions and its cynical manipulation of civilian suffering in an effort to obtain the lifting of sanctions without compliance.”

On August 2, the tenth anniversary of Iraq’s invasion of Kuwait, the State Department’s Ambassador-at-Large for War Crimes issues, David Scheffer, announced the administration’s intention to declassify a number of Iraqi government documents captured by U.S. forces in Kuwait in 1991. He said this would contribute to efforts to bring Iraqi officials to justice for war crimes. The documents would be released through the Iraq
Foundation, a U.S.-based NGO, providing evidence which “justifies an international tribunal like what exists for the former Yugoslavia and Rwanda.”

Ambassador Scheffer also confirmed that the Clinton administration was providing financial assistance to six NGOs to gather the necessary documentation for that purpose. On September 28, the State Department entered into a $4 million grant agreement with the opposition Iraqi National Congress (INC) for programs in the areas of information, advocacy, and humanitarian relief. The sum was the first part of a U.S. $8 million package allocated to the INC by Congress from the Economic Support Fund for fiscal year 2000 independently of the $97 million allocated to INC under the 1998 Iraq Liberation Act.

In its *Country Reports on Human Rights Practices for 1999*, released on February 25, the State Department described Iraq’s human rights record as “extremely poor.” It said that the government was responsible for numerous summary executions of suspected opponents, “disappearances,” arbitrary detention, torture, and the denial of the basic right of due process. In its *Annual Report on International Religious Freedom for 2000*, released on September 5, the State Department noted that the government “for decades has conducted a brutal campaign of murder, summary execution, and protracted arbitrary arrest against the religious leaders and followers of the majority Shi’a Muslim population, and has sought to undermine the identity of minority Christian (Assyrian and Chaldean) and Yazidi groups.”

**Human Rights Developments**

Within three weeks, more than 120 Palestinians were killed and over 4,800 injured in clashes with Israeli security forces that began on September 29. Most of the deaths were the result of excessive, and often indiscriminate, use of lethal force by Israel Defense Forces (IDF) soldiers, police, and border police against unarmed civilian demonstrators, including children. The casualties were disproportionately on the Palestinian side, but two Israeli soldiers were beaten to death by a Palestinian mob. The large number of deaths and injuries in the clashes and the resulting deteriorating relationship between Israel and the Palestinian Authority and neighboring states greatly overshadowed and put into question certain human rights improvements, notably, an apparent decrease in the use of torture by Israeli interrogators, a reduction in the hostages and administrative detainees Israel held, and fewer revocations of Jerusalem residency permits. In several cases the Israeli government also actively sought to thwart court rulings supporting human rights by supporting initiatives to legalize torture and hostage-taking, and by delaying the enforcement of court rulings against discrimination. On July 24, the Knesset voted to extend the fifty-two-year-old state of emergency until January 26, 2001, to allow the government time to enact similar powers into statute law.

Discrimination in law and practice against ethnic and religious minorities and other societal groups, especially on issues of employment, social benefits, and personal status,
remained a major problem. While court challenges to discrimination were sometimes successful, the process often took years, and court rulings frequently were not applicable to other cases or were not fully implemented by the government. For example, on March 8 the High Court of Justice ruled on an October 1995 petition brought by a Palestinian couple who, though Israeli citizens, were barred from purchasing a home in a Jewish neighborhood built on state-owned lands. More than 90 percent of land in Israel is state land, much of it expropriated from Palestinians. The court ruled that the authorities could not allocate land to citizens solely on the basis of their religion, though it noted that discrimination between Jews and non-Jews might be acceptable under unspecified “special circumstances.” The ruling ordered the government to take such “special circumstances” into consideration when determining “with deliberate speed” whether it would allow the couple to settle in the neighborhood, and stated that its ruling in this case would not affect previous discriminatory land allocations.

Women faced discrimination in employment, access to education and health care, and personal status, including marriage, divorce, inheritance, and child custody. (See Women’s Human Rights.) Palestinian women and foreign women workers faced additional discrimination that made them especially vulnerable to abuses. A number of well-publicized cases of trafficking in women for prostitution, domestic violence, and sexual harassment and assault helped increase public awareness, but women suffering from such violations still had little recourse. As of this writing, the Defense Ministry had taken few steps to address an enduring pattern of sexual harassment of women in the military, despite a number of high-profile cases involving ministry officials. The Knesset voted on July 5 to lift the immunity of Transportation Minister Yitzhak Mordechai, a former defense minister who had served in the IDF for thirty-three years, after he was accused in March of sexually assaulting three women under his supervision beginning in 1992. By the end of July the Civil Service Commission had received fifty-five complaints of sexual harassment in the Defense Ministry, five more than in all of 1999.

On May 22, the High Court of Justice set a six-month deadline for the government to establish procedures for women to pray “according to their custom” at the Western Wall in Jerusalem. The case was brought in 1989 after conservative Jews violently attacked Jewish women who were attempting to pray alongside men according to the customs of Reform Judaism. Despite a 1994 High Court of Justice ruling upholding the women’s right to worship at the Western Wall, they were not permitted to do so. On March 31, a draft law punishing such prayer with up to seven years of imprisonment passed its preliminary Knesset reading, and in early June the government asked to have the May 22 court judgement reviewed by an expanded panel of judges, on the grounds that it failed to adequately address “the affront to the feelings of those who pray at the wall” that would ensue if women were allowed to pray with men.

The rate of revocation of permanent residency permits of Palestinian residents of East Jerusalem declined following Minister of Interior Natan Sharansky’s October 17, 1999 announcement that he had ended the so-called “center of life” policy. (See Human Rights Watch World Report 2000). After repeated legal challenges led by the Jerusalem-based Center for Defense of the Individual (Hamoked), the High Court of Justice ordered Sharansky to clarify the terms of the new policy, and on March 15 he stated in an affidavit before the High Court of Justice that Palestinian Jerusalemites living abroad would not lose their permanent residency if they visited Jerusalem and maintained valid Israeli-issued travel documents. Those who acquired foreign nationality or permanent resident status elsewhere continued to lose residency rights in Jerusalem, and Minister Sharansky did not clarify the status of Palestinian Jerusalemites living in the West Bank. According to Hamoked, persons who sought to reinstate their residency status under the
new policy frequently faced serious administrative obstacles. Some 11,000 Palestinians were estimated to have lost their residency rights between 1996 and 1999.

Labor conditions for foreign and Palestinian workers remained poor. Palestinians faced widespread discrimination in employment, while foreign workers were especially vulnerable to exploitation by employers and labor contractors. On August 22, *Ha'aretz* reported that Prime Minister Ehud Barak had ordered an increase in deportations of undocumented foreign workers and set a quota of 50,000 work permits per year. The move was opposed by workers’ groups and even the Public Security Ministry, which preferred a policy of targeting labor importers. The government had temporarily halted deportations in December 1999 following allegations of abuses of foreign workers, including prolonged detention of persons awaiting deportation; their detention together with criminal prisoners; and the detention of victims of crimes while awaiting to testify in criminal cases. In May, the Interior Ministry acknowledged that it had prevented labor organizations such as Kav La'oved from handing out pamphlets on labor rights to workers arriving at Ben-Gurion airport.

On September 29, Israeli security forces used lethal force to disperse thousands of Palestinians attending Friday prayers at al-Aqsa Mosque in East Jerusalem after some of those present threw stones at police and at Jewish worshipers at the Western Wall. An unusually large number of Palestinians were present at the mosque to protest a visit the previous day by Knesset Member Ariel Sharon, interpreted by many as an assertion of Israeli sovereignty over the area. Israeli forces killed five Palestinians and wounded over 200. Violent clashes between Israeli security forces and Palestinians then spread to other parts of the West Bank, Gaza, and Israel. Within three weeks, more than 120 Palestinians were killed and 4,800 injured, many as result of excessive, often indiscriminate, use of lethal force by Israeli security forces against unarmed civilians. In a number of cases IDF soldiers appeared to target Palestinian medics, at least one of whom was killed and twenty-seven were injured by mid-October. At this writing, the IDF had significantly expanded its use of tanks and helicopter gunships armed with both missiles and medium-caliber machine guns in Palestinian residential areas.

Israel retained extensive control over, and placed restrictions on, the freedom of movement of all West Bank and Gaza Strip Palestinians. These policies obstructed Palestinian economic activity and access to health care, schools and universities, places of worship, and family members in other parts of the territories or in Israeli prisons. On October 25, 1999, Israel opened a “safe passage” allowing some increased movement between the Gaza Strip and the West Bank, but the arbitrary nature of the criteria for issuing travel permits and their indiscriminate imposition on an entire population assured that the restrictions remained a form of collective punishment. Following September 29 Israel increased restrictions on movement into, out of, and within the West Bank and Gaza Strip.

Palestinians passing through Israeli checkpoints were frequently subjected to harassment, physical abuse, and even torture by Israeli soldiers and police. For example, in a well-publicized incident on September 6, three Palestinian laborers required hospital treatment after being beaten by border police at a checkpoint. During the attack the police photographed themselves with their victims, and the unit commander later told *Ha'aretz*, “What we did was not special. Everybody does it.” Other incidents resulted in deaths, as on July 9 when soldiers fired on a taxi carrying Atidal Muammer, killing her and injuring her husband, two children, and other passersby. Following an investigation, the IDF said the killing was “a terrible mistake,” and stated that its soldiers were responding to shots from a different vehicle. However, no such vehicle was recovered and no spent cartridges were found at the scene of the shooting.

According to government figures, settlement construction in the Israeli-occupied West Bank and Gaza Strip increased by 96%
percent in the first half of 2000, with 860 of the 1,067 new starts in the Jerusalem area. At the same time, demolitions of Palestinian homes built without permits in the Israeli-occupied territories and in Israel continued, as did forced expulsions and expropriation of Palestinian land. In October and November 1999, Israeli authorities expelled some seven hundred Palestinian cave dwellers from the Mount Hebron area of the West Bank, and destroyed or confiscated their homes and their personal property, including livestock. The government alleged that the area where the cave dwellers had lived for decades was a “closed military zone.” An investigation by the Israeli human rights group, B’Tselem, concluded, however, that the area had not been used for military exercises, and the expulsion was more likely intended to placate Jewish settlers whom the government had recently removed from a nearby illegal settlement outpost. On March 29 the High Court of Justice ruled that the cave dwellers could return to the area, pending a final determination in the case.

Close to one thousand Palestinian prisoners participated in a month-long hunger strike in May, protesting arbitrary treatment by prison officials, substandard prison conditions, prohibitions on family visits, use of solitary confinement, poor medical care, and Israel’s refusal to release all the categories of prisoners specified in its agreements with the Palestine Liberation Organization (PLO). The strike was called off on May 31 after prison authorities promised to review complaints and ease some restrictions on visitors. According to Ha’aretz, a government report issued in June on conditions in Shatta prison described living conditions as “particularly harsh” in the wing where Palestinian prisoners from the Israeli-occupied territories were held, and concluded that the exposed tents used to house prisoners and filthy bathrooms at the prison were unfit for human use.

Several deaths in custody were reported. On August 11 Ramez Fayez Mohammed Rashid Elrizi died in al-Nafha prison. His father said that he had been in relatively good health during an August 9 visit. The family of Lafi al-Rajabi told the nongovernmental Palestinian Society for the Protection of Human Rights and the Environment (LAW) that he had contacted them on January 14, shortly before he died in an Israeli detention center near Nablus, saying his life was in danger. His body reportedly was returned to the family bearing cuts, bruises, and with wire marks on the neck. A third detainee, Sami As’ad, reportedly hanged himself in Kishon prison on June 19, seven weeks after being arrested. According to Ha’aretz, a psychiatric evaluation had found him to have personality disorders, and he had previously attempted suicide. As of this writing, Human Rights Watch is not aware of official findings regarding the causes of any of these deaths being made public.

On April 12, the High Court of Justice ruled that Israel could not continue to administratively detain Lebanese nationals solely as “bargaining chips” for the return of its soldiers missing in action. Five such hostages had been released in December 1999, and a sixth hostage, reported to be mentally ill, was released on April 5. Thirteen more hostages were released on April 19, but Israel continued to hold Shaykh Abd al-Karim Obeid, kidnapped in July 1989, and Mustafa al-Dirani, kidnapped in May 1994, despite repeated court challenges. Both men were held in solitary confinement at an undisclosed location, and on March 13 a lawyer for al-Dirani filed a civil case against the Israeli government seeking NIS6,000,000 (U.S. $1,473,900) in compensation for torture, including rape, that al-Dirani had allegedly suffered while in Israeli custody. On June 11 the Israeli Cabinet approved draft legislation to legalize hostage-taking which was specifically intended to facilitate al-Dirani and Obeid’s continued detention, and the bill passed its first Knesset reading on June 21.

Israel also continued to detain Palestinians for long periods without charge or trial. According to the IDF, as of September 12 Israel held five Palestinians as administrative detainees, including Khaled Hussein Jaradat, who had been held continuously since August 21, 1997.
Following a September 6, 1999, High Court of Justice ruling that General Security Service (GSS) officers were not authorized to use “physical means”—torture—during interrogations, reports of incidents of torture decreased significantly. However, according to the nongovernmental Public Committee against Torture in Israel (PCATI), the GSS continued to employ interrogation techniques including beatings, sleep deprivation, prolonged periods handcuffed to chairs, placing detainees with “collaborators” who beat, tortured, and threatened them to obtain confessions; and long periods of incommunicado detention. In February, the government made public the summary of a 1995 state comptroller report showing that high-ranking GSS officers had condoned “serious and systematic violations” by GSS interrogators between 1988 and 1992, and had lied to judges. No actions were taken, however, to prosecute individuals who had been responsible for torture, and the Knesset continued to consider draft legislation to legalize torture in cases where a suspect was believed to have information that could stop an imminent attack.

**Palestinian Authority**

Palestinian security services continued to operate with impunity, despite recurring cases of torture, arbitrary arrests, and prolonged detention without charge or trial. An overwhelmed judiciary was further weakened by repeated executive branch interference in its work. Critics of these and other Palestinian Authority (P.A.) abuses were frequently subject to harassment, arrest, and in some instances, violent attacks. Military and state security courts issued death sentences after grossly unfair trials, which were not subject to appeal.

While individuals alleged to have affiliations to political organizations critical of P.A. policy were frequently targeted for arbitrary arrest, there were also reports of mass arrests, as when some thirty students were detained after a demonstration at Birzeit University on February 26. In June, the non-governmental Palestinian Human Rights Monitoring Group (PHRMG) reported that despite seventy-three High Court of Justice orders to release detainees that had been issued since January 1997, only four had been implemented. For example, as of this writing Wa’l’Ali Faraj, arrested on April 25, 1996, remained in detention despite a February 20, 1999, court order for his release.

The security forces’ impunity extended to torture and ill-treatment of both political and criminal detainees. According to LAW, when questioned on August 7 about specific cases of torture. Police Commander Major Kamal al-Shaykh asserted that “the thief who does not confess must be beaten as a last resort to force him to confess.” Such attitudes may have contributed to the June 6 death in custody of thirty-five-year-old Khalid Mohammed Yunis Bahar. According to the Palestinian human rights group Law in the Service of Man (al-Haq), P.A. police arrested Bahar on May 25, apparently without a warrant, and his family was prevented from visiting him. Earlier, on December 6, 1999, Mahmud Mohammed Khalil Hassan al-Bajjali, age thirty-three, died in Ramallah prison. Both men were reported to have been in good health. As of this writing the P.A. had not released autopsy reports in these and twenty-one cases of deaths in custody that occurred in previous years.

During clashes between Palestinians and the IDF that began on September 29 (see above), Palestinian security forces failed to act consistently and effectively to prevent armed civilians from opening fire on IDF soldiers or positions from places where civilians were present. This failure endangered the Palestinian civilian population when the IDF responded, often excessively and indiscriminately.

The judiciary suffered from a severe lack of resources and executive branch interference, and trials fell far short of international fair trial standards. P.A. President Yasser Arafat refused to ratify the Judicial Authority Law, passed by parliament on November 25, 1998, and instead issued ad hoc decrees, including a June 1 decree creating a Supreme Judicial Council with poorly defined powers,
ISRAEL, OCCUPIED WEST BANK, GAZA STRIP, & PALESTINIAN AUTHORITY TERRITORIES

and a November 1, 1999 decree creating the post of “attorney general for state security courts.” The new post was filled by Khaled al-Qidra, the disgraced former attorney general who had been removed from his post in 1997 following complaints of corruption and protests by human rights organizations.

Fair trial violations were particularly egregious in state security courts, which, along with “regular” military courts, had the power to try civilians and were responsible for the majority of death sentences passed. Trials in these courts were not subject to appeal, and sentences were sometimes issued only hours after arrest, as in the case of Raji Saqir. A state security court sentenced Saqir to death on July 3, having convened on the night of July 2, the day after the crime was committed. Security court jurisdiction was expanded in June to include drug trafficking cases, including those punishable by death.

The P.A. continued its efforts to control and restrict freedom of expression. Broadcast media were frequently subject to closure, and journalists and commentators to arrest, in retaliation for reporting criticism of P.A. policies. Five radio and television stations were ordered suspended between May 5 and June 2, and on June 2 Samir Qumsiah, chair of the Council of Private Radio and Television Stations, was arrested after calling on stations to halt broadcasts for half an hour to protest the closures. Security forces also arrested eight prominent personalities who signed a November 27, 1999, petition criticizing P.A. “tyranny and corruption.” Six were released on JD50,000 (U.S. $70,000) bail on December 19, but Ahmad Dudin and ’Abd al-Sattar Qassem were held until January 6. Qassem was rearrested on February 18 and detained until July 28, despite a July 11 High Court of Justice order for his release.

Academics risked punishment when their published views challenged social conventions. On November 24, 1999, the Islamic University in Gaza suspended Dr. Jawad al-Dalou and two students for publishing a student newspaper article that noted that many beggars came from the Nezla district in Gaza. A statement issued by the university said the suspensions were “in respect of the wishes of the dignified local personalities of the district of Nezla in the Jabalia camp.”

On February 29 Chief of Police Ghazi al-Jabali issued new regulations limiting freedom of assembly, in contravention of existing law. The regulations prohibited organizing processions, demonstrations, or public meetings without prior approval from the district police commander, on penalty of up to two months of imprisonment or an up to JD50 (U.S. $70) fine. The High Court of Justice suspended their implementation on April 29, but as of September had not acted to revoke these or other regulations limiting freedom of assembly issued by President Arafat in his capacity as minister of interior on April 30.

Defending Human Rights

Israel and the Occupied West Bank and Gaza Strip

Israel permitted human rights organizations to collect and disseminate information in areas under its control. However, according to PCATI, lawyers for Palestinian detainees frequently had difficulty gaining access to their clients, and even after filing legal challenges against such denials sometimes waited weeks or months before being able to meet their clients. Closures often kept Palestinian human rights workers and lawyers, including those with Israeli citizenship or Jerusalem identity cards, from traveling freely within the West Bank, the Gaza Strip, and Israel. Palestinians who had previously been detained were also refused access to prisons and detainees.

Palestinian Authority

Palestinian NGOs and activists continued to be subjected to police harassment and threats by P.A. officials because of their criticism of P.A. abuses. These actions may have contributed to violent attacks on activists, including the December 1, 1999, shooting of Palestinian Legislative Council member Mu’awwiya al-Masri by masked men; the December 11, 1999, stoning by unknown persons of Hanan Elmasu, director of Birzeit
University’s Human Rights Action Project, which knocked her unconscious; and the December 16, 1999, beating of Palestinian Legislative Council member ‘Abd al-Jawad Saleh by General Intelligence officers. All three attacks were apparently in retaliation for support of a November 1999 petition campaign. In February staff members of the PHRMG received threatening letters and phone calls warning them to resign and threatening to include their names in a public campaign against the organization.

On April 19 the Ministry of Interior improperly closed the Gaza-based Civic Forum Institute, established in 1998, on the grounds that it was not a registered organization under NGO Law 1/2000. The law set a nine-month deadline for NGOs to comply with the regulations or be considered illegal. Government officials also continued to attack Palestinian human rights organizations and activists in the press. In February, the Palestinian Center for Human Rights (PCHR) filed a complaint with the attorney general against Khalil al-Zaben, coordinator of the government-appointed NGO council, for defamatory statements in the semi-official al-Nashra magazine. As of this writing no action had been taken on that case or previous defamation cases against al-Zaben.

Police detained Khalil Abu Shamala, director of Addameer, a Gaza-based human rights organization specializing in prisoners’ rights, on April 16, immediately after he had issued a press release protesting Chief of Police Ghazi al-Jabali’s ban on Addameer’s rally scheduled for that afternoon to commemorate Palestinian Prisoners’ Day. He was released on April 17. On August 8, al-Jabali ordered LAW and its director, Khader Shkirat, banned from “visiting prisons, detention centers, police command centers, and police locations” because of his “continuous attacks on the [Palestinian] Authority.” The order followed an incident the previous day, when Shkirat was violently removed from the Ramallah police headquarters after he raised cases of police torture of detainees and protested against official interference in LAW’s lawyers’ access to certain detainees.

The Role of the International Community

United Nations

U.N. bodies made a number of urgent interventions in an effort to end the violent clashes that began on September 29. The Commission on Human Rights, in a resolution issued at the end of a special session held October 17-19, “strongly condemn[ed] the disproportionate and indiscriminate use of force in violation of international humanitarian law by the Israeli occupying Power against innocent and unarmed Palestinian civilians…which constitutes a flagrant and grave violation of the right to life and also constitutes a war crime and a crime against humanity.” The resolution established an independent inquiry commission to investigate Israeli human rights violations and grave breaches of international humanitarian law. It also requested several U.N. bodies—the commission’s special rapporteurs on extrajudicial, summary or arbitrary executions; torture; violence against women; religious intolerance; racism, racial discrimination, xenophobia and related intolerance; and the right to housing; its Working Group on Enforced or Involuntary Disappearances; and the representative of the Secretary-General for internally displaced persons—to conduct immediate investigations and report the findings to the Commission on Human Rights at its fifty-seventh session and, on an interim basis, to the General Assembly at its fifty-fifth session. The commission also requested High Commissioner for Human Rights Mary Robinson to undertake an urgent visit to the occupied territories and to facilitate the mechanisms of the Commission in the implementation of the resolution.

From October 18 to October 20 the General Assembly (G.A.) reconvened its emergency special session on illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory, originally convened in April 1997 under the assembly’s “Uniting for peace” resolution. The G.A. “condemn[ed] acts of violence, especially the excessive use of force by the
Israeli forces against Palestinian civilians,” demanded that Israel fulfil its obligations and responsibilities under the Fourth Geneva Convention, and “strongly support[ed] the establishment of a mechanism of inquiry.” The Security Council adopted a resolution on October 7 that condemned “acts of violence, especially the excessive use of force against Palestinians,” and called upon Israel to “abide scrupulously by its legal obligations and its responsibilities under the Fourth Geneva Convention.”

Secretary-General Kofi Annan met with Israeli and Palestinian leaders in Paris on October 4, and then on October 9 began nine days of intensive meetings in Israel, the Palestinian Authority territories, Lebanon, and Egypt.

The special rapporteur on extrajudicial, summary, or arbitrary executions on October 5 urged the government of Israel to investigate all incidents of alleged killings by government forces without delay, to ensure that those responsible were brought to justice, and to ensure that its security forces respected international human rights standards.

Israel continued to refuse to cooperate with the special rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied since 1967. Giorgio Giacomelli replaced Hannu Halinen in that post in December 1999. His first report, presented on March 15, found widespread Israeli violations of international human rights law and humanitarian law. A second report, presented to the Special Session of the Commission stated that during the clashes that began on September 29, the IDF and Israeli police had used deadly force “without warning, and without employing deterrence or gradual measures consistent with the minimum standards and methods of crowd control or management of civil unrest.”

On May 26 the Western European and Others Group (WEOG) offered Israel temporary membership in its regional grouping of U.N. member states. Full participation in many U.N. bodies, including the Security Council, is organized through regional groupings, and the Asian Group’s unwillingness to admit Israel to that grouping had made it ineligible for many U.N. bodies. The U.S. credited its own high-level lobbying for the WEOG decision.

**European Union**

The European Union expanded its relationship with Israel, while continuing its role as intermediary in bilateral negotiations between Israel and its neighboring states and the Palestine Liberation Organization (PLO), including a January visit to the region by then-E.U. President Jaime Gama and repeated trips by E.U. Council Secretary-General and High Representative for Common Foreign and Security Policy Javier Solana. E.U. member states voted against the Commission on Human Rights’ October 19 resolution. The French representative to the commission said that while the E.U. supported convening the special session, provisions of the resolution went beyond the role of the commission and threatened the realization of agreements recently signed by Israel and the PLO.

The Euro-Mediterranean Association Agreement between the European Union (E.U.) and Israel came into force on June 1. In a statement following the Association Council’s first meeting on June 13, the E.U. said it had “discussed human rights in Israel, in accordance with the provisions of the Association Agreement, which indicate that respect for human rights and fundamental freedoms and strengthening democracy are essential elements of the Agreement itself.”

The E.U. remained the largest single donor to the P.A. During a January 24 E.U. General Affairs Council meeting with President Yasser Arafat, the council said it would welcome the P.A. announcing a moratorium on the death penalty.

**United States**

Israel remained the largest recipient of U.S. aid which included U.S. $949 million in economic aid and $3.12 billion in military assistance—including a one-time grant of $1.2 billion in military aid pursuant to the October 1998 Wye River Memorandum be-
tween Israel and the PLO. The Palestinian Authority received no military aid and $485 million in economic aid, including a one-time grant of $400 million pursuant to the Wye River Memorandum.

In 2000 the U.S. significantly stepped up efforts to broker a negotiated settlement between Israel and the PLO, including hosting multiple high level trips to the region and hosting a July 11-24 meeting between the Israeli and Palestinian leaders. In an agreement reached during the October 16-17 emergency summit held at Sharm al-Shaykh, Egypt, the U.S. agreed to head a trilateral U.S.-Israeli-Palestinian fact-finding committee to look into the sources of the violent clashes that began in Israel, the West Bank, and Gaza Strip on September 29, and to facilitate security cooperation and consultation between the two parties. On July 27, U.S. President Bill Clinton announced plans for “a comprehensive review” of U.S.-Israeli relations “with a view toward what we can do to ensure that Israel maintains its qualitative edge,” and a memorandum of understanding on U.S. assistance to Israel “with a goal of making a long-term commitment to the necessary support to modernize the IDF.” Clinton also stated that he would issue a decision by the end of the year on whether to move the U.S. embassy to West Jerusalem.

U.S. criticism of P.A. human rights violations continued to pay deference to perceived Israeli interests, as when State Department Spokesman James P. Rubin responded to a November 29, 1999 question about the P.A.’s arrests of signatories to a petition critical of its policies. While Rubin expressed concern “about any actions that limit the freedom of expression and peaceful dissent in the Palestinian Authority,” he also stated that “incitement to violence, however, would be another matter and does require a vigorous response,” despite the lack of any evidence linking the petitioners to violence. In contrast, criticism of Israeli abuses, including torture of American citizens of Palestinian descent, was decidedly muted. When asked on December 3, 1999, if Secretary of State Madeleine Albright would raise torture in her meetings with Israeli officials, Rubin said, “with respect to the legislation authorizing the use of physical force, we try not to interfere with the internal Israeli public debate on this and political debate on this issue,” but that the U.S. would welcome any actions that are consistent with internationally recognized human rights standards.

**Relevant Human Rights Watch Reports:**

*Investigation into Unlawful Use of Force in the West Bank, Gaza Strip, and Northern Israel, 10/00*

**KUWAIT**

**Human Rights Developments**

In the aftermath of the 1990-1991 Iraqi occupation, Kuwaiti officials promised major human rights improvements. Almost ten years later, enduring violations far outweighed incremental improvements. Kuwait’s ratification of five major human rights treaties had not been accompanied by significant changes in law or practice. The government had still not investigated or punished those responsible for hundreds of cases of extrajudicial execution, torture, and “disappearance” in custody, which took place during the February to June 1991 post-liberation martial law period. Forty-two persons remained in prison serving sentences imposed after grossly unfair martial law court trials.

More than 100,000 long-term residents of Kuwait faced widespread and systematic discrimination, and tens of thousands more were prevented from returning to Kuwait. Known as Bidun, they had lived in Kuwait for decades, even generations, unable to obtain Kuwaiti nationality, and without effective nationality elsewhere. Kuwait severely restricted their rights to leave and return to Kuwait, to marry and found a family, and to work, and their children’s rights to education, to be registered immediately after birth, and to acquire a nationality. Bidun also suffered disproportionately from discrimination on
KUWAIT

the basis of sex, particularly with regard to issues of nationality and naturalization, marriage, divorce, and family reunification. According to the Ministry of Interior, some 37,000 Bidun became eligible to apply for naturalization following amendments to the Nationality Law on May 16. However, the law limited the number who would be granted nationality in any given year, raising concern that even those eligible could continue to face discrimination for many years to come. The government also said that Bidun not eligible for naturalization would face prosecution and potential deportation if they did not register as foreigners. Prosecutions began immediately following June 27, when the Ministry of Interior ended a nine month program in which it issued five year residency permits and other benefits to Bidun who signed affidavits admitting to a foreign nationality and renouncing claims to Kuwait nationality. The government tolerated a trade in forged foreign passports, raising concerns that significant numbers of those who presented passports purporting to have been issued by countries such as the Dominican Republic, Colombia, and Nigeria when applying for the program may not have had effective nationality in those countries.

Despite repeated government promises to amend labor laws and to crack down on the illegal trade in work visas, more than one million foreign workers faced serious restrictions on their ability to organize and bargain collectively, and had few legal remedies against abuses by employers. Female domestic workers, who were excluded from the labor law, were particularly vulnerable to physical and sexual abuse by employers. In March, India announced that it had stopped issuing immigration clearances to Indian nationals wishing to work as domestics in Kuwait because of abuses there. In October 1999, army and national guard units were deployed to halt two days of rioting by thousands of Egyptian migrants. According to Kuwaiti newspapers, many of those rioting had paid Kuwaiti brokers thousands of dollars in return for what they believed were legal work visas, only to find no jobs awaiting them.

Women faced widespread discrimination in both law and practice. The Personal Status Law discriminated against women in inheritance rights, the weight given to their testimony in court, and rights in contracting marriage, during marriage, and at its dissolution. The Penal Code reduced or eliminated punishments for violent crimes committed by men against women, and criminalized abortion even when it was necessary to save a woman’s life. Women were prohibited from voting and standing for election, and discriminated in relation to the passage of nationality to their spouses and children. In November 1999, the National Assembly twice rejected legislation granting voting rights for women, and on July 4 the Constitutional Court rejected four legal challenges to the ban on women voting. As of this writing, the National Assembly had yet to vote on several draft amendments to the election law, including amendments granting women voting rights but not the right to stand for office. On June 26 the National Assembly passed legislation requiring gender segregation in private universities. As of this writing, however, a similar law passed in 1996 requiring public universities be segregated within five years had not been implemented.

Vaguely worded provisions in the Penal Code and Printing and Publications Law were repeatedly used against writers and journalists deemed to have offended religion, morality, the head of state, or national security. Punishments included imprisonment, fines, and confiscation and closure of periodicals. On March 26, an appeals court fined prize-winning novelist and short story writer Laila al-‘Othman and publisher Yahiya al-Rubay’an KD1000 (U.S. $3260) each for distributing al-‘Othman’s novel, al-Rahiil (The Departure), despite provisions in the Penal Code exempting works “published according to the accepted rules of science or art.” The court also fined al-Rubay’an and Kuwait University philosophy professor Dr. ‘Aliya Shu’ayb KD100 (U.S. $326) each for distributing Shu’ayb’s collection of poetry, ‘Anakib Tarthi Jurhan (Spiders Bemoan a Wound), without a permit. In January, a lower court...
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had sentenced all three to two months in prison. Both books were ordered banned, although al-Rahiil had been published and had circulated legally in Kuwait since 1984, and Anakib Tarthi Jurhan had been in circulation since 1993.

On February 7, Kuwait executed Matar al-Mutairi, a Kuwaiti national convicted of murder. As of this writing, at least twenty-eight persons were awaiting execution. Many had been convicted of drug offences following Kuwait’s expansion of the death penalty in 1995. Others included ‘Ala Husayn, the Iraqi-imposed prime minister during its occupation of Kuwait. Husayn, who had been granted political asylum in Norway, was sentenced to death after he returned to Kuwait to face trial in January.

Defending Human Rights
Kuwait continued to deny formal recognition to all human rights nongovernmental associations and to restrict their ability to organize public meetings and events. The Council of Ministers had ordered the dissolution of all unlicensed human rights and humanitarian organizations in August 1993, but more recently had tolerated some informal gatherings by human rights activists, including members of the unlicensed Kuwaiti Society for Human Rights (KSHR), an affiliate of the Arab Organization for Human Rights. Some human rights activists were able to meet under the auspices of registered associations, such as the University Graduates’ Society.

On May 9, the Interior Ministry’s director general of punitive institutions prevented National Assembly Human Rights Committee members from making a prearranged visit to the Central Prison, despite the committee’s parliamentary mandate to visit and receive complaints from prisoners. The minister of interior later called the decision “a misunderstanding.” However, the ministry had interfered with past visits, including confiscating prisoners’ written complaints to the committee in January 1996.

A Human Rights Watch delegate met in April with government officials, lawyers, activists, and victims in Kuwait, and in February delegates from Amnesty International sponsored a joint conference with the Kuwaiti Bar Association titled “Justice and Human Dignity.”

The Role of the International Community

United Nations
The United Nations Human Rights Committee reviewed Kuwait’s first periodic report on its implementation of the International Covenant on Civil and Political Rights (ICCPR) on July 18 and 19, 2000. Kuwait had submitted the report in May 1998, almost a year after it was due. The Human Rights Committee identified twenty-three “principal subjects of concern,” including discrimination against women and Bidun; unfair trials, “disappearances,” and abuses by security personnel; and restrictions on freedom of opinion, expression, and association. The committee also found that Kuwait’s reservation to articles 2(1) and 3 of the ICCPR “contravenes the State party’s essential obligations” and “is therefore without legal effect.” Kuwait’s second periodic report is due by July 31, 2004. Six other state reports due to four other human rights treaty monitoring bodies were overdue and had yet to be submitted at the time of this writing. They included Kuwait’s initial and second periodic report on the Convention on the Elimination of All Forms of Discrimination against Women, which were due on October 2, 1995, and October 2, 1999.

Kuwait signed the Rome Statute of the International Criminal Court on September 8.

Relevant Human Rights Watch Reports:
Promises Betrayed: Denial of Rights of Bidun, Women, and Freedom of Expression, 10/00
SAUDI ARABIA

Human Rights Developments

“It is absurd to impose on an individual or a society rights that are alien to its beliefs or principles,” Saudi Arabia’s deputy premier and effective head of state Crown Prince Abdullah bin Abdul Aziz told the U.N. Third Millennium summit in New York on September 6. He warned of “the ramifications of unbridled globalization and its use as an umbrella to violate the sovereignty of states and interfere with their internal affairs under a variety of pretexts, especially from the angle of human rights.” The kingdom’s fourteen million citizens and six to seven million foreign residents thus continued to be denied a range of basic rights guaranteed under international law.

Freedom of expression and association were nonexistent rights, political parties and independent local media were not permitted, and even peaceful anti-government activities remained virtually unthinkable. Infringements on privacy, institutionalized gender discrimination, harsh restrictions on the exercise of religious freedom, and the use of capital and corporal punishment were also major features of the kingdom’s human rights record.

There were some encouraging developments, however, such as greater official sensitivity to international criticism of the country’s human rights practices, recognition of international standards with respect to women’s rights, and public pledges to establish human rights monitoring bodies. On September 7, Saudi Arabia became a party to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), although on August 21 the Council of Ministers, in announcing the government’s intention to sign the treaty, said that it would not comply with “any clause in the agreement that contradicts Islamic sharia [law].”

Freedom of expression remained strictly circumscribed and there was no independent press. The eighth Arabic-language daily newspaper in the kingdom, al-Watan, was launched in September, joining other Saudi newspapers and media bankrolled by the royal family, including the influential pan-Arab daily al-Hayat. The Royal Decree for Printed Material and Publications, promulgated in 1982, contained a list of prohibited topics covering any material that was printed, published, or circulated in the kingdom. Violations of the law were criminal offenses, punishable with up to one year of imprisonment and/or fines.

The number of independent licensed Internet service providers (ISPs) in the kingdom increased to about thirty, with some 100,000 subscribers. Capacity reportedly could not meet demand, and there was evidence that the kingdom continued its efforts to monitor and restrict Web access in the country. “The Saudi government has a right to protect its society,” Saudi Telecommunications Company (STC) president Abdel Rahman al-Yami said. “We would like to be not open, but selective in what content comes in....[T]he fast growth in the customer base has created challenges for the network.” The STC was responsible for the backbone network inside the country while the King Abdul Aziz City for Science and Technology (KACST) controlled content as the sole gateway to the Internet. In August, KACST blocked the Yahoo “Clubs” site, which contained some 250 Saudi clubs with over 60,000 members. “The Clubs site was blocked because most of the material was against the kingdom’s religious, social and political values,” said KACST official Khalil al-Jadaan. In April, the government closed an Internet cafe in Mecca that was popular with university students. The action came as a result of a court complaint that the women-only cafe was being used for “immoral purposes,” the BBC reported, citing Arab News. “What was uncovered was against both our religion and our traditions,” charged Brigadier Yousef Matter of the civil police, adding that the court had empowered him to shut down other cybercafes in Mecca.

Capital punishment was applied for crimes including murder, rape, armed robbery, drug smuggling, sodomy, and sorcery. In most cases, the condemned were decapi-
tated in public squares after being blindfolded, handcuffed, shackled at the ankles, and tranquilized. By late September 2000, at least 104 Saudis and foreigners had been beheaded, exceeding in nine months the total of 103 that Amnesty International recorded in 1999. Two of the foreigners beheaded in 2000 were women: a Pakistani in July for heroism smuggling, and an Indonesian in June for murder.

Saudi courts continued to impose corporal punishment, including amputations of hands and feet for robbery, and floggings for lesser crimes such as “sexual deviance” and drunkenness. The number of lashes was not clearly prescribed by law and varied according to the discretion of judges, and ranged from dozens of lashes to several thousand, usually applied over a period of weeks or months. A court in Qunfuda sentenced nine Saudi alleged transvestites in April. Five drew prison terms of six years and 2,600 lashes, and the other four were sentenced to five years and 2,400 lashes. The floggings reportedly were to be carried out in fifty equal sessions, with a fifteen-day hiatus between each punishment. In August, the daily Okaz reported that a court had ordered the surgical removal of the left eye of an Egyptian, Abd al-Muti Abdel Rahman Muhamed, after he was convicted of throwing acid in the face of another Egyptian, injuring and disfiguring his left eye. The operation was performed in a hospital in Medina. In addition to this punishment, Abdel Rahman was reportedly fined U.S. $68,800 and sentenced to an undisclosed prison term.

The inherent cruelty of such sentences was heightened by due process concerns about the fairness of legal and administrative procedures. Under the 1983 Principles of Arrest, Temporary Confinement, and Preventative Regulations, detainees had no right to judicial review, no right to legal counsel, and could be held in prolonged detention pending a decision by the regional governor or the minister of interior. Suspects had no right to examine witnesses, or to call witnesses of their own, and uncorroborated confessions could constitute the basis for conviction and sentencing.

Hani ‘Abd al-Rahim Hussain al-Sayegh, a Saudi citizen deported from the United States on October 11, 1999, after the U.S. Attorney General’s Office stated that it lacked sufficient evidence to charge him in connection with the 1996 Khobar Tower bombing in Dhahran that killed nineteen American troops, was held in virtual incommunicado detention without charges and without access to legal counsel for at least three months after his arrival in the kingdom. The U.S. did not make public guarantees it claimed to have sought and received from Saudi Arabia prior to his deportation that he would not be maltreated and would receive a fair trial.

The government heavily restricted religious freedom and actively discouraged religious practices other than the Wahhabi interpretation of the Hanbali school of Sunni Islam. Officially, non-Muslims were free to worship privately but in October 1999 and January 2000, according to the U.S. State Department, two Filipino Christian services were raided by the mutawwa’in, the state-financed religious police known as the Committee to Promote Virtue and Prevent Vice. Thirteen people were arrested the first time and another sixteen persons in January; all were deported. Saudi officials reportedly said that the services had too many participants to be considered private.

The mutawwa’in also policed public display of religious icons and public worship or practice of religions other than Wahhabi Islam, and had the authority to detain Muslims and non-Muslims for up to twenty-four hours for offenses such as indecent dress and comportment. Official intolerance extended to alternative interpretations of Islam, and members of Saudi religious minorities continued to be harassed or detained for the peaceful practice of their faith. Shia Muslims, who constitute about eight percent of the Saudi population, faced discrimination in employment as well as limitations on religious practices. Shia jurisprudence books were banned, the traditional annual Shia mourning procession of Ashura was discouraged, and operating independent Islamic religious establish-

Several incidents during the year punctured the kingdom’s stability. These included violent clashes between Ismaili Shiites and security forces in the southwest province of Najran in April; the August 9 shooting by a Saudi university student at a housing complex for foreign defense workers in Khuis Mushayt near the King Khalid air base in southwest Asir province in which authorities said one Saudi Royal Air Force police officer was killed and another two seriously injured; a two-day uprising at al-Jawf prison in the north, also in August; and the hijacking of a Saudi Arabian Airlines plane flying from Jeddah to London on October 14 by two armed Saudis whom the government identified as first lieutenants in the security forces.

There were conflicting accounts about the unrest in the southwest city of Najran where Ismaili Shiites confronted security forces and the provincial governor in April. The unrest was variously attributed to public Shi’a observance of Ashura for the first time in many years, the closure of an Ismaili mosque, the arrest of an Ismaili cleric, and tensions along Saudi’s border with Yemen, where Ismailis have strong links. Between April 14 and 16, according to the London-based Committee to Protect Legitimate Rights in the Arabian Peninsula, three Isma’ili religious scholars, Haythim al-Sayyid Muhammad al-Shakhs of al-Ahsa, Abdullah al-Sayyid Hussain al-Nahwi al-Mabraz, and Jud Juwwad al-Nahwi al-Mabraz, were arrested for their involvement with the outlawed Islamic Action Movement. The same source named eleven religious scholars forbidden from preaching and religious activities, and another twelve scholars who remained imprisoned for such activities, some for as long as five years. Ahmad bin Muhammad al-Khayat, a Shi’a Isma’ili cleric and according to Saudi authorities an illegal Yemeni immigrant, was arrested on April 23 for “practicing sorcery” while teaching in al-Mansura mosque in Najran. No details were available on the precise nature of his alleged offense, or whether his activities were connected with Isma’ili religious practices deemed idolatrous by Wahhabi doctrine. An associate of al-Khayat reportedly shot and injured a policeman who was searching the cleric’s home.

By some accounts, Saudi religious police raided an Isma’ili mosque, closed it down, and confiscated its books. Protesters then assembled in front of the home of Najran’s provincial governor, Prince Masha’al bin Saud bin Ab al-Aziz. According to Agence France-Presse, the Interior Ministry deployed forces overnight amidst warnings that the protesters were liable to be “arrested, questioned, and tried in keeping with Islamic law.” According to the Saudi Press Agency, citing the Interior Ministry, security forces raided not a mosque but the home of an “illegal resident” who was practicing “sorcery.” During the search and after the sorcerer was arrested, the SPA said, one member of the security forces was shot and injured. At a demonstration at the governor’s headquarters calling for the release of the alleged sorcerer, protesters fired guns and burned vehicles, killing one member of the security forces and injuring others. There was no independent confirmation of the numbers killed, injured and arrested in the days that followed, and official government statements clearly sought to downplay the incident.

On August 11, some 400 inmates at the central prison in al-Jawf went on a two-day rampage. According to an unnamed Saudi security official cited in press reports, the prisoners attacked a guard, burned bedding in their cells, and then rioted, causing extensive damage. Calm was reportedly restored the next day, after police and special security forces were airlifted to the area to assist the guards. The inmates reportedly were frustrated at the lack of response to repeated complaints about prison conditions and sought a meeting with the provincial gover-
nor. According to the Saudi official, demands included the provision of newspapers, doors on bathrooms, and improved food, sanitation and recreation.

Saudi women continued to face severe discrimination in all aspects of their lives, including the family, education, employment, and the justice system. Religious police enforced a modesty code of dress and institutions from schools to ministries were gender-segregated. This year a princess and distant cousin of the king was appointed assistant under secretary at the Ministry of Education—the highest position ever held by a Saudi woman—in charge of girls’ education. Saudi businesswomen continued to be active through their own associations, including the Businesswomen’s Forum in the Eastern Province. According to one report, of the 76,000 members of the Jeddah, Riyadh and Eastern Province chambers of commerce, some 5,500 were women.

Interior Minister Prince Nayif bin Abdelaziz said in August that the kingdom’s high population growth rate and the large number of job-seeking graduates presented “an economic, social, security and cultural problem.” Unemployment among Saudi citizens was an estimated 14 percent, and 20 percent among workers aged twenty to twenty-nine years old, according to the chief economist at the Saudi American Bank in Riyadh. The government therefore continued to take steps to reduce its reliance on foreign workers, a process described as “Saudiization,” which Prince Nayif declared a “top priority.”

The large population of foreign workers included some 1.2 million Egyptians and 1.2 million Indians, according to the U.S. State Department. Undocumented workers included those who remained after entering the country to perform the haj or umra, and those who stayed after the expiry of their work visas. Migrants have long been subjected to restrictions such as the surrender of passports to Saudi sponsors, limitations on freedom of movement, prohibitions on trade union organizing, and lack of access to legal representation in cases of arrest. Overstayers and violators of the iqama (residency permit system) were given a July 2 deadline to obtain the proper authorizations or leave the country, which authorities later extended to August 29, after which date all penalties were to be “firmly implemented,” the Interior Ministry said. Prince Nayif said that iqama violators included those who left or fled their Saudi sponsors or who were carrying out business activities on their own. Anyone without a residence permit after the deadline faced fines of over U.S. $25,000, prison sentences of six months, and deportation. Special police squads searched work places and homes for violators, including both foreign workers and their Saudi employers. Thousands of foreigners left or were expelled. For example, the Nigerian press reported on July 20 that 1,000 Nigerians had already been rounded up and deported, and Pakistani media said on September 27 that 2,441 Pakistani workers had been deported, in addition to thousands of undocumented workers who left the country voluntarily. In September, the Ministry of Labor and Social Affairs reportedly wrote to private firms with over twenty employees, instructing them to increase by 25 percent the number of Saudis on their payrolls.

Saudi Arabia continued to provide refuge and financial support to Idi Amin, the exiled Ugandan leader whose regime was responsible for a reign of terror that left an estimated 300,000 dead in the 1970s. After fleeing Uganda in 1979, Amin arrived in the kingdom at the invitation of the late King Faisal and reportedly has since been protected by government-paid Saudi guards. A journalist with Uganda’s New Vision newspaper interviewed Amin in Jeddah in 1999 and reported that he had moved from his home in the city center “to a more exclusive area...mainly occupied by powerful oil sheikhs.”

Defending Human Rights

Saudi restrictions on access to the country, coupled with the lack of freedom of association and expression, made it extremely difficult to obtain detailed information about human rights conditions, and there were no
SAUDI ARABIA

independent human rights organizations operating from inside the country either overtly or clandestinely. Surveillance of telephone, the Internet, and postal communications made it risky for persons inside the kingdom to provide information. Saudis abroad were reluctant to speak of sensitive matters for fear of repercussion on family members or future employment prospects. As of October 2000, there were no indications that the new rights bodies announced by the government in April had been set up or begun operation. It was also unclear if the cabinet’s August decision to ratify CEDAW, albeit with reservations, would enable independent women’s rights groups to organize and function freely inside the kingdom.

Amnesty International launched a worldwide campaign focused on Saudi Arabia—“End Secrecy, End Suffering”—and published reports about the kingdom in March, May, and October. The campaign provoked repeated public responses from Saudi government officials that ranged from welcoming invitations to intense criticism. On March 27, the Saudi Ministry of Foreign Affairs issued a detailed statement saying that the kingdom had a “keen interest and commitment to the cause of human rights,” there were no political prisoners, and the criminal justice system was “properly administered.” Harsh words followed from senior Saudi officials. For example, Defense Minister Prince Sultan bin Abdul Aziz charged on April 11 at a joint press conference with British Defense Minister Geoff Hoon that “all that has been said against Saudi Arabia is motivated by hate.” He added: “Those who have the slightest doubt over human rights in Saudi Arabia should come to the kingdom to see for themselves. We have six million non-Saudis who work in all fields and enjoy their rights.” Saudi newspapers on April 15 quoted Interior Minister Prince Nayef, who dismissed as “merely nonsense” the allegations of human rights abuses in the kingdom. The interior minister was also quoted the same day as saying: “We welcome anyone to see for himself the facts in the kingdom as it has nothing to conceal.”

But Foreign Minister Prince Saud al-Faisal appeared to exclude Amnesty International from the interior minister’s invitation to visit the kingdom. In an interview with the Spanish daily El Pais, reported by Agence France-Presse on April 16, he said: “If Amnesty International was seeking the truth and if it informed itself honestly of the truth, we would consider a visit.” He continued: “But so long as it continues to use erroneous information as its basis without taking into account our responses,” the visit would have “no sense.” As of this writing, neither Amnesty International nor Human Rights Watch have received positive responses to requests for access to the kingdom.

After the release of Amnesty International’s second report, which concerned the justice system, the criticism continued. For example, Minister Abdullah al-Sheik said on May 9 that critics of the kingdom’s rights record “have misled many people with lies and fallacies which they spread through the media.” And on May 20 the daily al-Riyadh quoted Prince Turki bin Muhammed, deputy foreign minister for political affairs, charging: “The target of Amnesty’s campaign against Saudi Arabia is Islam.”

The Role of the International Community

United Nations

Saudi Arabia for the first time was elected as one of the fifty-three members of the U.N. Commission on Human Rights for the 2001-2003 term. On April 6, Prince Turki bin Muhammad Saud al-Kabir told the commission that “the Kingdom of Saudi Arabia and the other members of the Organization of the Islamic Conference are jointly seeking to promote the universality of human rights.” The prince stated that the kingdom prohibited any form of torture, and that his government did “not prohibit exercise of freedom of expression and assembly provided that this is neither prejudicial to public order nor detrimental to public morals,” and that all laws applied “to both sexes without distinction or exception.”
Prince Turki also told the commission that the government would set up “a national governmental body, reporting directly to the Prime Minister and headed by a high-level official, vested with authority to look into all human rights issues.” He added that “an independent non-governmental national body” would also be established “to help to publicize and protect human rights, to affirm the need for compliance with the regulations pertaining thereto and to advocate the punishment of offenders.” He stated that “human rights sections” would be created in various government agencies, including the Ministry of Justice, the Ministry of the Interior, the Ministry of Foreign Affairs and the Ministry of Labor, “to emphasize the vital need for compliance with human rights regulations and principles,” and that new regulations would be adopted to govern the legal profession and legal counseling.

The prince extended an invitation to the U.N. special rapporteur on the independence of judges and lawyers to study the Saudi court system. In July, the Consultative Council, an advisory body, deliberated over a new draft law for regulation of legal procedures. On September 7 Crown Prince Abdallah signed at the U.N. the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), although it was too early to assess the practical effect on women’s rights in the kingdom.

On October 25, Secretary-General Kofi Annan announced the appointment of Thoraya Ahmed Obeid, a Saudi woman who has served in U.N. posts since 1975, as executive director of the U.N. Population Fund. “Today, all the Saudi women are recognizing that you broke the ceiling one more time for Saudi women, and we thank you for that,” she told Annan. She also was quoted as saying: “Once you talk about human rights, you talk about women, you talk about freedom. It is a process the country is going through,” adding that she hoped it would “impact on my sisters in Saudi Arabia and make a difference in our lives.”

European Union
The European Commission continued to negotiate with the Gulf Cooperation Council (of which Saudi Arabia is the leading member) for a free trade agreement. The Joint Communique of the E.U.-GCC Ministerial Meeting issued November 2, 1999, said that “The GCC Ministers, while noting the diversity of systems of values, which should be taken fully into consideration, joined the E.U. in reiterating their continuing commitment to the promotion and protection of human rights.”

European countries, along with the U.S. and Japan, have called for Saudi admission to the World Trade Organization.

According to the Saudi government, Western-based multinational oil companies were committed to investing some U.S. $100 billion in the kingdom’s natural gas and petrochemical sectors over the next two decades. In July, it was revealed that twelve corporations had been shortlisted to prepare detailed project proposals, including four based in Europe: Royal Dutch/Shell Group, BP Amoco, ENI, and Total Fina Elf.

United Kingdom
Noting that in 1999 Saudi Arabia was the nineteenth largest export market in the world, the British government reported that the kingdom was its largest market in the Middle East, with exports of £1.5 billion. The United Kingdom maintained a hefty arms trade with Saudi Arabia, although exports declined in 1999 to £131 million sterling from £803 million in 1998.

Foreign office minister of state Peter Hain noted in a speech on June 20 at the Investing in Saudi Arabia conference in London that Britain was the second largest investor in Saudi Arabia with investments totalling U.S. $3.5 billion. He noted that some 30,000 Britons resided in the country, and there were more than ninety joint ventures between British and Saudi companies. He reported that top British corporations in Saudi included GlaxoWellcome, Shell, Rolls-Royce, BAE Systems, Tate & Lyle, and Unilever.

Hain added: “Saudi Arabia is important. We all know why. It remains the economic
powerhouse of the region. Saudi Arabia is one of the few countries that can still dictate business on its own terms, sometimes against all the odds of the economics textbooks. Who else could have the international banks lending so readily? Who else could have the international oil companies queuing-up to invest billions of dollars?"

**United States**

U.S. Defense Secretary William Cohen was asked at an April 9 joint press briefing in Jeddah with his Saudi counterpart Prince Sultan bin Abdulaziz al-Saud to discuss areas of disagreement between the United States and Saudi Arabia. “That’s a very easy answer,” he replied. “There are no points of disagreement between his Royal Highness and myself or between the kingdom of Saudi Arabia and the United States.”

Saudi Arabia was the largest market in the region for American products, and the U.S. once again was Saudi Arabia’s number one trading partner, with military and civilian exports of U.S. $7.9 billion in 1999, according to an April 2000 report of the U.S. embassy in Riyadh. The kingdom was among the world’s top ten military spenders, the State Department said in its August 2000 report, *World Military Expenditures and Arms Transfers 1998*, and the number one recipient of U.S. arms exports in the period 1995-1997, with $13.7 billion in sales.

About 4,000 U.S. troops were stationed at Prince Sultan air base. Minister of Defense Prince Sultan said on April 9 that rumors of a reduction of U.S. forces in Saudi Arabia were “not correct.” He visited Washington, D.C., on November 1-4, 1999 at the invitation of Secretary of Defense Cohen, and had meetings with President Clinton, Secretary of State Albright, Secretary Cohen and other senior officials. The State Department issued a joint statement on November 5, saying that topics of discussion included “the close cooperation of the two governments, particularly military and economic cooperation,” and that the two countries “agreed that continuing high-level military contact and joint military training enhance[d] preparedness help[ed] sustain security and peace in the Middle East and throughout the world.” On July 20, the Defense Department announced a proposed $475 million military sale to Saudi Arabia for 500 AIM-120C Advanced Medium Range Air to Air Missiles and other logistical and program support.

At a press conference in Riyadh on February 26, U.S. Energy Secretary Bill Richardson termed Saudi Arabia “a good friend and strong ally” of the U.S., and noted that ties were cemented by “a strong trade relationship, a significant investment relationship, a valued strategic partnership and a long-standing energy relationship.” He also said that the U.S. welcomed the kingdom’s decision to “revise the foreign capital investment law to make it more attractive for foreign investors to do business in Saudi Arabia,” and that U.S. companies were “very pleased with the prospect of participation in the gas upstream sector and other potential foreign investment opportunities.”

Saudi officials stressed the importance of U.S. support for the kingdom’s entry into the World Trade Organization (WTO). At a banquet on September 5 in New York hosted by the Saudi-American Business Council, Crown Prince Abdullah said: “We expect that official U.S. agencies and the U.S. business community will support our efforts to complete the procedures to win WTO membership.” The U.S. embassy in Riyadh noted in an April report that accession to the WTO was “the keystone of Saudi Arabia’s economic reform program.” It was reported in September that Crown Prince Abdullah would be meeting in New York with representatives of the eight U.S.-based oil companies selected in August to further pursue energy development projects in Saudi Arabia: Chevron, Conoco, ExxonMobil, Marathon, Phillips, Texaco, Enron, and Occidental.

The State Department once again issued a critical written assessment of Saudi Arabia’s human rights practices in its annual country report, issued in February, but Clinton administration officials once again did not raise rights issues publicly. In a scathing indictment of the kingdom’s practices, the U.S.
Commission on International Religious Freedom wrote to Secretary of State Albright recommending that Saudi Arabia be added to the list of “countries of particular concern,” pursuant to the 1998 International Religious Freedom Act, for “particularly severe violations of religious freedom.” The commission stated that “the government brazenly denies religious freedom and vigorously enforces its prohibition against all forms of public religious expression other than that of Wahabi Muslims. Numerous Christians and Shi’a Muslims continue to be detained, imprisoned and deported.”

SYRIA

Human Rights Developments

One chapter of Syrian history came to a close with the death on June 10 of President Hafez al-Asad, in power since 1970. The Ba’th Party then quickly orchestrated the political and military elevation of his thirty-four-year-old son, Bashar, allowing citizens only the choice of voting yes or no in a one-candidate presidential referendum held on July 10. The Syrian constitution also was expeditiously amended to lower the minimum required age of the president, and Bashar al-Asad was elected with 97.27 percent of the vote. The British-trained ophthalmologist had already been designated commander-in-chief of the armed forces and elected leader of the Ba’th Party. Amidst grumbling about the possible onset of dynastic rule in Syria by the Alawite minority, many nevertheless hoped that the new president would eventually breathe life into the country’s civil society, stagnant from decades of one-party rule. Prior to his father’s death, Bashar al-Asad’s action-oriented enthusiasm about computer-based information technology (he headed the Syrian Computer Society) and his campaigns against endemic official corruption were well publicized in Syria, raising expectations that as president he might tackle political as well as economic reform.

In neighboring Lebanon, opponents of Syria’s long-term domination of the country had their own hopes, calling repeatedly for reassessment of the lopsided bilateral relationship and return of full sovereignty. It was not only Asad’s death but Israel’s earlier military withdrawal from occupied south Lebanon in May that prompted and emboldened Lebanese critics and activists, particularly university students, to press directly and publicly for the withdrawal from their country of all Syrian troops and security forces.

With Israeli-Syrian peace negotiations again stalled, the Golan Heights, which Israel annexed in 1981, remained under occupation and Israeli settlement activity there continued.

Despite the presidential succession, Syrians continued to be denied civil and political rights. Freedom of expression, association, and assembly were strictly limited in law and practice; the local media and access to the Internet remained state-controlled; and the pervasive powers of the security forces under the country’s long-standing emergency law, in force since 1963, were intact. There were no effective safeguards against arbitrary arrest and torture; civilian and military prisoners, including the infamous Tadmor in the Palmyran desert, remained off-limits to independent observers; and the Kurdish minority continued to be denied basic rights, including the right to a nationality for tens of thousands. No one inside the country dared to advocate justice and accountability for current and former government officials responsible for gross human rights abuses, including the massacre of possibly as many as 1,100 unarmed prisoners at Tadmor in 1980, and the military assault on the city of Hama in 1982 in which thousands were killed.

Numerous Syrians lived in political exile abroad. The children of some of those blacklisted from returning were deprived of Syrian nationality and in some cases were technically stateless because they lacked passports. Human Rights Watch continued to receive information about Syrian exiles who were arrested, detained, and subsequently forced to leave countries where they resided.
and worked because they carried, of necessity, forged passports. As of this writing, there were no reported public initiatives by the government to address this major political and humanitarian issue, which affected entire families, including women and children.

Hundreds of Syrian, Palestinian, and other political prisoners continued to be held, but the government provided no official figures. In a June 27 letter to President-elect Bashar al-Asad, Amnesty International estimated the number of political prisoners at 1,500—of whom approximately 800, mostly members or sympathizers of the Muslim Brotherhood but also supporters of the pro-Iraqi Ba'ath Party and communists, were believed to be in Tadmor prison. Another 560 prisoners were held in Sednaya prison, and two hundred in other detention centers and in Duma women’s prison, Amnesty International said.

In a welcome development, releases of political prisoners, including human rights activists, took place before and after the death of Hafez al-Asad. Two members of the Communist Action Party, Fateh Jamus and Abd al-Karim Aslan, who had served sixteen and eighteen-year terms, respectively, were reported released prior to Hafez al-Asad’s death. There were reports that sixteen Jordanian political detainees were freed in March, and another seventeen during the next several months, and three members of the Muslim Brotherhood were released in May. Syrian political exiles confirmed that “dozens” of political detainees were released in June and July, including thirty members of the Muslim Brotherhood; three Jordanians, including Khalid Awad who had served twelve years on political charges; journalist Faisal Allush from the Communist Action Party, who was released after fifteen years in prison; and two members of the Tawhid movement, military commander Samir al-Hassan and Lebanese Sunni activist Hashim Minkara, freed after serving fifteen years.

An anti-corruption campaign launched by Hafez al-Asad and continued by his son resulted in arrests and convictions of senior officials and one alleged suicide. On May 10, former Prime Minister Mahmud Zu’bi was expelled from the Ba’th Party based on allegations of corruption. He had been removed from office on March 7 amid accusations of mismanagement and was banned from leaving the country. The interior ministry said on May 21 that Zu’bi killed himself when the Damascus police commander went to his house to deliver a summons. His funeral was not attended by the president or members of the cabinet.

A group of three dozen Syrian opposition figures in exile, calling itself the Committee of Coordination for Democracy in Syria, criticized the anti-corruption campaign in a June 10 statement published in al-Quds al-Arabi, the London-based pan-Arab daily. The exiles, including Sarkis Sarkis, Adib al-Hurani, and Yusif Abadlaki, charged that the real purpose of the campaign was to eliminate potential opponents of Bashar al-Asad. The group also called for the canceling of emergency law, an accounting for the “disappeared,” freedom of expression, and political pluralism.

Another call for political reform and human rights came in a September statement signed by ninety-nine prominent intellectuals, artists, and others residing in Syria and abroad that appeared in the Lebanese daily al-Safir. The statement called on the authorities to cancel emergency law, issue a general amnesty for all political prisoners, allow political exiles to return, and recognize the rights to freedom of assembly, press, and opinion. The signatories included novelist Abdel Rahman Munif, poet Adonis, and philosophy professor Sadiq al-Azm. Earlier appeals included a June editorial in the pan-Arab daily al-Hayat for intellectual and press freedoms, and a July request from Ibrahim Abu Daqqah, human rights advisor to Palestinian Authority leader Yaser Arafat, for the release of Palestinian detainees. From Beirut, a Lebanese member of parliament, Boutros Harb, called for an “opening of the files” on some two hundred Lebanese known or suspected of being imprisoned in Syria, some of whom had been detained without trial for over fifteen years. The Jordanian branch of the
Arab Organization for Human Rights also called for the release of sixty-nine Jordanians, as well as Lebanese and Palestinian prisoners.

In other welcome developments, some seventy-five foreign journalists were allowed greater freedom than previously to report from Damascus during Hafez al-Asad’s funeral. Bashar al-Asad also decreed measures that provided greater Internet access through connections in offices, at least two private Internet cafes in Damascus, the Asad National Library, and Damascus International Airport. The Syrian Telecommunications Establishment (STE), the country’s only Internet service provider, still blocked access to Israeli materials and Syrian opposition Web sites—such as the London-based Syrian Rights Committee—and censored electronic mail.

“In Syria we have 5,000 subscribers,” Ghassan Lahham, vice-president of the Syrian Computer Society, told a press conference in Beirut on April 15. “These are mainly companies and government institutions. We are working to increase to 20,000 by the end of the year,” he said, adding that STE would remain the country’s only Internet provider.

Beirut’s Daily Star reported on April 17 that it cost SL2,400 (about U.S. $50) for Internet subscribers in Syria to receive fifteen hours of access monthly, and that a committee had been created “to consider allowing a private company to study applications from people seeking Internet access in Syria.”

Against the backdrop of the impending Israeli withdrawal from the occupied south, Lebanese citizens used various tactics to protest Syrian domination of their country. On March 23, for example, journalist Gebran Tueni, managing director and chairman of the board of the independent daily an-Nahar (Beirut), wrote as an editorial an extraordinarily frank open letter addressed to then Col. Bashar al-Asad, who had been assigned responsibility for Syria-Lebanon relations by his father. He wrote that “many Lebanese are neither at ease with the Syrian policy in Lebanon, nor the Syrian ‘presence’ in Lebanon....[T]hey resent the way Syria deals with Lebanon, they detest it and reject it....We are not a Syrian province.” Tueni also criticized “direct Syrian interference in Lebanese politics,” and said that Lebanese “refuse the principle of pre-fabricated voting lists in Damascus” and “reject arresting Lebanese in Syrian prisons.” He went on: “There are some Lebanese fears that are getting deeper. There are people who believe that Syria is an enemy. You have to face this reality to be able to solve the problem.” Two days later, Lebanese president Emile Lahoud condemned such writing as a “broken record ... played with pro-Israeli motivations.” He added: “We all know that such calls and their timing do not reflect interest in protecting Lebanon’s sovereignty and independence.”

The next month, Lebanese authorities got tough with anti-Syria protesters and referred eight of them to the military court. On April 14, Lebanese authorities arrested two students and a lawyer, Maroun Nasrani, and accused them of distributing pamphlets critical of the Syrian presence in Lebanon. They were tried on April 17 in the military court and fined for “distributing pamphlets harmful to the government and to its ties with a sisterly country.” On the day of the trial, several dozen student protesters at the Justice Palace clashed with police and five were arrested and referred to the military court.

The Daily Star reported that the demonstrators’ shouts of “Syria get out of here,” they shouted.”

In June, Tueni penned another editorial, this time directed at Syrian foreign minister Farouq Shara’ who had said that pressure from media campaigns and foreign governments would not lead to the withdrawal of Syrian troops, which he contended prevented the eruption of sectarian strife in Lebanon.

“Allow us to completely reject your words and the words of some Lebanese trumpets that use the same justification to defend the presence of Syrian troops in Lebanon,” Tueni wrote. He added that it was “natural for Minister Shara’ to believe journalism does not have the right to claim it represents the views of citizens because in Syria, as in similar regimes, journalism does not represent public opinion but talks with the tongue of the ruling...
By September, the Council of Maronite Bishops, led by Patriarch Nasrallah Sfeir, was openly calling for the withdrawal of Syrian troops, whose presence it said “embarrasses the Lebanese.” In a September 20 statement the council charged that Syria’s “hegemony covered all Lebanese institutions, administrations and government departments.” The patriarch pledged that the efforts would continue: “We are not going to be frightened into silence. Nothing will bring this campaign to a halt especially after the Israeli occupation of south Lebanon has ended.”

Defending Human Rights

There were no locally based human rights nongovernmental organizations (NGOs) allowed to operate freely and openly with the protection of legal status as NGOs. But activists with the lone independent watchdog group, the Committees for the Defense of Democratic Freedoms and Human Rights in Syria (CDF), including several former detainees, convened “publicly” in Damascus on September 15 for the first time in eleven years. Their purpose, they said, was to underscore their hope for a democratic transformation in Syria. They elected a new board of trustees, including eight persons living in Syria and three in Europe. Aktham Naisse, an attorney who was released in 1998 because of poor health, was elected president of the organization.

Ten CDF activists, including Naisse, had been tried in the state security court in 1992 and sentenced to terms ranging from five to ten years of imprisonment. Thabet Murad and Bassam al-Shaykh were released from Sednaya prison after their sentences expired in early 2000. Three others —journalist and writer Nizar Nayouf, Muhammad Ali Habib, and Afif Muzhir—remained imprisoned, Nayouf reportedly in solitary confinement in Mezze military prison. The World Association of Newspapers denied reports that Nayouf had been released in April, and said that he “adamantly refused” an offer of release in exchange for signing a statement that he would relinquish all human rights awards and refrain from future political activity. Nayouf, disabled years earlier by torture under interrogation and at Mezze and Tadmur military prisons, suffered from serious medical problems. Syrian authorities continued to deny reports that Nayouf suffered from Hodgkin’s disease, a form of lymphatic cancer.

In Lebanon and France, independent human rights groups actively campaigned for the release of several hundred Lebanese they knew or suspected were being held in Syria prisons. While confirming reports that dozens of political prisoners had been released by late July, CDF’s Paris-based spokesman Ghayath Naisse said that the “prisoner release is partial, not the comprehensive one we were hoping for.” Representatives of eighteen human rights organizations from Palestine and Morocco, Tunisia, Egypt, and other Arab countries wrote in June to the Ninth Regional Congress of the Syrian Ba’th Party calling for an end to emergency law. The letter said that hundreds of political prisoners released from “grisly detention centers” were “still deprived of their civil rights by order of the Supreme State Security Court. They are prevented from traveling, their movements are restricted, and many have lost their jobs.” The letter called on the authorities “to make the brave and historic decision to do away with political detention once and for all, release all political prisoners, and restore to them their full civil rights as guaranteed by the Syrian Constitution.”

Syrian authorities continued to be unresponsive to letters from Human Rights Watch, and did not respond positively to a long-standing request to visit the country to carry out research.

The Role of the International Community

United Nations

The United Nations Educational, Scientific and Cultural Organization (UNESCO) called attention on May 3, World Press Freedom Day, to the plight of imprisoned Syrian human rights activists by awarding Nizar
Nayuf, who was serving a ten-year prison term despite poor health, the Guillermo Cano World Press Freedom Award.

**European Union**

Once again, human rights were not a dominant concern in European relations with Syria. The European Union continued to hold talks with Damascus with the aim of concluding an Association Agreement by the year 2010, according to Marc Pierini, head of the European mission in Damascus. Prior to two days of talks in Damascus in November 1999, Pierini told Agence France-Presse that human rights would be “an important part of the agreement” and would be discussed in these meetings as well. But he seemed to mute the message with the following words: “The European Union, whose declared objectives are to strengthen Syria’s stability and prosperity, must take into account the legitimate concern of the Syrian authorities not to bring social troubles in the wake of the reforms.”

In a July 17 speech in London to the Council for the Advancement of Arab-British Understanding, British foreign office minister Peter Hain noted the “very smooth” transition to power of Bashar al-Asad. He added: “I believe that, over the past year, Britain and Syria have laid the foundations for a new relationship between our countries. I welcome President [Bashar] Asad’s commitment to social and economic reform, and to the strategic choice of peace. Britain will, as an old friend, seek to help Syria in both.”

**United States**

U.S. relations with Syria remained lukewarm at best, although Clinton administration efforts to broker a peace deal with Israel continued, including a meeting in Geneva on March 26 between President Clinton and President Hafez al-Asad that was widely viewed as unsuccessful. Syria remained on the U.S. list of “terrorist” countries, although bilateral trade in 1999 totalled $172.67 in U.S. exports to Syria and $94.9 million in Syrian exports to the U.S., according to the Foreign Trade Division of the U.S. Census Bureau.

The U.S. State Department both criticized and praised Syria in its *Patterns of Global Terrorism 1999* report, released in April 2000: “Syria continued to provide haven and support to several terrorist groups, some of which maintained training camps or other facilities on Syrian territory. Ahmad Jibril’s Popular Front Liberation of Palestinian-General Command (PFLP-GC) and the Palestinian Islamic Jihad (PIJ), for example, were headquartered in Damascus. In addition, Syria granted a wide variety of terrorist groups—including HAMAS, the PFLP-GC, and the PIJ—basing privileges or refuge in areas of Lebanon’s Bekaa Valley under Syrian control.” The report also noted, however, that the Syrian government “continued to restrain their international activities, instructing leaders of terrorist organizations in Damascus in August to refrain from military activities and limit their actions solely to the political realm.”

On December 8, 1999, President Clinton announced that Prime Minister Barak and President al-Asad had agreed to resume Israel-Syria negotiations from the point that they were suspended in January 1996. The talks commenced at a meeting on December 15, 1999, between President Clinton, Prime Minister Barak and Syrian Foreign Minister Farouq al-Shara’, followed by talks in Shepherdstown, West Virginia, on January 3-11, 2000.

Secretary of State Madeleine Albright said on January 17: “At the end of the last round, it was agreed that the Israeli-Syrian talks would resume on January 19. Both sides have since been reviewing the status of the talks and the draft working document. Presently, their approaches to the next round differ, and as a result, there is going to be a delay. In the meantime, each side has agreed to send experts to Washington to meet us and provide their comments on the draft.”

There were no breakthroughs at the March 26 meeting between Clinton and Asad in Geneva and it appeared that from the American side at least none were expected. En route to the meeting, U.S. National Security Advisor Samuel Berger said in a March 25 press briefing aboard Air Force One that the
purpose of the meeting was “not to try to reach an agreement between Israel and Syria.” He also noted that “if nothing else happens [in Geneva] other than that Asad and Barak and the President have a better sense that their interests are either reconcilable or irreconcilable, that will be, I think, useful; they’ll each make decisions based on that.” On the flight, an unnamed senior Clinton administration official provided additional background about the U.S. view: “I think it is important for the Syrian government to convey and demonstrate to the people of Israel that if, in fact, they give up some or all of the Golan Heights . . . they will gain from that a qualitatively different relationship with Syria, which involves genuine dialogue exchange, at a people-to-people level as well a commercial level and otherwise.” The White House released these remarks as part of the official transcript of the press briefing.

In a May 8 speech in Washington to the Anti-Defamation League, Assistant Secretary for Near Eastern Affairs Edward Walker made clear the U.S. and Israeli approach to the negotiation. He stated: “Despite difficulties, we have not given up on the Syrian track. But negotiating the future of the Golan Heights is risky business for Israel. We recognize that only an agreement that enhances Israel’s security will be acceptable to Israelis and the United States. At the same time, a way must be found to meet the needs of the Syrian side as well. It would be a great mistake to assume that the Syrians do not, in their own way, face significant risks in approaching peace. Therefore, as long as both Israelis and Syrians are still interested in finding a way forward, and we believe that continues to be the case, the United States will persist in our efforts to help them.”

There was evidence that Israel was preparing to lobby for U.S. aid to Syria if a peace treaty was concluded. The diplomatic correspondent for the respected Israeli daily Ha'aretz reported on March 26 from Geneva that the Israeli embassy in Washington was “exploring the possibility of U.S. aid to Syria following the signing of a peace agreement between Syria and the Jewish state.” He said “diplomats assessed that the White House could convince Congress to grant Syria an aid package, but doubts exist about the possibility of American military aid for Syria.” He wrote that it was expected “that if an agreement with Syria is signed, Israel will seek assistance from Jewish groups in the United States in pushing an aid package for Syria through Congress,” and that “[s]ources involved in securing congressional aid said that a combined aid package for both Israel and Syria would be approved because it will be difficult for members of Congress to oppose such a package.” The article noted that Israel had requested $17 billion in U.S. military assistance to finance its withdrawal from the Golan Heights.

Except for a reference in an October 14, 1999, speech by Secretary of State Madeleine Albright to human rights defender Nizar Nayuf being “near death after years of solitary confinement, torture, and neglect,” the Clinton administration did not raise Syria’s human rights practices publicly and expressed satisfaction at the peaceful transition to power of Bashar al-Asad. Asked before she departed for Hafez al-Asad’s funeral if she would raise human rights concerns, Albright suggested that such a message would be inappropriate. “I think that it’s important for Dr. Bashar Asad to . . . take on the mantle and for the transition process to be pursued,” Albright said. “From what we’ve seen in the past twenty-four hours . . . it looks like a peaceful transition. It is important that it be peaceful.” Albright did, however, comment about the continuing Syrian military presence in Lebanon in the wake of the Israeli withdrawal in May. For example, on June 7 in Cairo she noted the “bold move Prime Minister Barak took in withdrawing his forces from Lebanon and doing it according to [U.N. Security Council] Resolution 425,” and said it was “very important for all parties involved in that to carry out their obligations vis-à-vis 425. I would hope very much that the Lebanese army would begin to move into Southern Lebanon and that the Lebanese would take control over their own territory and all foreign forces would depart.” She added that Leba-
non would be discussed in her meeting that day with Syrian Foreign Minister Farouq Shara’:

“We’re going to talk about Lebanon and I think about making sure that everybody fulfills their obligations according to 425. As I’ve said, the Syrians have been cooperative and I think it is very important that all parties do in fact follow through on their obligations—these are international obligations—the Israelis have lived up to them, I think it would be good if everybody else did also.”

TUNISIA

Human Rights Developments

The struggle of Tunisian activists to exercise their rights to meet and speak about human rights abuses in the country was in the forefront of developments this past year. Public confrontations, including several high profile hunger strikes by political prisoners and by activists under judicial restraints, contributed to the release of some prisoners and a government decision to restore passports and the right to travel to leading human rights lawyers and activists after years of denial. The government, however, remained hostile to any public criticism and criminalized “unlicensed” political activities. The lack of political pluralism was evident from President Zine al-Abidine Ben Ali’s reelection for a fourth term on October 24 with 99.4 percent of the votes and by the ruling Democratic Constitutional Rally’s (Rassemblement Constitutionnel Democratique, RCD) capture of 94 percent of the vote in the May 28 municipal elections. The increase in protests during the year reflected not any increase in official tolerance but rather a new defiance spurred by frustration over the lack of basic rights.

There was also dissatisfaction with the government’s performance on the economic front. The first serious breakdown in labor relations for a decade occurred in early February, when taxi and truck drivers held a three-day strike to protest the introduction of a new driving code and the potential it offered for increased arbitrary abuse and extortion of bribes by the police under the guise of enforcing the new system. The following week, secondary school and university students and unemployed youths demonstrated on the streets of several southern cities and towns, including Gabes, Jebeniana, El Amra, Medenine, Jerba, Douz, Gafsa, and Sfax, amid rumors that bread prices were to rise. For more than a week, they demonstrated against the rise in basic food prices and unemployment, and government corruption. Police arrested hundreds of demonstrators, many of whom alleged that they were ill-treated in custody, but most were released uncharged or received suspended sentences. More than forty, however, were sentenced to between three and eight months in prison.

On November 7, following President Ben Ali’s reelection and on the twelfth anniversary of his assumption of power, the authorities released more than 1,000 prisoners, including some 600 political prisoners, on certain conditions as part of a reported amnesty. Many of those freed were sympathizers or low-ranking adherents of al-Nahda (Renaissance), a proscribed Islamist movement, who had been imprisoned for offenses such as attending meetings of an “unauthorized” organization or making donations to the families of imprisoned members. The authorities also released five accused members of the banned Tunisian Communist Worker’s Party (Parti Communiste des Ouvrier Tunisiens, PCOT)—Ali Jellouli, Nejib Baccouchi, Noureddine Benticha, Chedli Hammami, and Taha Sass—who they had sentenced in July 1999 after an unfair trial on political charges. A sixth, Fahem Boukaddous, who had been badly tortured in 1999, remained in prison until June 2000. All senior imprisoned al-Nahda members continued to be held, serving long terms under harsh conditions.

Released political prisoners faced a range of punitive measures, some court sanctioned, such as “administrative controls” requiring them to present themselves, often daily, at local police stations and others arbitrary,
including restrictions on travel and having their telephone communications cut. Some were dismissed or excluded from their public-sector jobs and private sector employees were pressured not to hire them. Most were subjected to heavy and intimidating police surveillance. On August 28, Hamadi Romdhane was arrested for refusing to submit to administrative controls. A former prisoner, the authorities first told him that administrative controls on those released in accordance with the November 1999 amnesty, had been released but later that they had been reinstated. He was required to sign in on a daily basis at a police station twelve kilometers from his home. Fearing that he could not earn a living under these circumstances, he refused to comply.

The authorities remained determined to quash efforts aimed at developing associations that might be independent and critical of the government. They continued to deny legal status to the nongovernmental Rally for an International Development Alternative (Rassemblement pour une Alternative Internationale de Développement, RAID) and National Council on Liberties in Tunisia (Conseil Nationale pour les Libertés en Tunisie, CNLT), a human rights monitoring group, thus rendering these associations’ supporters liable to arrest and imprisonment on charges of belonging to “unauthorized” organizations. In April, police detained Fathi Chamkhi, president of RAID, together with RAID member Mohamed Chourabi and photocopy shop owner Iheb el-Hani, for possessing RAID and CNLT documents and charged them with “spreading false information liable to disturb public order, defamation of the authorities, inciting fellow citizens to violate the laws of the country, and belonging to an unauthorized association.” The two were released on bail on May 8 but their files remained open, leaving them vulnerable to future harassment.

Throughout the year, local human rights activists were summoned before prosecutors or judges, or detained for brief periods and then released. As of mid-October, those under investigation and facing trial included human rights lawyer Nejib Hosni, Mustapha Ben Jaafar, secretary general of the Democratic Forum for Labor and Liberties, another “unauthorized” association, and PCOT activist Mohamed Hedi Sassi.

The government demonstrated particular intolerance when those associated with the CNLT refused to submit to official efforts to silence them. The security forces in December 1999 twice ransacked the offices of Editions Aloès, a publishing house established by CNLT founding member Sihem Ben Sedrine, wife of the CNLT’s secretary-general Omer Mestiri, and seized computers and archives. On January 13, Editions Aloès’ co-founder and literary director, Jean-François Revel, a French national, was summarily dismissed from his position as assistant professor of philosophy at the Institut des Sciences Humaines in Tunis. On February 13, he was ordered to leave the country after he traveled with Ben Sedrine and journalist Taoufik Ben Brik to document the February demonstrations in the south of the country.

Ben Brik, also a founding member of the CNLT, began a hunger strike on April 3 to protest the government’s confiscation of his passport a year earlier, repeated police harassment of his family, and Tunisian media blacklisting of his work. On April 10, he was charged with “spreading false information” and “defaming the authorities.” The charges, which carried a penalty of up to nine years of imprisonment, were brought in response to Swiss newspaper articles he had written, including one on police harassment of Ben Sedrine. Also on April 10, police forcibly evacuated and closed down Sihem Ben Sedrine’s Editions Aloès publishing house, where Taoufik Ben Brik was conducting his hunger strike, on the grounds that a meeting held there the previous day to discuss freedom of the press, and attended by foreign journalists, had constituted “a threat to public order.” On April 26, police detained and badly beat Ben Sedrine, Ben Brik’s brother Jalal Zoughlami, and 70-year-old lawyer Ali Ben Salem after a confrontation in which police prevented foreign journalists and Tunisian supporters from visiting Ben Brik at
On May 3, a court convicted Zoughlami of “verbally and physically abusing” a police officer who was kicking Ben Salem and sentenced him to three months of imprisonment. The authorities shortly afterwards dropped the charges against Ben Brik and returned his passport, allowing him to travel to France where he continued his hunger strike in protest at his brother’s imprisonment. An appeal court reduced Zoughlami’s sentence to take account of time served awaiting trial and he was released on May 15.

In a televised cabinet meeting on May 15, President Ben Ali defended “the inalienable right of every citizen” to a passport and travel abroad. Despite the welcome return of passports to a number of well-known activists, however, the authorities continued to deny them to less prominent critics as well as to family members of political prisoners and expatriate activists. Other forms of harassment, including routine and intensive police surveillance and house searches at all hours, continued unabated. Mehdi Zougah, a dual French/Tunisian national, returned to Tunisia in August after his Tunisian passport was restored after six years. Despite receiving apparent assurances that he could return safely, he was arrested upon arrival and held in secret detention for twelve days. It was then revealed that he had been convicted in his absence in 1998 for membership in an illegal organization and sentenced to twelve years imprisonment. As of this writing he remains in detention and is due to appear in court on January 8, 2001 on the charge of membership in an illegal organization.

For a number of political activists and their families the year saw no respite. On June 28, seventeen-year-old Nadia Hammami and Najoua Rezgui, daughter and wife, respectively, of convicted PCOT activists Hama Hammami and Abdeljabbar Maddouri, launched hunger strikes to demand adequate medical care. Lawyer Taoufik Chaieb, imprisoned since 1996 for links with al-Nahda, began a near two-month hunger strike on July 11. After his condition deteriorated seriously, President Ben Ali released him under a presidential amnesty on September 5.

At least three persons died in custody in suspicious circumstances. On May 10, El-Id Ben Saleh was reportedly attacked and killed...
by fellow detainees in Gafsa prison. On July 22, Chaker El-Azouzi was reportedly beaten to death by police in Hammamet after being taken into custody. On September 17, Ridha Jeddi died in Menzel Bourguiba police station; his body reportedly bore marks of torture when returned to his family. The independent Tunisian League for Human Rights (LTDH) called for investigations into all three cases but at this writing there was no information that they had taken place.

In a meeting with private newspaper publishers on May 3, International Press Freedom Day, President Ben Ali told the media: “Write as you wish. Be critical as long as what you say is true,” stating that, “If somebody bothers you about this you have only to contact me.” There was no noticeable change, however, in the deferential tone of Tunisia’s privately-owned print media, which continued to ignore domestic human rights issues and contributed to the climate of intimidation by printing scurrilous attacks on persons in disfavor with the government. On May 23, Riad Ben Fadel, editor of the Arabic-language edition of the Paris-based monthly Le Monde diplomatique, was wounded by gunfire two days after he criticized the authorities’ handling of the Ben Brik affair. President Ben Ali met with Ben Fadel after the shooting and promised an investigation.

In June, President Ben Ali took Tunisia’s state-run television service to task for not “being more responsive to the preoccupations and expectations of citizens” and for not promoting “pluralism of thought and diversity of opinion.” Radio, also state-run, and television remained government mouthpieces, however, and gave no air time to political critics or human rights activists.

Defending Human Rights

Human rights activists faced restrictions ranging from no coverage of their activism in the government-controlled press and banned gatherings to job dismissal and judicial proceedings with the threat of imprisonment. Surveillance extended to phone tapping, disconnecting phone lines, and interception of mail and faxes. By the end of the year, the government had restored the passports of most prominent activists, but maintained travel restrictions on some.

The experience of CNLT spokesman Moncef Marzouki was typical. In November 1999, following publication of several communiqués by the CNLT, the authorities brought him before an investigating judge to answer charges that included maintaining an “unrecognized” association and “spreading false information aiming to disturb the public order.” In May, his passport was returned to him and his phone line restored after a four year interruption, but in July, following a short trip to Paris and Washington, he was dismissed from his post as professor of community medicine at the University of Sousse on grounds that he had traveled without permission. On October 19, The authorities prevented him from leaving Tunis airport to attend a meeting in Spain.

Marzouki’s university dismissal followed by one day a speech by President Ben Ali to cadres of the ruling RCD party in which he threatened to prosecute unnamed citizens whose criticisms of Tunisia while abroad “amount[ed] to treason.” In an unmistakable reference to the CNLT, Ben Ali said, “It is out of the question that in the name of public liberties illegal structures are set up claiming for themselves the status of associations, organizations, or committees.” The CNLT continued to issue strongly-worded critiques of human rights abuses despite the government’s steadfast rejection of its application for legal recognition. In October 1999, it published a report on prison conditions and in March 2000, a detailed overview of human rights violations in the country.

The Tunisian League for Human Rights (LTDH), the Young Lawyers’ Association, and the Tunisian Association of Democratic Women (AFTD), all legally recognized, also spoke out against rights violations despite government pressure and obstacles to holding public meetings.

In April, police prevented the Tunisian section of Amnesty International (AI) from holding a public meeting on the human rights situation in Saudi Arabia. Security officers
prevented Mahmoud Ben Romdhane, chair of the organization's international board, and other members and guests, including foreign diplomats, from approaching the organization's Tunis office, and lawyer Hachemi Iqeham, former president of Al's Tunisia section, was physically dragged from the building. In July, Donatella Rovera and Hassina Giraud from AI and Patrick Baudouin from the FIDH were barred from entering the country at Tunis-Carthage airport.

The Role of the International Community

United Nations

The United Nations special rapporteur on freedom of opinion and expression visited Tunisia in April 1999 and issued his report on February 25, 2000. The report concluded that Tunisia "still has a long way to go to take full advantage of its favourable economic context and adopt measures designed to strengthen the protection of human rights and, in particular, the right to freedom of opinion and expression. It expressed particular concern over the reported punishment and harassment of families of persons under arrest, state control of broadcasting and major print media, and "inadequate" government efforts to remove "unnecessary constraints" on journalists. The special rapporteur recommended revision and amendment of laws governing the press, political parties, and associations, and called on the government to abolish "all direct and indirect forms of censorship" and "to put an end to the alleged intimidation and harassment of persons seeking to exercise their right to freedom of opinion and expression." The report also called on the government to respond positively to the standing requests of the special rapporteur on torture and the special rapporteur on the independence of judges and lawyers to visit the country.

European Union

The confrontation between the Tunisian government and human rights groups received considerable media coverage in France and other E.U. countries, especially the hunger strike of journalist Taoufik Ben Brik (see above). Swiss Foreign Minister Joseph Deiss said in Tunis on May 2 that he had handed his Tunisian counterpart a memorandum "that contains Switzerland's hope for a solution to this question in accordance with the principles of law that are defended by our two countries." French Foreign Minister Hubert Vedrine, in a speech the same day to the French National Assembly, said that "we attach a great value to press freedom" and that "we have asked the Tunisian authorities a number of times and in different ways to find a humane and rapid end to this deplorable situation." Ben Brik continued his hunger strike in Paris after the Tunisian government returned his passport on May 1.

The European Parliament on June 15 adopted an emergency resolution urging Tunisia to "establish a true multiparty system" and "guarantee the exercise of fundamental rights and freedoms." The resolution called on the E.U.-Tunisian Association Council, set up by the E.U.'s Association Agreement with Tunisia, to conduct a "joint evaluation of respect for human rights in Tunisia," and asked the European Commission to report to parliament "on the evolution of the human rights situation in Tunisia."

United States

A visit by President Ben Ali to Washington, D.C., scheduled for mid-July was postponed because of President Clinton's engagement in Israeli-Palestinian negotiations at Camp David and was not subsequently rescheduled.

U.S. Assistant Secretary of State for Democracy, Human Rights, and Labor Harold Koh, made a three-day visit to Tunisia in June, where he met with human rights advocates, journalists, and government officials. At a press conference on June 14, Koh commended the government's record on social and economic progress and said that "this is an important moment to match those steps with steps in the area of civil and political rights." He identified greater political pluralism, judicial transparency and independence, and media censorship as key concerns. He
also said that “further progress would be welcomed” in government steps “to ensure the ability of all Tunisians to travel freely, to speak openly, and to gather together independent associations, including human rights organizations.”

Assistant Secretary Koh’s candid assessment of Tunisia’s human rights record was not matched elsewhere in U.S. public diplomacy over the year. In the State Department’s official Congressional Budget Justification released on March 15, Assistant Secretary of State for Near Eastern Affairs Edwin S. Walker, Jr. characterized Tunisia, without qualification, as “a stable, democratic country.” The administration requested U.S. $2.5 million in military aid and almost U.S. $1 million for military training for Tunisia for fiscal year 2001. Tunisia was invited to participate in the Community of Democracies ministerial conference in Warsaw, Poland, in late June, a meeting that enjoyed high-level U.S. support. The Tunisia chapter in the State Department’s Country Reports on Human Rights Practices for 1999 provided a comprehensive overview of the human rights situation, but the introductory paragraphs muted this criticism by characterizing the government’s human rights performance as “uneven,” a term it appeared to justify by referring to the October presidential and legislative elections as “mark[ing] a modest step toward democratic development.” Assistant Secretary Koh’s introduction to the Country Reports was inappropriately indulgent to Tunisia. It failed to mention that country in discussing repression of dissidents and human rights defenders by Middle Eastern governments, and went on to commend the government for releasing on early parole Tunisian Human Rights League Vice-President Khemais Ksila, repeating uncritically and without qualification the government’s bogus charges that kept Ksila in jail for two years in the first place.

Relevant Human Rights Watch Reports:

The Administration of Justice in Tunisia: Torture, Trumped-Up Charges and a Tainted Trial, 2000

YEMEN

Human Rights Developments

Yemen’s poor human rights record showed little improvement in 2000. While the government set up several committees to monitor abuses, it signal failed to implement basic human rights protections in most areas. There were credible reports of torture in state prisons as well as in private jails and illegal detention facilities, and the courts continued to impose death sentences and cruel punishments such as floggings for a wide range of offenses. The authorities detained political opponents and ignored court orders for their release or trial, and threatened to dissolve a main opposition party. Government harassment of the independent press and restrictions generally on freedom of expression worsened. Women continued to face institutionalized discrimination, especially in personal status and criminal law. Yemenis and foreign nationals remained prey to kidnapping by criminal or disaffected groups, provoking government responses that were often marked by excessive and indiscriminate use of lethal force by security forces and the imposition of collective punishment. A draft law presented to parliament in April would allow police to open fire at any “dubious” gathering of more than five persons.

Investigations into the October 12 bombing of the USS Cole, a naval destroyer refueling in the port of Aden, were conducted on the Yemeni side by the Political Security Organization (PSO), an agency that reported directly to President Ali Abdullah Salih and operated without any judicial or other formal authorization. According to press reports, some 1,500 persons were picked up for questioning and about sixty were reportedly being held at the end of October. The U.S.
Federal Bureau of Investigation (FBI) dispatched several score of agents to assist in the investigation, but were not allowed to participate in interrogations. The PSO contributed to a general atmosphere of political intimidation through its routine recourse to harassment, beatings, and arbitrary detention. PSO plainclothes agents in past years infiltrated the independent press, syndicates, and civic organizations, in some cases forcing those organizations to cease their activities. Persons seeking to work for government institutions, including the university, required PSO clearance.

Yemeni human rights activists told Human Rights Watch that torture and ill-treatment of detainees was less frequent than in recent years, but the local press did carry reports of abusive treatment of detainees and prisoners by the authorities. Muhammad Ali Talib of Lahj governorate, for example, was arrested several times without warrant and severely beaten, according to the Aden-based Organization for the Defense of Human Rights and Democratic Liberties, and the Yemen Times reported on April 24 that police officers had beaten to death detainee Amin Abdullah al-Samti in al-'Udain district, Ibb governorate.

According to local press reports and human rights organizations, mistreatment and torture occurred in private as well as in official detention facilities. On April 1, the governor of al-Hodeida removed the al-Mansuriya district security director, Ahmad Ali Naji, and had him charged with using the district’s detention facilities to mistreat prisoners and extort bribes. In July, lawyer and parliamentarian Muhammad Naji al-Alaw discovered a freight container at Sana’a University’s law faculty being used by administrators as a detention facility for holding students and employees accused of minor violations. On April 11, three people died of suffocation and thirst after being detained in a container in Jabal al-Shaq in Dhamar governorate. Their deaths were widely attributed to two tribal leaders but in a letter to the Aden-based independent daily al-Ayyam, one of these denied allegations that his family operated a private jail.

In a move to crack down on private jails and prisons, the government dispatched forces to a number of districts in Ibb governorate in late October 1999. Facilities in al-'Udain were blown up, and twenty-four detainees were transferred to state facilities for investigation. In general, however, the government seemed reluctant to take legal measures against those operating private prisons, most of whom were prominent tribal and regional leaders.

Although a presidential decree issued in 1998 made kidnapping of foreigners a capital offense and set up a special court in Sana’a to try those accused of the crime, Yemenis, as well as foreign tourists and diplomats, continued to be kidnapped by diverse groups, often inhabitants of marginalized northern and eastern regions seeking economic or political concessions from the government. Most victims were released unharmed after payment of a ransom, but on June 10, Norwegian diplomat Gudbrand Stuve and his nine-year-old son were victims of a kidnap attempt on a busy street in Sana’a. Stuve, however, was killed in a shoot-out between the four kidnappers, tribesmen from al-Jawf, and the occupants of another car, apparently members of the security forces.

On several occasions, the government deployed military and paramilitary units to areas where kidnappers were suspected of hiding with their captives and used excessive force against local inhabitants. In early July, for example, according to the London-based al-Sharq al-Awsat daily, government forces surrounded the Sirwah area in the eastern governorate of Mareb after six Republican Guard officers were kidnapped by people seeking the release of a man convicted of hijacking a car. Even after the release of the hostages, government troops continued to bombard the area, killing at least three people and injuring others, and destroying houses, according to Sana’a’s English-language weekly Yemen Times.

In September, security forces surrounded Kud Qarru village, near Aden, where citizens had prevented a contractor from extracting...
gravel and stones from what they regarded as their properties, and put down the protest by force, injuring several people and detaining 135, according to *al-Ayyam*. Lawyer ‘Arif Ahmad al-Halimi, detained in this incident on September 9 and released on September 26, alleged that the security forces carried out further detentions, used torture, and refused to comply with judicial orders to release detainees. In mid-October, fifteen people from the area were brought to trial for “forming an armed gang to appropriate state property,” charges they denied.

Several journalists were questioned by security forces and detained without charge, and opposition or independent newspapers were the targets of defamation suits brought by the Ministry of Information. In September 1999, the appeals court in Sana’a ordered the suspension of *al-Shura*, the weekly newspaper of the opposition Union of Yemeni Popular Forces; the paper remained suspended for nearly a year and only resumed publication in August 2000. On February 22, a Sana’a court suspended *al-Wahdawi*, publication of the opposition Nasserist Unionist Party, for thirty days and fined journalist Jamal ‘Amer YR 5,000 (U.S. $30) in connection with an article on Yemeni-Saudi relations. Also in February, the head of security forces in Aden threatened Hisham Basharahil, editor of the independent thrice-weekly newspaper *al-Ayyam*, with arson or physical harm for an article published in 1999 reporting the destruction of a Aden synagogue by security forces. On May 10, Basharahil was charged in an Aden court with spreading false information about the government, instigating the use of force and terrorism, and threatening the republican system in Yemen by publishing an interview with a London-based militant, Abu al-Hamza al-Masri, on August 11, 1999.

Assaults on freedom of expression came from sources outside the government as well. Mosque preachers and conservative political groups in Sana’a, Aden, Tai’zz, and al-Hodaida waged a campaign in June against Samir Rashad al-Yusufi, editor of the Ta’izz-based weekly *al-Thaqafiya*, over its serialization of *Sana’a is an Open City*, a novel by Mohammed Abdulwali that they alleged was blasphemous. In July, al-Yusufi was brought to trial on charges of apostasy before the criminal chamber of a Sana’a court. According to local human rights defenders, the judge handling the case, Mohammed Mahdi al-Raimi, had been among those involved in the campaign against al-Yusufi. Al-Raimi prohibited all reporting about the trial, and summoned to court two newspapers, *al-Nas* and *al-Ihya’ al-‘Arabi*, for violating this order. At this writing, the Supreme Court was deliberating on the question of whether the Sana’a court’s jurisdiction covered a Ta’izz-based newspaper.

The authorities detained persons suspected of possessing publications banned in Yemen, among them bookshop owner Ayoub Nu’man and Faisal Sa’id Far’a, director of al-Sa’id Cultural Establishment in Ta’izz. Jarallah ‘Omar and Ali Salih ‘Ubbad, leaders of the opposition Yemeni Socialist Party, were briefly held on the same charge at Sana’a airport in late April. The government suspended international and mobile phone service and pagers for a number of days at the time of the tenth anniversary of Yemen’s unification in May. Internet access, available only through a government company, continued to be extremely slow and expensive, and access to some websites containing political content was reportedly blocked.

Academic freedom came under attack on December 3, 1999, when the Sana’a University administration closed its Empirical Research and Women’s Studies Center. Despite a complaint by students, the closure was upheld in court. This followed conservative outrage over certain presentations made at a September 1999 conference on “Challenges for Women’s Studies in the 21st Century.” In particular, *al-Sahwa*, the Yemeni Congregation for Reform’s (*al-Islah*) weekly newspaper, criticized the conference, the center’s curriculum, and its staff. So fierce was the condemnation from this and other quarters that the center’s executive director, Ra’ufa Hasan al-Sharqi, felt obliged to employ personal bodyguards. In April 2000, a new Center for the Study of the Woman was
opened at the university but gender studies had been purged from the curriculum.

The autonomy of the university was also violated by the regular presence of security personnel on campus, leading some faculty members to request the parliament to ban the security forces from campuses.

In late April, the authorities closed the Yemeni Socialist Party (YSP) center in Jā’ar, a town in Abyan governorate, and detained between fifty and one hundred supporters and party members who they suspected of planning a rally to commemorate two victims of police killings in April 1998 in Mukalla. In late August, five leading YSP members were detained in Aden on charges of meeting without a permit. Delegates to the YSP’s Fourth General Congress, held in Sana’a from August 30 to September 1, decided to reinstate to the central committee forty-two exiled leaders, four of whom had been sentenced to death in 1998 in their absence. The authorities claimed that this proved the party’s “separatist” leanings. In an interview in al-Sharq al-Awsat on September 9, Foreign Minister Abd al-Qadir Ba Jammal suggested that the YSP “should be given the coup de grace.” Al-Sharq al-Awsat reported on September 21 that the government had set up a special committee to consider the legal aspects of the possible dissolution of the YSP, although Sultan al-Barakani, a leading member of the ruling General People’s Congress (GPC), repeatedly denied this possibility, calling it “inconceivable.” At this writing, YSP members claimed that some U.S. $14-18 million in party funds remained frozen by the government.

President Saleh and a group of 144 members of parliament put forward two sets of proposals for constitutional changes on August 23. The president proposed lengthening the parliamentary term from four to six years, and so postponing elections planned for April 2001. The parliamentarians proposed extending the presidential term from five to seven years, effectively paving the way for Saleh, in power since 1978 but directly elected for the first time in September 1999, to remain in office, subject to reelection, until 2013. This proposal would also empower the president to dissolve parliament, and to amend aspects of the constitution without holding a referendum, and grant the president-appointed Consultative Council legislative powers, thus marginalizing the role of the elected parliament. Such changes would significantly offset the impact of the proposed abolition of the president’s authority to make law by decree when parliament is in recess, and were expected to be passed by the parliament, which is dominated by the president’s party, before the end of 2000. At this writing, however, it was not clear whether the government would submit the proposed amendments to a national referendum, as required by the 1994 constitution.

Despite the president’s stated commitment in September 1999 to stand down as chair of the Supreme Judicial Council, the parliament had not passed the necessary amendments to Law 1/1991 on Judicial Authority as of this writing.

Although women enjoyed the same “general rights and obligations” as men under the constitution, they faced discrimination in national legislation. Under Law 20/1992 on Personal Status, as amended in 1998 and 1999, women were required to sue for divorce although men could divorce at will, and divorced mothers, unlike fathers, lost custody of their children upon remarriage. Sisters and daughters inherited half the share of brothers and sons. In 1999, the minimum marriage age of fifteen for women, rarely enforced, was abolished; the onset of puberty, interpreted by conservatives to be at the age of nine, was set as a requirement for consummation of marriage. The law was silent on procedures to enforce this provision. Penal legislation forbade the testimony of women in criminal matters and compensation to be paid for assault or murder of a woman was half that of a man. Prison conditions for women and their children were harsh. Children were reportedly detained in facilities with adults, and women prisoners were vulnerable to sexual exploitation by prison guards. Without any basis in current legislation, women prisoners who completed their sentences were only...
released to the custody of a male guardian who agreed to take responsibility for them, with the result that many women remained incarcerated after their terms had expired.

According to a United Nations Children’s Fund (UNICEF) study released in 1999, there were four hundred so-called honor killings in 1997. This was probably a conservative assessment, since such crimes often went unreported and uninvestigated. Only since 1999 have the Yemeni press and human rights and women’s groups reported on violence against women on a regular basis.

Law 12/1994 imposed the death penalty for murder, kidnapping, adultery, apostasy, and a range of other crimes. These sentences, as well as flogging for premarital sexual relations and consumption of alcohol, were often carried out in public. At least twenty-two executions of persons convicted of murder were reported between January 1999 and April 2000.

Defending Human Rights
Local human rights groups were able to operate, but were under some pressure from the Ministry of Insurance and Social Affairs. On April 9, the ministry ordered all nongovernmental organizations to submit reports on their activities and budgets as well as general information and details of their internal elections, as required by Law 11/1963 on Charitable Societies, passed by the former Arab Republic of Yemen. Except for the Aden-based Organization for the Defense of Human Rights and Democratic Liberties, which regularly publicizes human rights abuses, most human rights organizations concentrated on training or awareness-raising workshops for journalists and legislators. Local chapters of Amnesty International operated in the major cities. International human rights monitors were able to visit Yemen.

The Role of the International Community

United States
The U.S. reportedly trained Yemeni special forces in small-unit combat and counter-terrorism skills over the past year. The administration’s budget request to Congress for fiscal year 2001 included $4 million in economic support funds and $1.6 million for training a small number of officers in the U.S. as well as for demining and counter-narcotics programs.

President Salih visited the United States in April and August. On the occasion of his meeting with President Clinton in Washington in April, the U.S. commended Yemen “for its democratic achievements, including guaranteeing through its constitution women’s right to full political and economic participation.” The United States also publicly welcomed the degree of religious tolerance in Yemen, and “the right accorded to Yemeni Jewish communities...including those in Israel, to visit Yemen.” Yemen was among more than one hundred countries invited to the U.S.-supported Towards a Community of Democracies ministerial conference in Warsaw on June 25-26.

The State Department’s Country Reports on Human Rights Practices for 1999 assessed the government’s human rights record as “poor,” citing the PSO’s “broad discretion over perceived national security issues,” prolonged pretrial detention, and restrictions on freedom of expression as among the most serious problems.