

HUMAN RIGHTS WATCH WORLD REPORT 2002

**EUROPE
AND
CENTRAL ASIA**



In Uzbekistan, the parents of Shukrat Parpiev, age thirty-one, display the sheets in which their son's body was returned to them in May 2000. Parpiev died in prison, allegedly from torture.

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EUROPE AND CENTRAL ASIA OVERVIEW

August 2001 marked ten years since the failed 1991 coup that presaged the end of the Soviet Union, and the anniversary provoked impatience at the uneven progress on human rights in the region. After the September 11 attacks one month later, impatience turned to regret at the lost opportunities for a more thoroughgoing transition during the interlude between the Cold War and the Anti-terror War.

Many countries in the region had made significant strides since 1991, but abusive authoritarian rule persisted in several, and others still struggled to overcome the ethnic conflict that had engulfed large parts of the disintegrating Soviet Union and Yugoslavia. Looking westward toward eventual integration into the European Union, central and eastern European countries had undertaken important reform, while western Europe had turned inward and become increasingly intolerant of immigration and ethnic diversity. As the year drew to a close, it was not entirely clear what the new post-September 11 era would hold for human rights, but in much the same way the Cold War once distorted the human rights agenda, the prospects for tackling the region's persistent and newly emerging human rights problems seemed suddenly to dim in light of the competing and overriding anti-terrorism imperative.

After September 11, governments from Skopje to Moscow scrambled to cast their own often brutal internal conflicts as part of the new international antiterrorist cause. With too few exceptions, this opportunism went unchecked. At the same time, Western European leaders ramped up their anti-immigrant rhetoric and further restricted the rights of migrants, refugees, and asylum seekers, all in the name of fighting terrorism. And criticism of human rights abuse softened, particularly for those states that were strategically important to the U.S.-led military action in Afghanistan. The United States and Uzbekistan announced a "qualitatively new relationship," notwithstanding the latter's brutal crackdown on independent Muslims. German Chancellor Gerhard Schroeder urged a reevaluation of Russia's abusive war in Chechnya. In November, U.S. President George Bush praised Russian President Vladimir Putin's talk of negotiating peace in Chechnya, with no public mention of continued atrocities perpetrated against Chechens since September 11.

The most alarming developments of the year came in Central Asia, where the transition from the Soviet Union had brought only grinding poverty and ever more repressive governance. After September 11, it was these very governments that became the essential allies of the U.S.-led military campaign in Afghanistan. Of particular concern was the close and apparently unconditional U.S. relationship with Uzbekistan, where Islam Karimov's dictatorship permitted no true opposition

political activity, no civil society, and no independent media and locked up and tortured thousands who dared demonstrate independent thinking. U.S. officials argued that the new relationship with Uzbekistan put them in a better position to address their partner's gross violations, but as this report went to press there was no relief from the Uzbek government's assault on its own society. In the two months following September 11, yet another human rights defender was detained, dissidents and religious believers continued to be arrested and tortured—one died in custody—and convictions on trumped-up charges of anti-state activity continued.

Ethnic conflict had attended the breakup of the Soviet Union and Yugoslavia for ten years, and in 2001 its aftermath continued to shape much of the human rights landscape. Russia's transitional record remained marred by the continued grave violations committed by its forces in Chechnya. As the Chechen conflict dragged into its third year, the government's halfhearted peace bid and promised troop reductions made no difference in the lives of Chechen civilians. Sweep operations purportedly aimed at apprehending rebel fighters resulted in widespread looting, arbitrary detention, torture, and an alarming number of "disappearances" of Chechens last seen in Russian custody, with the bodies of some later found dumped or hastily buried in unmarked graves. Chechen fighters were also believed to be behind an increasing number of abuses, including a wave of assassinations of Chechen civil servants and religious leaders seen as cooperating with the Russian government, and the fatal shooting of Viktor Popkov, a leading Russian human rights activist.

Ethnic tensions flared again in the Balkans, this time in southern Serbia and Macedonia. The response of both the implicated governments and the international community differed from past conflicts in the region, reflecting important transitional developments and lessons learned. When an ethnic Albanian rebel group emerged in southern Serbia, it was clear that Slobodan Milosevic was no longer in power in Belgrade. In contrast to Kosovo in 1998, the international community immediately and intensively engaged and worked with a relatively cooperative Serbian government to address the legitimate grievances of the ethnic Albanian community, including through the deployment of a multiethnic police force in the region. In May the rebels disarmed, and displaced ethnic Albanians began returning to the region. The lack of Albanian representation in local government, serious employment discrimination, and sporadic incidents of ethnic violence remained concerns, but the threat of armed conflict had receded for the time being.

Similar success came more slowly in Macedonia, where for months the government insisted upon a military response to its ethnic Albanian insurgency, led by the so-called National Liberation Army (NLA). The government's security operations were characterized by indiscriminate attacks, widespread arbitrary detentions and beatings of ethnic Albanians, some extrajudicial executions, and vigilante violence tolerated and in some instances abetted by the police. The Albanian rebels were also responsible for serious crimes, including the detention and torture of ethnic Macedonians and Serbs and the "disappearance" of at least ten people from NLA-controlled areas. Determined to avoid another drawn-out war and cognizant of Macedonia's strategic location, the international community mounted an intensive

peacemaking effort. Guided by E.U. and U.S. special envoys and supported by OSCE and NATO deployments, on August 13 the Macedonian government concluded a framework peace agreement with the main ethnic Albanian political parties. Deep divisions emerged within the government over the peace deal and implementation lagged behind schedule, but in mid-November the Parliament adopted constitutional amendments to grant important new rights to the ethnic Albanian minority. The peace remained fragile, however, with extremists within the government and police working to derail the process and skirmishes continuing between a new Albanian National Army and Macedonian forces, even as Parliament approved the new constitutional provisions.

Accountability for genocide, war crimes, and crimes against humanity remained a high priority in efforts to resolve the ethnic conflicts that have plagued the region. The April 1 detention of former Yugoslav president Slobodan Milosevic and his June 28 transfer to the custody of the Hague tribunal were the high points. While Milosevic stubbornly defied the tribunal and obstructed its proceedings, the prosecutor brought additional charges against him, expanding the Kosovo indictment to include important new charges of sexual violence and adding indictments for war crimes dating from 1991 in Croatia and for genocide and crimes against humanity in the 1992-1995 Bosnia conflict. The discovery in Serbia of new mass graves believed to be filled with the bodies of ethnic Albanians slaughtered during the Kosovo conflict brought unprecedented discussion and reflection in Serbia about its role in the serial wars in Yugoslavia. Cooperation with the tribunal remained a contentious issue, however, pitting Serbian nationalist Yugoslav President Vojislav Kostunica against the more pragmatic Prime Minister of the Republic of Serbia Zoran Djindjic, who saw cooperation as key to obtaining further Western integration and much-needed debt forgiveness. Pragmatism seemed to win the day, with six indictees, in addition to Milosevic, having gone from Yugoslavia to The Hague by the end of November—three by surrender and three by Serb government arrest. In contrast, there was no public progress on accountability for war-time crimes committed by the Kosovo Liberation Army (KLA) against Serbs and others in Kosovo. The ICTY was reportedly investigating crimes there but issued no indictments. In Kosovo, even speaking publicly about such crimes brought warnings of retribution from former KLA members.

With the dramatic developments in Serbia, the most conspicuous haven for war criminals indicted by the tribunal remained the Republika Srpska, the Bosnian Serb-controlled part of Bosnia, where Bosnian Serb wartime leader Radovan Karadzic and other indictees remained at large. NATO troops deployed in Republika Srpska deserved some of the blame for the indicted war criminals' continued impunity, which undermined the tribunal and the six-year-old Dayton/Paris peace process.

Russian officials repeatedly assured their international critics that those responsible for any abuses in Chechnya would be held accountable. On the eve of the March meeting of the U.N. Commission on Human Rights, Russian authorities commenced the high-profile trial of Colonel Yuri Budanov for the killing of Elza Kungueva in 2000, and in April the Russian Duma presented the Council of Europe Parliamentary Assembly with a list of 358 investigations under way. Unfortunately,

Careful scrutiny of the Russian government's accountability effort revealed little more than an international public relations campaign. Few of the cases on the list provided to the Council of Europe dealt with the worst abuses in Chechnya. Even fewer had proceeded beyond the initial investigation phase. As of September, only five cases had resulted in active prison sentences for the perpetrators. Budanov never faced rape charges, though forensic evidence showed that Kungaeva had been sexually assaulted prior to her murder. Moreover, Budanov appeared likely to be amnestied altogether after a psychiatric institute found that he had been "emotionally distressed" at the time of Kungaeva's murder.

The decade of ethnic conflict in the region was evidenced in the millions who remained displaced in 2001, in some cases years after they originally left home. In Ingushetia, over 140,000 Chechens remained too fearful to return. More than 750,000 remained registered as displaced from Bosnia and Herzegovina, two-thirds of them within the country, and, because many people no longer registered, actual numbers were likely much higher. Though return increased, it remained at a rate that would take years to reverse the "ethnic cleansing" of the territory. Over 200,000 Serbs were too afraid to return to post-war Kosovo, and another 200,000-plus Serbs declined to return to their homes in Croatia. In Turkey, although armed clashes in the southeast essentially ceased in 1999 and the government announced an ambitious return program, few of the 250,000 internally displaced Kurds from that region ventured home. More than 800,000 Azeris remained displaced from Nagorno-Karabakh and the surrounding districts of Azerbaijan, seven years after a 1994 cease-fire. About 280,000 Georgians who fled their homes in Abkhazia when the Georgian army surrendered Sukhumi to Abkhazian separatist forces in 1993 continued to endure displacement in Georgia. Sixty thousand Ossetians and 12,000 Georgians remained displaced from their homes in Georgia and its autonomous territory of South Ossetia after the 1991-1992 fighting between Georgians and Ossetians over South Ossetia.

Neither the affected countries nor the international community demonstrated much determination to tackle this persistent problem, which left millions living in substandard conditions and unable to return to their homes and property. In some cases initial post-war efforts had not been sustained as attention and resources shifted to new crises. In others no attempt at promoting return or restitution was ever made. The prospects for any concerted efforts to enable return became ever more remote once the aftermath of September 11 drew humanitarian attention to a new crisis spot, Afghanistan. The long-term impact of displacement was difficult to assess and varied among countries, yet in many places its effect on postwar reconciliation and the prospects for lasting peace remained a serious cause for concern.

Poverty, conflict, and human rights abuse in the region and beyond drove hundreds of thousands to travel to Western Europe to seek a better life. The inhumane and often deadly conditions they endured to reach their destination spoke volumes of their desperation. Trafficking of women for forced prostitution remained an urgent concern throughout the region. In many countries the victims of trafficking faced prosecution and expulsion while their traffickers, sometimes in cahoots with local police, carried on with their lucrative criminal business. Recent years had seen heightened attention to the problem of trafficking, with high-level

meetings convened on the subject at the European Union, OSCE, and Council of Europe. Whether these initiatives would be pursued remained an open question as international attention shifted to the all-consuming antiterrorism effort after September 11.

Western European countries' attempts to address the demands of increased migration often led to more restrictive immigration and asylum laws, with little concern for the rights of vulnerable migrants and refugees. Detention conditions for migrants were grossly substandard in a number of countries, and many detainees were denied basic procedural guarantees in the detention and deportation process. Proposals to hinder migrants' access to basic healthcare and to deny migrant children access to education were hotly debated in several countries.

In the aftermath of September 11, many European countries adopted antiterrorism measures inimical to migrants and refugees. In Hungary, all Afghan refugees were transported to special detention facilities. In Greece, some migrants arriving on ships were denied access to asylum procedures and given fifteen-day expulsion orders. The United Kingdom proposed emergency anti-terrorism legislation that would deny some asylum seekers an individual determination procedure, classify as "terrorist" any foreigners with ill-defined "links" to terrorist organizations, and allow authorities to indefinitely detain them. National governments were spurred on by developments at the E.U. level, where proposals to combat terrorism included a broad definition of terrorism that threatened to undermine freedom of assembly and association and a European arrest warrant that lacked adequate fair trial safeguards.

Racist violence targeting migrants and refugees mounted in Western Europe, particularly in the wake of the September 11 attacks. Politicians failed to curb this abuse, too often encouraging it with inflammatory rhetoric equating the fight against terror with the fight against illegal immigration.

European efforts to come to terms with diversity became ever more critical with the European Union's rapidly approaching eastward expansion, set in motion in the heady, early post-Cold War years. With as many as ten countries to be admitted by 2004, much remained to be done to restructure E.U. institutions, as well as to adjust applicant states' laws to E.U. norms. In the field of human rights, poor treatment of Roma remained a challenge for nearly all applicant states. Turkey's persistent problems relating to torture, free expression, and minority rights kept it as a case apart among applicant states. Its National Program for Accession to the E.U. announced in March and the constitutional amendments adopted in October were both disappointing. The national program was too vague to raise any hope of meaningful change. Not surprisingly then, incommunicado detention, the death penalty, and emergency rule remained in place, and important free expression guarantees were neglected. Having missed these important opportunities for meaningful reform, Turkey continued to face a long road to E.U. membership.

DEFENDING HUMAN RIGHTS

Conditions for human rights defenders varied widely in the region, with activists in some countries free to develop innovative new projects while others

struggled just to survive in extremely hostile environments. In Turkmenistan, no independent activist dared undertake any human rights activity. In Belarus, Kyrgyzstan, Turkey, and Uzbekistan, defenders worked under siege, facing a constant threat of harassment, police raids, violent attacks by unknown assailants, arrest, torture, and conviction on trumped-up charges. Under pressure from the U.S. government, Uzbekistan released human rights defenders Mahbuba Kasymova in December 2000 and Ismail Adylov in July 2001. In the course of the year, however, the Uzbek government detained two others, one of whom—Shovruk Ruzimuradov—died in custody.

Defenders also put their lives on the line in Chechnya, where Chechen fighters were believed responsible for the shooting death of Russian human rights activist Viktor Popkov and the January kidnapping of humanitarian aid worker Kenneth Gluck, who was subsequently released unharmed. Russian forces maintained strict control on access to Chechnya for human rights monitors, with most groups, including Human Rights Watch, refused entry to the territory.

Accountability for the murders of defenders remained a low priority for many governments in the region. The United Kingdom again failed to set a positive example in this respect, persistently refusing to establish independent inquiries into the murders in Northern Ireland of human rights lawyers Patrick Finucane and Rosemary Nelson, despite calls to do so from the United Nations, the U.S. government, bar councils across the globe, and many nongovernmental organizations.

Notwithstanding the challenges they faced, rights workers in many countries undertook creative new projects to strengthen protection and build a larger grassroots constituency for human rights. In Turkey, Sanar Yurdatapan's Freedom of Expression Initiative challenged the authorities on their arbitrary restrictions on free speech by enlisting internationally acclaimed authors to republish statements for which the original authors had been prosecuted. Throughout the region the Central and Eastern Europe Bankwatch Network trained and empowered consumer, human rights, and environmental groups to challenge international financial institutions to take into consideration the impact of their operations on local communities. Rights groups, refugee, and migrants organizations joined forces in many European countries to advocate for the fundamental human rights of migrants and refugees, and to highlight anti-immigration policies and inflammatory government rhetoric that often contributed to a hostile climate for these vulnerable groups. An effective coalition of nongovernmental organizations undertook a multiyear effort to promote implementation and enforcement of a new E.U. directive aimed at combating race discrimination. Another alliance of groups came together to battle for victim and witness protection measures in the E.U. Council Framework Decision on Trafficking of Human Beings. These and many other initiatives reflected the creativity and resolve of a resilient civil society that, particularly after September 11, was the region's best hope for positive change.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

The contentious debate on Chechnya at the U.N. Commission on Human Rights ultimately yielded a strongly worded resolution condemning ongoing violations of international humanitarian law there and pressing for accountability and monitoring by the United Nation's human rights mechanisms. The European Union tabled the resolution but under the Swedish presidency negotiated an alternative consensus chairman's statement with Russia. The United States (supported quietly by some E.U. member states) found the statement too weak and pressed for a vote on the resolution. When the resolution passed, Russia immediately denounced it, refusing to meet any of the demands it contained. Neither the European Union, the resolution's reluctant sponsor, nor the United States, the resolution's ultimate champion, publicly raised its implementation during the year. When U.N. Secretary-General Kofi Annan visited Moscow in May, however, he did urge access for the U.N. human rights mechanisms identified in the resolution.

The United Nations maintained a massive peace implementation operation in Kosovo, the U.N. Interim Administration Mission in Kosovo (UNMIK). Though it gradually shifted certain responsibilities to local authorities, UNMIK, together with the NATO-led peacekeeping force (KFOR), retained responsibility for security and judicial affairs, where its activities did not always meet international human rights standards. In particular, there was a tendency to sacrifice due process guarantees in the name of improvements to the security situation in the province. Trials of several Kosovo Serbs and Roma charged before the Kosovo courts with war crimes and genocide suffered from serious fair trial shortcomings, while the number of international judges and prosecutors remained far below what was needed to address ethnic bias in the administration of justice.

The International Criminal Tribunal for the former Yugoslavia made significant progress toward achieving justice for war crimes committed in the Balkan wars. The detention and transfer of Milosevic was a watershed for the tribunal, whose prosecutor Carla Del Ponte persistently pressed the new Yugoslav government to cooperate. There were important developments in other cases during the year as well. In the first eleven months of 2001 seventeen defendants surrendered or were arrested and transferred to custody in The Hague. Giving the lie to charges of bias against Serbs, the tribunal continued investigations of KLA crimes in Kosovo and issued indictments against Croatian generals Rahim Ademi and Ante Gotovina. The tribunal also created an important precedent with convictions for crimes against humanity and war crimes in the Foca case, the first to focus entirely on rapes and sexual assaults perpetrated against women in wartime. Finally, the tribunal played an important deterrent role by opening an office in Skopje and reminding the parties to the conflict in Macedonia that it had jurisdiction over any war crimes they might commit. In November, Del Ponte announced that the tribunal would be investigating war crimes committed by both government forces and the ethnic Albanian insurgency.

An unqualified success of the U.N. World Conference Against Racism in Durban

was the clear articulation of the fundamental rights of refugees and migrants and a wholesale rejection of the anti-immigration, “Fortress Europe” mentality that dominated Western Europe throughout the 1990s. Realizing the gains of the conference with respect to the rights of migrants and refugees promised to be a difficult task, however, particularly in light of the repressive measures taken by many European governments in the aftermath of September 11.

Organization for Security and Cooperation in Europe (OSCE)

The OSCE started the year reeling from an embarrassing December 2000 ministerial meeting where foreign ministers failed to agree on a final communiqué after Russia refused to include any reference to Chechnya. In June 2001, Russia finally permitted the redeployment in Chechnya of the OSCE Assistance Group, a year and a half after the OSCE Istanbul Summit at which then-President Yeltsin agreed to the redeployment. A combination of cumbersome security arrangements and OSCE timidity in pursuing the mandate substantially compromised the mission’s potential for curbing ongoing abuse. Even its modest monitoring activities brought intense criticism from the Russian authorities.

The OSCE played an important confidence-building role in Macedonia. In September, 159 new international staff—mostly security monitors and police advisors—were added to the fifty-one already deployed. Adopting an overly restrictive interpretation of its mandate, however, the mission limited its human rights monitoring activities. Particularly disappointing was its failure to report its findings on an August government assault on the village of Ljuboten that left ten ethnic Albanian civilians dead, over a hundred detained and beaten, and scores of houses burnt down. Interior Minister Ljube Boskovski, who was present in Ljuboten the day of the operation, referred to the OSCE’s silence as confirmation that the security forces conducted themselves appropriately.

In Kosovo, the OSCE organized municipal and Kosovo assembly elections in line with U.N. resolution 1244, which governs the province. In Albania, the OSCE’s Office of Democratic Institutions and Human Rights (ODIHR) published a report that, although diplomatically couched, was critical of the electoral system and government manipulation in the June 24 parliamentary elections.

The OSCE continued to finance antitrafficking projects in the region, focusing primarily on public education campaigns and work by nongovernmental organizations. In addition, with financial support from the government of Germany, the OSCE sponsored a high-level conference on trafficking in human beings in October 2001. Participants made numerous recommendations to member states, but it remained unclear at the time of this writing whether any of those recommendations would be implemented.

Council of Europe

Throughout the year, Council of Europe experts were seconded to the office of President Putin’s representative on human rights in Chechnya, Vladimir Kalamanov, and the Parliamentary Assembly pursued a dialogue on Chechnya with the

Russian Duma. Neither effort had significant impact on the ground, disappointing in particular in their failure to press effectively for accountability. When the bodies of fifty-one people—at least sixteen of whom were last seen in Russian custody—were found dumped near the Russian military's Khankala base, bearing evidence of torture and execution, the Council of Europe experts failed even to visit the site or monitor the forensic examination and investigation.

Continuing an unfortunate pattern of decisions on new members, in 2001 the Council of Europe undermined its own standards by admitting states that flagrantly violated them. Following a premature mid-2000 Parliamentary Assembly recommendation that Armenia and Azerbaijan be admitted, the Committee of Ministers delayed their admission until after the November general elections in Azerbaijan. Though Council of Europe officials who monitored the elections found the electoral fraud there scandalous, and a partial repolling did little to remedy the situation, the council admitted both states in late January 2001. Likely setting in motion a similar set of concessions, in September the Political Affairs Committee of the Parliamentary Assembly recommended that Bosnia and Herzegovina be admitted, though few of the conditions for admission identified in 1999 had been fully achieved.

The European Court of Human Rights remained an important source of redress for human rights abuse, though its growing caseload meant justice was often long delayed. It issued an important decision against the United Kingdom for inadequate investigations into the killings of eleven people by security forces and paramilitaries in Northern Ireland and admitted the first two cases against Russia since its admission to the Council of Europe in 1996. The court censured Turkey for, among other things, the conduct of its forces in the southeast and for the unfair 1994 trial that landed four Kurdish parliamentary deputies in prison. In a controversial July decision the Court sided with Turkey over the 1998 closure of the Islamist Welfare Party. Finding that the party's intention to establish Islamic law conflicted with Council of Europe norms, the court effectively endorsed the Turkish government's particular form of secularism, often used to restrict nonviolent expression and other democratic freedoms.

European Union

The European Union's accession process remained a valuable incentive for human rights progress among applicant states. In the European Union's annual assessment of applicant states, only Turkey failed to satisfy the political criteria for admission.

On a number of critical issues, however, the E.U.'s stance undermined human rights principles. The European Union led the international embrace of the new Yugoslav government of Vojislav Kostunica, without regard for his refusal to cooperate with the International Criminal Tribunal for the former Yugoslavia. While the United States demanded Kostunica cooperate or lose assistance, the European Union moved forward to organize a May 31 donors conference. Only the threat of a U.S. no-show caused the European Union to postpone the conference until June 30, by which time the Serb government had been compelled to transfer Milosevic.

A similar myopia infected E.U. policy toward Russia. The European Union and its member states continued their aggressive cultivation of Russian President Vladimir Putin with virtually no public reference to the ongoing abuses in Chechnya. Though it sponsored the resolution on Chechnya at the U.N. Commission on Human Rights, the European Union did almost everything possible to scuttle it.

In the aftermath of the September 11 attacks, the European Union entertained a number of proposed security measures that would not only violate human rights at home, but also undermine the E.U.'s credibility as a champion for human rights abroad. The proposed security measures contained an overbroad definition of "terrorist activity" that could potentially have the same sweeping effect as laws used to silence dissidents in, for example, Turkey and Uzbekistan. Having pressed for conformity with fair trial standards in E.U. applicant states and elsewhere abroad, the European Union itself entertained a proposal for a European arrest warrant that lacked sufficient fair trial guarantees.

United States

In the first eight months of the year, the Bush administration sent the mixed signals of a human rights policy still in formation. On the one hand the administration announced a foreign policy driven by strictly construed and narrowly defined national interests, seeming to foreshadow a retreat from peacekeeping and promoting human rights. After initial equivocation, however, the Bush administration firmly committed to keeping its troops in the Balkans. The arrest and transfer of Slobodan Milosevic and other indicted war criminals in Yugoslavia to the Hague tribunal probably would not have happened, at least for years to come, without concerted U.S. pressure. The United States was also the most principled advocate of a resolution on Chechnya at the U.N. Commission on Human Rights.

After September 11, however, the U.S. anti-terrorism effort threatened to sweep aside the human rights agenda, most notably in relations with key anti-terror allies Russia and Uzbekistan. Once again the United States squandered its leverage to obtain rights improvements when the State Department omitted Uzbekistan from its list of the most egregious violators of human rights. In November, President Bush hosted Russian President Putin for three days in Washington and Texas, with little more than gratuitous reference to ongoing Russian government abuses in Chechnya.

International Financial Institutions

Human rights continued to play an ever more important role in the operations of the international financial institutions, although certain issues remained too controversial for the banks to touch. The European Bank for Reconstruction and Development (EBRD) began to take a more robust approach to its charter mandate to invest only in countries committed to the principles of multiparty democracy. In strongly worded letters to the presidents of Belarus and Turkmenistan, EBRD President Jacques Lemierre threatened both countries with expulsion from the bank unless they started to show some evidence of such a commitment. The bank's approach to democratization issues was, however, uneven. While Turkmenistan

and Belarus were censured, Uzbekistan received relatively muted criticism, and plans to hold the 2003 EBRD annual meeting in Tashkent moved forward without any apparent concern for the symbolism of convening in such a repressive environment.

The World Bank continued to emphasize the importance of judicial and legal reform, sponsoring a major conference on the subject in St. Petersburg in July. In its policy dialogue with states, the bank increasingly emphasized the importance of criminal law reform, but it remained hesitant to finance the much-needed reform of Soviet-era criminal codes, which remained a source of rampant corruption and abuse.

At the same time, the international financial institutions resisted calls for them to condition financing in Yugoslavia on the government's cooperation with the ICTY. In the same vein, they refused to link their operations in Russia to improved conditions in Chechnya.

THE WORK OF HUMAN RIGHTS WATCH

Human Rights Watch's work tracked the most serious human rights problems in the region. We gathered testimony about abuse in Chechnya in research missions to neighboring Ingushetia in February and July. In two separate reports, we published our findings on forced disappearances and on the government's botched investigation into the mass grave near the Khankala Russian military base. We also monitored the opening hearings in the Budanov trial. By presenting our research to government officials in national capitals and in Geneva, we helped make the case for the Chechnya resolution adopted at the U.N. Commission on Human Rights. We also successfully pressed the Council of Europe Parliamentary Assembly to enter into a serious dialogue on accountability with its Duma counterparts. When the Duma produced a long list of crimes investigated, our analysis helped policy makers appreciate the holes in the list.

Human Rights Watch also continued to track the government of Uzbekistan's brutal crackdown on independent Muslims, their families, and supporters. In August we published a memorandum on the key aspects of the campaign and pressed the U.S. government to name Uzbekistan a country of particular concern under its International Religious Freedom Act. A December 2000 report described the systematic and increasingly deadly use of torture in Uzbekistan. A second report on Uzbekistan, released in June 2001, highlighted the plight of victims of domestic violence, which Uzbek police and local councils routinely countenanced, advising terrorized victims to return to their husbands. Two years of advocacy on behalf of jailed human rights defenders Mahbuba Kasymova and Ismail Adylov were rewarded with their releases in December 2000 and July 2001, respectively. We honored Adylov at our annual dinner in November 2001, which he attended only after a long struggle to obtain an exit visa from the government of Uzbekistan to visit the United States for the event.

Uzbekistan was not the only country where religious freedom was the focus of our work. In an August memorandum we also documented the escalating violence against non-orthodox religious believers in Georgia. We repeatedly raised the issue

in letters to Georgian President Eduard Shevardnadze and urged the U.S. government to take appropriate action under the International Religious Freedom Act.

When conflict erupted in Macedonia, we sent five consecutive research missions to monitor the conduct of both sides and published our findings in a series of press releases and a report on the abusive government operation in Ljuboten. In Skopje, Washington, Brussels, and Vienna, we briefed officials on our findings and recommended an active international human rights monitoring presence and a role for the Hague tribunal.

Building on a decade of research into violations committed in the wars in Bosnia, Croatia, and Kosovo, we pressed for accountability for former Yugoslav President Slobodan Milosevic and others responsible for war crimes. We documented and publicized the Yugoslav government's failure to cooperate with the Hague tribunal. An open letter from Human Rights Watch to Yugoslav President Vojislav Kostunica, published in the Belgrade daily *Danas*, countered his arguments against the tribunal. After Milosevic's transfer to The Hague, a Human Rights Watch representative attended each of his hearings, providing background and commentary for the media chronicling the proceedings. In October we published a six-hundred-page account of violations of international humanitarian law committed in 1998-1999 in Kosovo, primarily by Serbian and Yugoslav forces, but also by the rebel ethnic-Albanian Kosovo Liberation Army, and, though not of a criminal nature, by NATO. Releasing the report in events in Pristina, Djakovica, and Belgrade, we aimed to contribute to ongoing discussions about justice and reconciliation among Serbs and Albanians.

In Turkey, the ongoing prisons crisis remained a priority, as did advocacy aimed at promoting an ambitious reform agenda for Turkey's E.U. accession process. In June and July we conducted a six-week investigation of the Turkish government's efforts to promote return of those displaced from the southeast and found that its program fell far short of the U.N. Guiding Principles on Internal Displacement. In Albania, a November mission focused on restrictions on freedom of the media.

Finally, we continued our monitoring of the treatment of migrants in Western Europe, publishing the results of a November 2000 investigation in Greece in a series of memoranda and letters highlighting gaps in proposed immigration legislation, inadequate detention conditions for foreigners, and the Greek government's complete failure to address the serious problem of trafficking in women for forced prostitution. Our work on detention conditions in Greece sparked close scrutiny of Greece's record by U.N. and Council of Europe bodies and contributed to a growing civil society engagement on migrant rights issues in Greece. We followed up on the trafficking issue with senior government meetings in Athens in October. Trafficking was also the focus of a midyear research mission to Bosnia and Herzegovina. In July, October, and November 2001, we continued our research on migrant rights issues in Spain, focusing in particular on the law and practice pertaining to migrants who had just arrived or were in detention. After September 11, our research in Western Europe took on a new dimension as we monitored and condemned excessively restrictive security measures proposed at both the E.U. and national levels and their impact on migrants, refugees, and asylum seekers.

ALBANIA**HUMAN RIGHT DEVELOPMENTS**

Albania took important steps towards a return to stability in 2001. The overall security situation improved significantly, the political climate cooled off in the run-up to the June 2001 general election, and the economy grew. Serious problems remained, however, with the conduct of elections, police abuses and trafficking of human beings, in particular the trafficking of women and girls for forced prostitution. And in the aftermath of the election, the country faced renewed political tensions as the opposition refused to recognize the outcome of the vote.

In June and July 2001 Albanians voted to elect a new parliament in an extremely protracted four-round election that left a mixed record. The electoral campaign was non-inflammatory and issue-based, and the first day of voting was peaceful. The Central Electoral Commission (CEC) generally acted with greater professionalism and openness than in previous elections. The subsequent rounds were marred, however, by what international observers characterized as increasing police misconduct, biased media coverage, and incidents of electoral fraud, mainly in favor of Socialist Party (SP) candidates.

The most serious irregularities occurred in Lushnja, where political squabbling and technical problems delayed the voting by two weeks. The July 8 ballot in Lushnja became particularly important for three junior parties of the governing coalition, which at the time of the delayed vote still needed several hundred more votes to gain seats under the system of proportional representation. The allocation of nine parliamentary seats turned on the votes of the Lushnja constituency as did the hopes of the SP and its allies to muster the parliamentary super-majority (60 percent) required to elect a new head of state in 2002. These circumstances led to a hotly contested election in Lushnja, where international monitors observed serious flaws on voting day. A majority of the local election commission refused to accept the vote as valid, which prompted the CEC to dismiss the local commission and tabulate the results themselves. The data for some of the polling stations, however, were missing or questionable. While the irregularities in Lushnja and elsewhere may not have compromised the Socialists' right to create a new government, they may have affected the final allocation of seats in parliament as well as the chances for an uncontroversial presidential election in 2002.

Most of the political parties that challenged the decisions of the electoral commissions did so through the courts, in a sign of increased confidence in the democratic process. The courts failed, however, to fully investigate a number of key appeals, including the complaints brought by several political parties about the electoral process in Lushnja. The opposition alliance led by the Democratic Party (DP) refused to recognize the outcome of the June election, and their deputies were still boycotting the new parliament at the time of this writing. Journalists, especially

from the opposition media, received harsh sentences during 2001 in criminal libel actions brought by high-level officials.

The performance of the judicial system continued to be a major stumbling block for the consolidation of the rule of law in Albania. Judges were poorly trained to enforce the growing body of new legislation, at times unable to resist outside pressures, and often insensitive to human rights violations. In the first serious effort to curb widespread corruption within the judicial system, the government initiated successful disciplinary actions before the High Council of Justice against more than a dozen judges and prosecutors. An attempt by the government in May 2001 to impeach three judges of Albania's highest court for having allegedly favored a suspected drug dealer failed to pass a vote in Parliament, in part because of the government's inability to substantiate the allegations.

Several cases of torture and other serious abuse by the Albanian police in 2001 highlighted the prevalence of police misconduct, particularly as it concerned children and opposition activists. A particularly egregious case involved an eleven-year-old orphan from Saranda, who was detained on charges later found to be false. While in custody, the child was beaten, cut with a knife, and burned with cigarettes. The DP repeatedly protested the arrests and alleged police beatings of participants in its political rallies, which sometimes turned violent. Azgan Haklaj, the head of the DP branch in Tropoja, was brutally assaulted by the special police in January 2001 after having been arrested for his alleged role in a November 2000 attack on the Tropoja police station.

Trafficking of human beings, including the trafficking of women and girls for forced prostitution, continued unabated in 2001, with Albania serving as both a country of origin and a country of transit for trafficking victims. A report by Save the Children noted that 60 percent of Albanian trafficking victims were minors. Trafficking rings preyed upon Albanian women and children, operating with impunity throughout the country and evading border controls. In 2001 the Albanian government continued to treat trafficking victims as criminals: far more criminal charges were brought against victims of trafficking, who were prosecuted for prostitution, than against traffickers. The government failed to provide even minimal assistance to victims or to support witness protection programs.

DEFENDING HUMAN RIGHTS

In general, human rights organizations operated freely in the country. The Albanian Helsinki Committee focused on the monitoring of general elections and its long-term project on conditions of prisons and police custody. It also looked at allegations of police misconduct and patients' rights in hospitals and mental health centers. The Albanian Human Rights Group also defended the rights of those in police custody, denouncing severe restrictions on the defendants' access to defense counsel. The complaint center created by the group in 1999 saw a significant increase in its activity.

THE ROLE OF THE INTERNATIONAL COMMUNITY

Organization for Security and Cooperation in Europe (OSCE)

The OSCE's Office for Democratic Institutions and Human Rights (ODIHR) maintained a robust monitoring presence throughout the drawn-out general election. The observation mission advised the Central Electoral Commission and played a key role, together with the OSCE Presence in Albania, in mediating election-related disputes between the government and opposition parties. The final ODIHR report on the June general election recommended that a bipartisan parliamentary commission be established to investigate "concerns surrounding [the] elections" and propose remedies. In a rare but encouraging public statement, the OSCE field presence called on the Albanian government to investigate allegations of police abuse.

Council of Europe

The Council of Europe and the European Union continued a joint program to support the reform of the Albanian judiciary. The Council of Europe-based European Commission against Racism and Intolerance published a new report on Albania, finding little awareness in the country on the situation of minority groups and issues of ethnic discrimination, especially regarding the Roma.

European Union

In a move much awaited by the Albanian public, the June 2001 Göteborg summit of the European Union decided to open negotiations with Albania for a Stabilization and Association Agreement, the first step towards E.U. membership. A European Commission study concluded, however, that much remained to be done to improve the performance of the judiciary, tackle systemic corruption, enhance the administration's capacity to implement legislation, and shrink the massive gray economy. In response to a government request for assistance to fight trafficking, several E.U. member states pledged support for the establishment of an antitrafficking center in Vlora.

United States

The United States continued to exercise significant influence over the Albanian government and public opinion. The U.S. government publicly supported the efforts of the Albanian police to restore law and order under difficult circumstances, but the United States failed adequately to condemn human rights violations by police officers. A State Department report on trafficking in persons concluded that the Albanian government "ha[d] not yet made significant efforts to combat" serious forms of trafficking, and that its actions were hampered by "corruption at all levels of government."

ARMENIA

HUMAN RIGHTS DEVELOPMENTS

The trauma of the October 27, 1999, murders in the Parliament continued to dominate politics and public debate in Armenia. The government did little to improve on human rights practices, as torture, abuse in the army, and persecution of religious minorities continued, and growing poverty, combined with corruption, also led to rights abuses. The Council of Europe admitted Armenia in January.

The trial of Nairi Hunanian and other members of the group alleged to have killed the prime minister, speaker of Parliament, and six other deputies during the 1999 shootings began in February. After the opposition voiced suspicions that groups close to the president masterminded the assassinations, Parliament formed a commission to examine the criminal investigation. In July, at the commission's request, forensic experts examined the corpse of suspect Norair Yeghiazarian, who died in pretrial detention in September 2000. They concluded that an electric shock followed by a heart attack killed him. Cellmates claimed that he had an accident with an electric heating device.

Other suspects in the case claimed they were ill-treated or tortured during interrogation. In September journalist and former detainee Nairi Badalian alleged that military prosecutors kept him standing for twelve days and poured hot and cold water over him, to induce him to implicate a presidential adviser in the organization of the shootings.

The flawed criminal procedure code and the willingness of judges to admit coerced evidence abetted the routine police practice of extracting confessions through beatings and other forms of torture. In October 2001, Parliament legislated a minor improvement to the code, reducing from four to three days the time police could detain a person without charge.

An egregious case in September demonstrated the impunity security officials apparently enjoyed in cases of physical abuse. The beaten corpse of Pogos Pogosian was found in the restroom of a Yerevan jazz club, after a visit by President Robert Kocharian accompanied by singer Charles Aznavour. Pogosian was reported to have greeted Aznavour and then made an impertinent remark to President Kocharian, resulting in an assault by the president's bodyguards, who took him away. The bodyguards were suspended, but as of this writing no criminal charges were filed.

Armenian courts continued to deliver death sentences, although the government pledged to adopt a new criminal code abolishing the death penalty within a year of Council of Europe accession. A moratorium on executions remained in place. However, reflecting widespread public calls for the execution of the perpetrators of the October 1999 Parliament killings, Parliament failed to adopt the new draft criminal code, which also would decriminalize consensual homosexual relationships between adults.

Widespread torture, beatings, and noncombat fatalities of soldiers in the army

continued. In January, Defense Minister Serge Sarkisian claimed that the number of soldier deaths had declined compared to previous years, with seventy-two fatalities in 2000, eight of which were attributed to border skirmishes with Azerbaijan. Military investigators attributed many soldier deaths to suicide, allegedly doing so to cover up fatalities under a range of circumstances. Physical abuse of new conscripts by officers and older conscripts continued to be systematic. Superiors extorted money or personal belongings from conscripts, abusing those who refused to comply.

In July, the Presidential Commission on Human Rights issued the first challenge by an official body to the widespread practice of torture in the detention facilities under the military procuracy's direction and to the latter's role in fostering impunity for grave human rights abuses in the army. It called also for the suspension of chief military prosecutor Gagik Jahangirian. The commission raised cases in which military police and prosecutors allegedly tortured Mikael Arutiunian by crushing his fingers with pliers and beat another detainee repeatedly on an open foot wound. However, it notably failed to address the wider problem of brutality in army units.

In early September, a special investigating commission established by Prosecutor General Aram Tamazian confirmed several allegations of abuse by the military procuracy, including the case of Suren Grigorian, who was permanently crippled when a group of officers allegedly beat him shortly after he was conscripted at the end of 2000. Military prosecutors had declined to pursue the case and pressured medical staff to misreport his injuries. However, by choosing to reject most allegations the special commission signaled that the military procuracy need not answer for systematic abuse.

In June, Armenia partially implemented a Council of Europe requirement to pardon all sentenced conscientious objectors, by pardoning and releasing thirty-seven Jehovah's Witnesses. However, the authorities flouted the requirement by continuing to arrest, detain, and imprison conscientious objectors. Armenia did not adopt a law on alternative service.

The governmental Council for Religious Affairs continued to deny official registration to the Jehovah's Witnesses and other non-Orthodox Christian faiths. The authorities continued to prosecute a Jehovah's Witnesses organizer, Levon Markarian, for holding "illegal" religious meetings. They charged him under article 244(1) of the criminal code: "infringement of individual and civil rights and freedoms." Because families with children were present at these meetings, the procuracy charged him with enticing children into meetings of an unregistered religion, for which the penalty was a prison sentence of up to five years. A court acquitted him in September, but the prosecutor appealed the decision. Article 244 of the criminal code was a remnant from Khrushchev's antireligious campaign of the early 1960s.

Although Armenia reported its seventh successive year of economic growth, the majority of the population remained in poverty. Disparities of wealth increased, as in previous years, with a small elite exercising much control over resources and political power. The government announced an anticorruption drive, yet corruption investigations remained highly selective and often appeared to be politically motivated. A high-profile case was brought against Ashot Bleian, an opponent of

the government and a former presidential candidate, who had mounted a legal challenge on President Kocharian's eligibility to stand for the presidency. In December 2000, a court sentenced Bleian to seven years of imprisonment for embezzlement and abuse of office, although witnesses withdrew incriminating statements in court, claiming that prosecutors obtained them by intimidation or blackmail. Two of Bleian's colleagues were also imprisoned. His sentence was reduced to five years on appeal in May; he was released in July.

In several cases, newspapers and journalists publishing articles critical of the authorities received telephoned threats. Police and tax inspectors investigated the holding company of the newspaper *Fourth Estate* after it fiercely criticized the official investigation into the 1999 parliament killings. The authorities did not appear vigorously to investigate an arson attack on the workshop of freelance journalist Vahan Gukasian, another critic of the official investigation into the 1999 parliament killings. The authorities reacted identically to two antigovernment demonstrations—on October 30, 2000, and September 7, 2001—as police arrested and sentenced the respective organizers to administrative detention, and confiscated journalists' cameras or videotapes. Authorities cut the power to an independent television station's transmitter to prevent the broadcast of news footage of the arrest of October 2000 demonstration organizer Arkady Vartanian.

In a December 2000 report on the state's failure to respond to domestic violence, Minnesota Advocates for Human Rights noted that there was a high degree of social acceptance of domestic violence and that the government did not keep statistics on it. The research, conducted in Yerevan and Gyumri, indicated that the authorities did not view domestic violence as a significant problem and that police often attempted to dissuade women from pressing charges against violent partners. The report cited a Ministry of Internal Affairs official who claimed: "If women are assaulted in their homes, it is not considered a crime. According to Armenian tradition, a man has a right to beat his wife in his home."

Prisons were overcrowded, poorly supplied, and neglected. In June, Parliament approved a general prison amnesty, releasing or reducing the sentences of one-third of the country's estimated 6,000 convicts and detained suspects. The authorities planned to implement the transfer of prisons from the jurisdiction of the Ministry of Internal Affairs to the Ministry of Justice by the end of 2001, as mandated by the Council of Europe, in order to reform and demilitarize the system. However, the transfer of pretrial facilities run by the Ministry of Internal Affairs and the Ministry of National Security, mandated to take place within eighteen months of Council of Europe accession, appeared to be stalled.

DEFENDING HUMAN RIGHTS

There were no reported cases of harassment of human rights defenders in 2001.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

In November 2000, the Committee against Torture reviewed Armenia's second periodic report. It criticized the report for concentrating overly on projected reforms, such as the draft criminal code, rather than the existing situation, and for failing to respond to the committee's 1996 recommendations. It recommended legislative and practical reforms to address violations of the rights of detainees, particularly regarding access to lawyers, family, and doctors; poor prison conditions; hazing in the army; lack of effective compensation for people tortured by state officials; and the draft criminal code's inadequate definition of torture.

Council of Europe

The Council of Europe did not sufficiently monitor Armenia's observance of the obligations it assumed upon membership, and failed to condemn the ongoing imprisonment of conscientious objectors in violation of Armenia's pledges. The three-year deadline it set for the adoption of a law on alternative service was too lax. A group of experts appointed by the secretary-general visited Armenia in May to investigate cases of alleged political prisoners, concluding that there were none.

In July the Venice Commission of the Council of Europe published its report on the revised draft Armenian constitution, which the government intended to put to a referendum. The commission gave a generally positive assessment of the constitution's treatment of human rights, and proposed further revisions, such as incorporating the abolition of the death penalty.

United States

The State Department's *Country Reports on Human Rights Practices for 2000*, published in February, provided a full and telling portrayal of the human rights situation in Armenia.

International Financial Institutions

The World Bank and the Armenian government co-hosted an international donors' meeting in July, and the bank published its Country Assistance Strategy (CAS). The report emphasized a need for generating conditions for poverty reduction through job creation. The paper cited corruption and outward migration as hampering the business and investment environment. It called for expanded budget allocations to education, health, and to targeted social assistance for vulnerable sectors of the population. In August, President Kocharian publicly took issue with the CAS, disputing its assessment that growth had done nothing to reduce poverty levels. The International Monetary Fund and the World Bank oversaw the government's development of an Interim Poverty Reduction Strategy, for which they earmarked loan credits. In May the World Bank granted U.S. \$300,000

for an anticorruption program, to be managed by the Yerevan office of the Organization for Security and Cooperation in Europe.

AZERBAIJAN

HUMAN RIGHTS DEVELOPMENTS

Azerbaijan became a member of the Council of Europe after staging parliamentary elections that the international community and local observers branded as “fraudulent.” Having secured its firm grip on the political process and its entrée to European institutions, the government harassed the independent media and political parties and cracked down against protesters with social and economic demands. It resisted pressure to release more than a few dozen political prisoners.

The Council of Europe had conditioned Azerbaijan’s admission on, among other things, “free and impartial elections,” and delayed its final decision on admission until after the vote. The Azerbaijani authorities failed this requirement spectacularly. The November vote gave the ruling party, Yeni Azerbaijan (New Azerbaijan) a majority in Parliament, again delivering President Heidar Aliiev a compliant legislature. Opposition parties such as Musavat, the National Independence Party, and the Democratic Party of Azerbaijan, which enjoy significant support, were virtually excluded.

Repeat elections in eleven of the one hundred districts, urged by the Council of Europe, did not affect the overall result. After a campaign period marred by government interference and intimidation, election officials manipulated turnout figures, falsified vote tallies, and stuffed ballot boxes. The level of fraud prompted the Council of Europe observer mission to comment, “[T]he scale of the infringements doesn’t fit into any framework. We’ve never seen anything like it.”

Exploitation of oil and gas resources allegedly secured benefits for a small ruling elite. Transparency International rated Azerbaijan one of the world’s five most corrupt countries. The president of the state oil company, SOCAR, twice sued opposition leader Etibar Mamedov for claiming that officials exported one and a half million tons of oil surreptitiously, making it allegedly the country’s biggest source of corruption. The broader economy was denuded of government attention and investment. President Aliiev’s August decree, ordering SOCAR to pay \$190,000 per month to assist some of the 800,000 Azeris still displaced by the Nagorno Karabakh conflict, appeared to offer implicit acknowledgement of a link between a small elite’s control over oil and gas wealth and poverty in society at large.

Opposition parties’ protests against the presidential elections combined with local anger about unemployment and electricity and gas shortages. In November 2000 police clashed with demonstrators in Sheki, and reportedly beat and detained hundreds. In July, a court tried twenty-seven of the protesters, mostly from opposition parties, sentencing most to prison terms of four to six years on charges of instigating public disorder, using violence against police officers, and destruction

of property. In January handicapped Karabakh war veterans embarked on a mass hunger strike in Baku to demand pension increases. The government promised to examine their demands, but instead dissolved the Society of Karabakh Invalids, replacing it with a government-controlled entity. On February 19, police stormed the society's Baku headquarters and violently broke up a renewed hunger strike, reportedly beating men on crutches and in wheelchairs. Local authorities began withdrawing concessions that had allowed the handicapped veterans to run shops and minibuses to make a living, and seized all of the society's branch offices and property for the new entity. In July, fifteen were found guilty on charges of participating in public disorders and, absurdly, beating twenty-five policemen, and were given sentences ranging up to six years' imprisonment.

Throughout the year the government harassed opposition parties, intimidated independent media, and deterred social protests, but offered just enough human rights concessions to placate the Council of Europe. In August, after the council had presented the government with a confidential experts' report on alleged political prisoners in Azerbaijan, President Aliiev amnestied or reduced the sentences of ninety-five prisoners, including seven of the Karabakh handicapped veterans. The Council of Europe secretary general urged President Aliiev to release or grant a new trial to all political prisoners, whom Azerbaijani nongovernmental organizations (NGOs) numbered in the hundreds. The October 17 release of only three recently imprisoned newspapermen drew Council of Europe criticism, which President Aliiev's office dismissed as "subjective."

In the second half of 2001 the authorities sharply increased their pressure on the independent media. Tax officials investigated Baku's ABA Television and confiscated equipment, which forced the station's management to shut it down. The authorities withheld licenses from provincial independent broadcasters, closing or fining them at will. In September police in Balakan detained the head of a local television station and shut it down by threatening to imprison him and demolish his home if he attempted to broadcast again.

Local authorities also undermined the production and distribution of independent newspapers. The mayor of Baku ordered the removal of newspaper kiosks belonging to private distribution companies. In September a court ordered the closure of the Baku Printing Press and imprisoned its director on tax charges. He had reduced rates for independent newspapers, challenging the monopolistic high prices for printing and newsprint set by government-controlled enterprises.

State officials used slander laws and obliging courts to close newspapers or issue them crippling fines for publishing articles that alleged government corruption or other misdeeds. In September, after it published a polemical article about state racketeering in which it briefly mentioned the mayor of Baku, a court closed *Bakinskii Bulvar*, gave the editor a suspended prison sentence, imprisoned the owner, and seized his apartment and that of the article's author, who sought asylum abroad. The editor of *Milletin Sesi* (The People's Voice) newspaper was imprisoned after it published an article suggesting a presidential administration official consorted with prostitutes. Both were released on October 17.

Police detained journalists, beat them, and confiscated their equipment as they attempted to cover demonstrations. In several cases unknown assailants beat journalists.

The authorities disrupted opposition parties' activities by making it difficult for them to lease office premises, refusing registration, arresting party officials, and violently breaking up their meetings and demonstrations. In August, police in northern Azerbaijan blocked Musavat deputy Rauf Arifoglu's tour of party branches, and beat and detained local Adalyat party officials on the eve of their leader's visit. Police violently dispersed Democratic Party demonstrations in Baku in April, and in Nakhchivan in September, beating and detaining party members.

An alleged culture of corruption, bullying, and neglect in the army continued to cause deaths unrelated to combat. A former Defense Ministry aide reported that since the 1994 Nagorno Karabakh ceasefire, bullying, accidents, infectious disease, and malnutrition had killed or crippled more than 5,000 soldiers. Eighteen soldiers died in a three-week period in August alone, of suicide, sunstroke, and dehydration. The head of a soldiers' mothers' organization linked the deaths of many soldiers with organized extortion. Some of the dead had earlier asked their families for money to hand over to their officers.

Chiefly young men from poor backgrounds were drafted, and it was widely reported that allegedly, a U.S. \$2,000 bribe could assure an exemption from military service on spurious ill-health grounds. Poor and cramped conditions in army barracks exacerbated and spread diseases such as tuberculosis, diphtheria, and typhoid. In November former navy captain Janmirza Mirzoev, who had accused the defense minister of corruption, was sentenced to eight years in prison for his alleged role in a 1993 murder. The only witness said to have offered any evidence against Mirzoev withdrew his testimony in court. The murder charges came after Mirzoev had already endured two years of reported harassment and repeated detentions.

A new criminal code adopted in September 2000 criminalized torture as a specific offence and stipulated a five to ten year prison sentence for officials found to have used torture to extract confessions. However, police continued to torture or ill-treat detainees with relative impunity. The judge who tried the Sheki demonstrators ignored the defendants' assertions that they were tortured or ill-treated in custody. At this writing no police officers had been indicted for the death in custody of SOCAR engineer Ilgar Javadov in Baku in May. Reportedly, a forensic examination established beating as the cause of death, though the police claimed he died jumping from a window.

In a rare exception to the general rule of impunity, and after President Aliev's intervention in the case, a former Baku police station chief was brought to trial in September for his alleged role in torturing to death a factory trade union leader in 1994.

To a limited extent, conditions and incidence of tuberculosis in the prison system ameliorated. In May, Parliament adopted an extradition law that expressly forbade extraditing people to countries where they face torture, in line with Azerbaijan's obligations under the Convention against Torture. But Azerbaijan continued to extradite suspected Chechen fighters to Russia, and in October extradited two terrorism suspects to Egypt, both countries which systematically tortured criminal suspects.

DEFENDING HUMAN RIGHTS

In a positive move, the Ministry of Justice and four human rights NGOs signed an agreement in September to work together on prison reform.

In October 2001 the Ministry of Internal Affairs arbitrarily expelled Mehti Mekhtiyev, the director of the Human Rights Resource Center, an NGO, back to Baku from Nakhchivan, where he was visiting twenty-two beaten and detained members of the Democratic Party.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

A November 2000 report by the U.N. special rapporteur on torture concluded that torture in Azerbaijan was widespread and that detainees assumed that they would be tortured. The report concluded that this fostered detainees' acquiescence in investigators' demands and arguably constituted mental torture.

In October 2001 the U.N. Human Rights Committee reviewed Azerbaijan's second periodic report. It requested the government to report back within one year on the measures taken to address the committee's principal concerns: inaction on violence against women and trafficking, harassment and prosecutions of journalists and actions forcing closure of media outlets, and serious executive interference in the electoral process.

Organization for Security and Cooperation in Europe (OSCE)

The Organization for Security and Cooperation in Europe (OSCE) fielded an observer mission to the November 2000 parliamentary election. The head of the OSCE's Office for Democratic Institutions and Human Rights described the conduct of the vote as "a crash course in various types of manipulation" in a press conference, yet criticism was muted in the organization's official report. On October 4, 2001 the OSCE representative on freedom of the media expressed alarm at the growing assault on freedom of media in Azerbaijan. The OSCE Minsk Group intensified its efforts to mediate a negotiated solution to the Karabakh conflict.

Council of Europe

The Council of Europe squandered its leverage over Azerbaijan at the beginning of the year by admitting it to membership despite the fraudulent election. By mid-year both the secretary general and the Council of Ministers had dispatched human rights fact-finding groups to Azerbaijan. Beginning in September the secretary general expressed concern over the crackdown on independent media and stepped up pressure regarding the unresolved situation of political prisoners.

International Financial Institutions

The International Monetary Fund and the World Bank secured pledges of fiscal transparency, particularly in the handling of oil revenues, and prompted the government to design a strategy to reduce poverty and encourage broad-based growth to enable further lending to take place.

BELARUS

HUMAN RIGHTS DEVELOPMENTS

The September 2001 presidential elections brought an unusual level of international attention to Belarus—but human rights abuses there followed familiar patterns. There were state or state-sanctioned attacks on the independent press, human rights defenders, opposition politicians, nongovernmental organizations (NGOs), and peaceful demonstrators. President Alexander Lukashenka was reelected, although no intergovernmental organization recognized the elections as free and fair.

In June, credible evidence surfaced implicating state agents in the 1999-2000 unsolved “disappearances” of opposition figures Yuri Zakharenka, Viktor Gonchar, Anatoly Krasovsky, and Dmitri Zavadsky. Two former procuracy investigators who had fled Belarus in May released documents to support their claims that a special death squad, “Almaz,” had assassinated the four men.

The election campaign began inauspiciously, when the Belarusian government prevented Mikhail Chygir, the strongest opposition candidate, from running for president. In December 2000, the Belarusian Supreme Court reversed a decision convicting Chygir of abuse of power, but returned his case to a lower court. The pending investigation precluded Chygir from contesting the September vote.

Detentions of canvassers, police raids on candidates’ offices, the denial of opposition access to the state media, and unbalanced election commissions seriously compromised the integrity of the campaign and elections. The opposition united behind Vladimir Goncharik of the Independent Trade Union of Belarus, but had little chance of beating the odds. Opposition and independent NGO representatives were disqualified nearly categorically from district election commissions.

In two July incidents, police in Grodno detained volunteers collecting nomination signatures for independent candidates and confiscated the signature sheets; candidate Valery Levonevsky was also detained.

Police raided four of opposition candidate Semyon Domash’s campaign offices in July, confiscating newspapers. On August 25, police raided Goncharik’s Mogilev campaign headquarters, seizing election materials and detaining the regional campaign coordinator. Two days later, the Central Election Commission notified Goncharik of campaign violations, such as distributing independent newspapers,

and warned him that they would remove him from the ballot for further violations.

On September 2, police in Kobrin detained three schoolboys under fourteen years old for putting up Goncharik posters. Without contacting their parents, police questioned the children and threatened them with imprisonment.

Authorities strongly encouraged “early voting,” which allowed ballots to be cast at polling places five days before election day without the presence of monitors, making possible widespread vote fraud. The Belarusian Helsinki Committee (BHC) reported that four universities, including Belarus State University, Belarusian State Medical University, the University of Culture, and the Gomel Cooperative Institute cancelled classes and closed dormitories during election week. Rights groups accused authorities of taking these measures to force students to participate in “early voting” and to leave the cities before planned opposition demonstrations.

On September 10, the BHC filed a complaint with the Central Election Committee documenting more than one hundred pages of election violations and calling for the results to be invalidated. After the Central Election Committee rejected the complaint, the BHC appealed to the Supreme Court, which rejected the case on October 24.

In the pre-election period, Belarusian authorities systematically sought to cripple the independent press by confiscating newspapers and presses, bringing charges against editors and journalists, and detaining individuals for distributing newspapers. In July and August authorities seized printing equipment or newspapers from six different independent newspapers, and in August alone, police detained opposition activists for distributing seven independent newspapers. On election day the websites of several independent media outlets were inexplicably blocked.

Authorities particularly targeted Magic Publishing House, the independent publisher in Minsk of eighteen periodicals. During three raids in January and August, the tax police seized printing equipment, shut down printing presses, and confiscated issues of *Nasha Svaboda* (Our Liberty) and *Rabochy* (The Worker). Authorities installed the deputy director of the State Press Committee as acting director of Magic on August 27, obstructing Magic’s independent operations.

The State Press Committee reprimanded the newspapers *Narodnaia Volia* (The People’s Will) and *Komsomolskaia Pravda Belarus* on February 14 for publishing an article linking the arrest of opposition leader Mikhail Chygir’s son, Alexander, to state harassment of opposition candidates. On February 20, the editors of the Krichev district independent newspapers *Volny Gorod* (Free City) and *Nash Volny Gorod* (Our Free City) were convicted of slander for publishing articles critical of the Russia-Belarus union. On March 13, the State Press Committee annulled the registration of the only Belarusian publication for sexual minorities, *Forum Lambda*.

Valery Shchukin, an opposition politician and journalist, received a three-month prison sentence in March for “malicious hooliganism.” The charges derive from Shchukin’s attempt in January to attend a press conference, when police violently barred him entry, inflicting serious injuries. Although Shchukin had press credentials, police said the event was open only to journalists from the state-run media.

The Ministry of Justice denied registration to the Youth Front, an opposition

organization, on January 3, 2001, citing “irregularities” in its registration documents. On February 19, a Minsk court fined the group’s leader, Pavel Syverinets, about U.S. \$460 for organizing a demonstration.

Authorities routinely detained peaceful demonstrators of all ages, often under article 167 of the Belarusian administrative code, which prohibits the organizing of unauthorized protests or mass actions. On December 10, 2000, Human Rights Day, peaceful demonstrators were detained under article 167 in five cities. Sergei Bakun of the Brest Youth Front was sentenced to ten days’ imprisonment; two United Civic Party activists in Vitebsk were fined the equivalent of U.S. \$500 each.

During the annual March 25 Freedom Day demonstrations, twenty-five peaceful demonstrators were detained in Minsk alone. Pavel Syverinets and Ales Byalyt-ski, chair of the Viasna Human Rights Center, were sentenced to fifteen days in prison. Ludmila Griazanova, an opposition politician, was fined approximately U.S. \$100. At the rally in Grodno, a seventeen-year-old photojournalist was reportedly detained, beaten, and warned not to file his story.

Activists from the youth movement Zubr faced detention for staging demonstrations, painting anti-Lukashenka graffiti, and distributing opposition materials. Youth activists were detained—and in some cases interrogated—without counsel, fined, or imprisoned, in ten cities. Police detained children in at least four of these cities. On August 14, Zubr reported that a Borisov police officer brutally beat a thirteen-year-old for posting Zubr stickers.

HUMAN RIGHTS DEFENDERS

Authorities used registration regulations, police raids, and web site jamming in attempts to silence human rights groups. The March 2001 Presidential Decree No. 8 further intensified the scrutiny of NGOs by forbidding funding from abroad to any organization involved in democracy, civil society, or election monitoring activities, effectively denying vital assistance to NGOs and independent newspapers.

The Viasna Human Rights Center received written warnings from the Ministry of Justice in December 2000 and August 2001 threatening to revoke its registration for alleged administrative violations. In February, the director of the Brest Association of People with Impaired Hearing was forced to resign for allowing opposition candidate Semyon Domash to hold a campaign meeting in the group’s office. In April authorities shut down the Minsk office of the People in Need Foundation, a Czech human rights group, and deported its director. Unknown persons stole computer files and research from the Belarusian Helsinki Committee on March 28 and again on July 9. The items stolen, with other valuables ignored, raised suspicion of state responsibility.

On April 2, the Ministry of Justice refused to register the Legal Defense of Citizens, explaining that the organization’s goals were contrary to the official definition of the term “legal assistance.”

On July 20, civil rights attorney Vera Stremkovskaia was convicted of slander against the chief investigator in a case against Vasily Starovoitov, whom Stremkovskaia defended. In court, Stremkovskaia had accused the investigator of corruption.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

In November 2000, the U.N. Committee against Torture issued its third periodic report on Belarus, noting concern about “numerous continuing allegations of torture and other inhumane treatment or punishment” by state officials or with their acquiescence. The report called for the establishment of independent national commissions to investigate torture allegations and human rights abuses.

Organization for Security and Cooperation in Europe (OSCE)

In a concerted effort to discredit the Organization for Security and Cooperation in Europe (OSCE), President Lukashenka personally accused OSCE Advisory and Monitoring Group head Ambassador Hans-Georg Wieck of “espionage.” Obstruction by Belarusian authorities forced the OSCE to abandon the planned full-fledged observation mission. A limited observation mission was deployed, although two observers were denied visas. On September 3, Lukashenka threatened to expel both Ambassador Wieck and the U.S. ambassador to Belarus.

On September 10, the OSCE declared that the September 9 presidential elections failed to meet OSCE standards. The preliminary report on the elections, however, praised the “growing pluralistic civil society”; called on the authorities, civil society, and the OSCE to begin a period of cooperation despite “recent disputes”; and deplored the international isolation of Belarus. Both Freimut Duvé, representative for freedom of the media, and Gerard Stoudmann, director of the Office of Democratic Institutions and Human Rights, cancelled planned visits to Belarus when several of their staff members were refused visas.

Council of Europe

In January 2001, the Parliamentary Assembly of the Council of Europe (PACE) voted against restoring special guest status to Belarus due to the “unsatisfactory” parliamentary elections and lack of respect for free and fair elections, rule of law, and human rights. A PACE delegation observed the September presidential elections. On September 10, the Council of Europe issued a joint statement with the OSCE and the European Union, calling the campaign and election undemocratic.

European Union

In its public statements, the European Union strongly supported the OSCE and the international election monitoring mission. A European Parliament delegation served as short-term observers. On September 11, the European Union announced that it would not normalize relations with Belarus in light of election violations.

United States

The United States followed closely the presidential campaign and elections in

Belarus, issuing statements harshly criticizing authorities' treatment of the independent media, civil society, opposition candidates, and election monitors. The State Department also called for investigation into the "disappearances" of Zakharenko, Gonchar, Krasovsky, and Zavadsky. On September 10, the State Department declared the presidential elections undemocratic, citing the OSCE's findings.

The State Department's first annual report on trafficking in persons, released in July, assigned Belarus the lowest of three possible ratings, citing corruption, lack of programs to assist victims and witnesses, detention of victims during investigation, prosecution of victims for violations of other laws, and the criminal code's light penalty for trafficking.

International Financial Institutions

In June, the World Bank approved a \$22.6 million loan to Belarus, the first since 1994, to install and update heating, lighting, and insulation in 450 schools and hospitals. The World Bank held the negotiations "in connection with serious achievements in social and economic spheres which were reached by the Belarusian government last year."

The European Bank for Reconstruction and Development (EBRD), in an April 2001 letter to President Lukashenka, expressed concern over Belarus's failure to comply with the EBRD's required commitments to multi-party democracy and pluralism. The letter stated that the bank's future operations in Belarus would be reviewed after the fall presidential elections.

BOSNIA AND HERZEGOVINA

HUMAN RIGHTS DEVELOPMENTS

The return of displaced persons and refugees remained the principal unresolved rights issue confronting the people of Bosnia and Herzegovina. The major political development was the formation of non-ethnic-nationalist governments at the national level and in one of Bosnia's two constitutive entities, the Federation of Bosnia and Herzegovina. The ethnic nationalists continued, however, to exercise effective power in majority Croat cantons in the federation. In the other entity, Republika Srpska, Serbian nationalists remained a leading political force.

Bosnian nongovernmental organizations reported that the general elections held on November 11, 2000, were the best-organized elections since the 1995 signing of the Dayton/Paris Peace Agreement. An "open list" system was used in elections for the federal House of Representatives, entity parliaments, and the cantonal assemblies in the federation. The system enabled Bosniacs and Croats in the federation to vote for candidates from the other ethnic group. The more numerous

Bosniacs were thus able to influence the election of Croat candidates. Unsatisfied with the electoral law, the main political party of Bosnian Croats—the Croat Democratic Union (HDZ)—organized an ad hoc referendum on Croat self-rule on the same day as general elections. The party also refused to cooperate with the implementation of election results.

On February 22, Bosnia's central parliament elected a cabinet (Council of Ministers) composed solely of the members of a moderate seven-party grouping dubbed the Alliance for Change. On March 12, the federation Parliament also elected an Alliance for Change government. On March 3, HDZ and its nationalist allies proclaimed self-governance in the territory inhabited by a Croat majority. The efforts to establish self-rule suffered a decisive blow on April 18, when Stabilization Force (SFOR) troops and OHR entered the main branch of the Hercegovacka Bank in Mostar. International auditors blocked the HDZ's access to funds in the bank, thereby cutting off the sources of funding for the Croat self-governance initiative. By mid-June, Croat soldiers who had left the joint federation army at HDZ's invitation renewed their contracts with the federation army.

As the security situation and political climate for return improved, the U.N. High Commissioner for Refugees (UNHCR) registered 56,683 returns of minorities during the first nine months of 2001, an increase of almost 100 percent over the same period in 2000. Most returns continued to be to in rural areas. The return of minorities was still not self-sustaining, however, as returnees continued to face scant employment opportunities and great obstacles to education for minority children. The international community continued to fail to respond adequately to the increased interest in return, with reconstruction funds falling far short of the amount needed. Although rates of property repossession by returnees grew in comparison to previous years, urban return remained modest.

While the security situation generally improved, serious incidents of ethnically motivated violence continued to occur. In a dozen cases in Republika Srpska and, less frequently, in the Croat parts of the federation, unknown perpetrators blew up or set fire to reconstructed returnee houses, shot at returnees, or planted explosive devices under their cars. On January 24, Zijada Zulkic, a forty-nine-year-old Bosniac woman from Banja Luka, was found dead in her apartment with a bullet wound. On May 7, some 4,000 Serbs beat and stoned three hundred elderly Bosniacs who came to Banja Luka for a ceremony to mark the reconstruction of Ferhadija mosque. At least eight people were taken to the Banja Luka hospital for medical treatment. One of them, Murat Badic, aged sixty-one, died on May 26 of head injuries. On July 12, a sixteen-year-old Bosniac returnee, Meliha Duric, was shot dead by an unknown assailant in the village of Damdzici, near Vlasenica in Republika Srpska. In November, Seid Mutapcic, a Bosniac returnee, was killed in Pale in Republika Srpska. Again the motive and perpetrators were unknown, but the crime was disturbing to the returnee community.

On April 6, an organized riot took place in west Mostar, Grude, Siroki Brijeg, Medjugorje, and Tomislavgrad, during an abortive international audit of the Hercegovacka Bank offices. A mob beat twenty-one members of SFOR and the Office of the High Representative tasked with implementation of civilian aspects of the peace process; two gunmen in Grude took eight investigators hostage and

threatened to execute one of them. On May 5, Republika Srpska police in Trebinje did little to prevent several hundred Serb nationalists from throwing rocks and bottles at a delegation of state and international officials who came for a ceremony to mark the reconstruction of a mosque.

Independent journalists received explicit threats from nationalists in both entities. The Bosnian Helsinki Committee reported that journalist Ljuba Djikic from Tomislavgrad was threatened with lynching after her son Ivica Djikic, also a journalist, expressed his opinion about the situation in Croat-controlled parts of the federation. Mika Damjanovic, a journalist of the Sarajevo daily "Dnevni Avaz" and reporter-cameraman of the Federation TV, was attacked in Orasje by an HDZ activist who accused Damjanovic of being a "Croatian traitor." A bomb exploded in the doorway of an apartment belonging to journalist Zoran Soviljs, causing only property damage. The International Police Task Force concluded that his coverage of trafficking and prostitution had motivated the attack. In April the Organization for Security and Cooperation in Europe's Free Media Helpline registered an alarming increase in complaints from radio and television stations in Croat-dominated areas about pressure, threats, and intimidation of editors and staff made by the HDZ and other Croat self-rule supporters.

SFOR apprehended two war crimes suspects, both indicted by the International Criminal Tribunal for the former Yugoslavia (ICTY) in connection with crimes committed in Srebrenica in July 1995: Col. Dragan Obrenovic was arrested on April 15, and Col. Vidoje Blagojevic on August 10. NATO officials repeatedly claimed that NATO did not always know the whereabouts of indicted wartime Bosnian Serb leader Radovan Karadzic and former Serb army commander Ratko Mladic. In the alternative, NATO officials suggested that the two were in the Federal Republic of Yugoslavia and thus out of reach of NATO troops.

On August 4, the federation government surrendered to the tribunal three Bosnian officers of the Bosnia and Herzegovina army, Enver Hadzihasanovic, Mehmed Alagic, and Amir Kubura, charged with war crimes against Bosnian Croats and Serbs during the 1992-1995 war. Bosnian Minister for Refugees Sefer Halilovic surrendered to the tribunal voluntarily on September 25. The Republika Srpska had still not apprehended and surrendered to the tribunal a single war crime indictee. The Tribunal Office of the Prosecutor stated in October that at least seventeen indictees were at large in Republika Srpska. Two indicted Bosnian Serbs, former Republika Srpska president Biljana Plavsic and Serb Army officer Dragan Jokic, voluntarily surrendered to the tribunal, on January 10 and August 15 respectively. On October 2, the Republika Srpska National Assembly adopted a law on cooperation with the tribunal.

DEFENDING HUMAN RIGHTS

Local and international human rights organizations were generally free to monitor and report on the human rights situation. Due to concern for researchers' safety, however, some organizations were unwilling to conduct research into corruption in the country. The Helsinki Committee for Human Rights in Bosnia and

Herzegovina and the Helsinki Committee in Republika Srpska continued to be among the leading human rights groups in the country. The office of the Ombudsman for Republika Srpska became fully operative in November 2000. A similar institution had already been in existence in the federation. Most decisions by the national Human Rights Chamber, Bosnia's human rights court, pertained to repossession of houses and apartments by their pre-war owners.

Lara, an antitrafficking NGO in Bijeljina, continued to offer assistance to women trafficked into Republika Srpska for forced prostitution and received threats after launching a nationwide antitrafficking campaign.

THE ROLE OF THE INTERNATIONAL COMMUNITY

Office of the High Representative (OHR)

On June 21, the Peace Implementation Council Steering Board extended the mandate of High Representative Wolfgang Petritsch for another year. Responding to the March 3 proclamation of Croat self-governance in Bosnia and Herzegovina, on March 7 Petritsch removed Bosnian Croat leader Ante Jelavic from his seat in the national Presidency and barred him from holding any official or elected public office or post within political parties. Between March and June, the high representative also dismissed three leading HDZ politicians and four top-ranking police officials in Croat canton seven because of their obstruction of the implementation of the Dayton/Paris Peace Agreement. The overall number of dismissals declined in comparison to the previous year, reflecting the OHR-advocated principle of ownership, whereby indigenous actors—rather than international supervisors—were to take the initiative in the implementation of laws.

United Nations

In a resolution adopted June 21, the Security Council extended the mandate of the United Nations Mission in Bosnia and Herzegovina (UNMIBH), including the International Police Task Force (IPTF), for an additional twelve-month period. The IPTF strength (around 1,800) remained below the authorized number of 2,057. UNMIBH completed registration of all Bosnian police personnel in May 2001 and granted provisional authorization to over 9,300 officers to exercise police powers. Twenty-three police officers had their authorization withdrawn for professional misconduct or for human rights violations. UNMIBH expected that by late 2002 all law enforcement officials would have been appropriately vetted prior to receiving UNMIBH final certification.

In February, UNMIBH dismissed the police chief and the chief of the crime department in Bratunac, a municipality in Republika Srpska where incidents against Bosniac returnees were frequent. In May, UNMIBH also dismissed six top-ranking police officials in the Croat part of the federation who refused to accept the authority of the federal Ministry of Interior during the Croat self-rule campaign.

The U.N. Commission on Human Rights adopted a resolution on April 18 on

human rights in parts of southeastern Europe, in which it welcomed the establishment of non-nationalist parties in Bosnia and in the federation and condemned the continued harassment of minority returnees. The chairman of the Commission appointed Jose Cutileiro of Portugal as a special representative to examine the situation of human rights in Bosnia and Herzegovina and in the Federal Republic of Yugoslavia.

In the first conviction on genocide charges before the U.N. International Criminal Tribunal for the former Yugoslavia (ICTY), Bosnian Serb Army General Radislav Krstic was sentenced on August 2 to forty-six years in prison. The tribunal found Krstic responsible for the murder of between 7,000 and 8,000 Bosnian Muslim men and boys after the fall of Srebrenica in July 1995. On February 22, the ICTY convicted Bosnian Serbs Dragoljub Kunarac, Radomir Kovac, and Zoran Vukovic for rape, torture, and enslavement committed in Foca during the Bosnian war. This case marked the first time in history that an international tribunal brought charges expressly for crimes of sexual violence against women. The decision also marked the first time that the ICTY found rape and enslavement to be crimes against humanity. On August 1, the tribunal sentenced Stevan Todorovic, former police chief in Bosanski Samac, to ten years in prison for persecution of Bosniacs and Croats in 1992. Bosnian Croats Dario Kordic and Mario Cerkez were sentenced on February 26 to prison sentences for crimes committed against Bosniac civilians in 1992 and 1993.

Organization for Security and Cooperation in Europe (OSCE)

The OSCE-chaired Provisional Election Commission (PEC) organized general elections on November 11, 2000. In response to the illegal referendum on Croat self-rule on the day of the elections, the PEC's Election Appeals Sub-Commission (EASC) nullified the mandates of the two HDZ candidates who received the most votes among the party's candidates for each of five cantonal assemblies. The EASC also banned reallocation of their mandates to other candidates. The EASC ceased operations in April 2001 as part of the process of transferring responsibilities from the PEC to the permanent Bosnia and Herzegovina election commission, which commenced its work on November 20, 2001.

On April 10, the OSCE Mission released its 2000 Free Media Help Line report, including a detailed review of cases reported to the Help Line in 2000. The report established that the most cases of threats and intimidation reported in 2000 were committed by government or public officials (34.6 percent), followed by anonymous and unaffiliated individuals (with 25 percent each).

Council of Europe

At a November 2000 session the Committee of Ministers of the Council of Europe welcomed the progress achieved by Bosnia and Herzegovina toward meeting the criteria for accession to the Council of Europe and added that further progress was needed, including the adoption of an electoral law. The ministers in May 2001 invited the newly established governmental structures in the country to

accelerate the implementation of the required conditions for membership. The Bosnia and Herzegovina House of Representatives adopted an Election Law on August 21. On September 27, the Political Affairs Committee of the Council of Europe Parliamentary Assembly recommended that the Committee of Ministers invite Bosnia and Herzegovina to become a council member.

European Union

The Presidency of the European Union condemned unilateral moves of the Croat nationalist parties in March to establish a self-governing structure. The Presidency also supported the decision of the high representative to remove Bosnian Croat leader Ante Jelavic from his post in the Bosnian presidency. At meetings in May and June in Brussels, the E.U. General Affairs Council condemned all forms of separatism and nationalist violence in Bosnia and Herzegovina and supported the high representative's responses to these developments. During a visit to Sarajevo in May, Chris Patten, the E.U. External Relations Commissioner, and Anna Lindh, Foreign Minister of Sweden (which held the E.U. Presidency at the time), stated that Bosnia's accession to the Council of Europe was a precondition to further negotiations on a stabilization and association agreement with the European Union.

United States

During the year, the United States reduced its contingent in the Stabilization Force from 4,400 troops to 3,300. A spokesman for the U.S. contingent stated in early October that U.S. troops in Bosnia would not be pulled out to engage in the U.S.-led military campaign in Afghanistan. State Department officials refused to meet with Republika Srpska President Mirko Sarovic and Vice President Dragan Cavic during their visit to Washington in April. Sarovic and Cavic are leaders of the Serbian Democratic Party, which was founded by indicted war criminal Radovan Karadzic. The United States also endorsed the elections of a non-nationalist national government and expressed support for the decision of the High Representative to dismiss Ante Jelavic from office.

DynCorp, Inc., the U.S. contractor responsible for employing U.S. IPTF officers and SFOR contractors, faced two lawsuits for wrongful termination after dismissing two DynCorp employees who raised allegations that DynCorp personnel had engaged in human trafficking-related activities. The lawsuits were still pending at the time of this writing.

BULGARIA**HUMAN RIGHTS DEVELOPMENTS**

The election of a new government in June offered the promise of reform, but Bulgaria's human rights record remained poor in 2001. Roma faced official and private discrimination and abuse. Police misconduct and inadequate prison conditions marred the criminal justice system. Respect for free expression worsened as the outgoing government sought to silence critical broadcasting at the state radio station. Constraints on religious freedom remained a cause for concern. Some progress was made in curbing the illegal arms trade and destroying surplus small arms, but more remained to be done to consolidate gains and halt irresponsible arms supplies.

The victory of the newly formed National Movement Simeon II (Nacionalno Dvishenie Simeon Tsvori, NDSV) party in the June 17 parliamentary elections took center stage in 2001. The party, headed by former king Simeon II (who took office as the new prime minister), won half of all parliamentary seats in an election international monitors characterized as largely free and fair. The NDSV formed a coalition government with the predominantly Turkish Movement for Rights and Freedoms (Dvishenie za Prava i Svobody, DPS). As of October, however, the change in government had made little impact on the serious human rights challenges facing the country.

The plight of Bulgaria's Roma remained a key concern. Roma were beaten by police in at least five cases, including a June 26 assault at Pleven police station in which a Rom suspect was allegedly tortured with electricity. Private individuals beat and shot at Roma on numerous occasions. The abuses sometimes occurred in the context of trespass or petty theft by Roma. Police and prosecutors generally failed to conduct serious investigations into the attacks. Four Roma were killed in the month of June, including two men shot dead by a security guard in Mogila on June 29. As of October 7, there had been no detentions in connection with the four deaths.

Bulgaria continued to lack a comprehensive antidiscrimination law. A study released by the Open Society Institute in September confirmed the broad scale of discrimination against Roma in the provision of housing, social services and health care. There were encouraging signs in April, however, when Petar Stoyanov, then-president of Bulgaria, gave his support to the full desegregation of Roma schools, following the success of a pilot project in Vidin. The Ministry of Education began consultations with Roma school administrators about desegregation in July.

Roma sometimes faced pressure to leave their homes. Arsonists burned down a Romany home in Sofia on March 15. In August, villagers from Oriahovica formed a committee to prevent Roma families from registering as residents of the village. Oriahovica was the scene of attacks on three Roma homes in December 2000, when a middle-aged Roma couple was beaten. Many Roma living in Stezherovo village

fled in August after five hundred residents drew up a petition calling for the expulsion of all Roma from the village.

Human rights groups continued to receive credible reports of the excessive use of force by members of the police and security services. Rules of engagement allowing the use of deadly force to stop unarmed suspects fleeing provided part of the explanation. Disturbing incidents included the death of an unarmed twenty-one-year-old army conscript, shot repeatedly in the chest by a military police officer on July 22, the killing of a sixteen-year-old girl in Sofia by an off-duty police officer on January 31, and the November 2000 death of a sixteen-year-old Iraqi boy, shot by border guards as he tried to enter Bulgaria.

Conditions in prison and police detention remained alarming. The Bulgarian Helsinki Committee reported severe overcrowding, inadequate food and sanitation in prisons as well as excessive periods of pre-trial detention and beatings and other ill-treatment in police custody. Inmates protested poor conditions in August, taking over the roof of Sofia's central prison, and carrying out hunger strikes in Varna.

Women's human rights continued to be inadequately protected. Bulgaria lacked anti-sex discrimination legislation. The state response to trafficking in persons fell below minimum international standards with women victims frequently facing police hostility.

Freedom of expression came under renewed threat, with the attempted murder of a journalist in December 2000, problematic criminal defamation laws, and government interference at the state radio, Bulgarian National Radio (BNR). In February the government-dominated National Radio and Television Council appointed Ivan Borislavov as BNR director-general. The decision was widely regarded as an attempt to silence BNR's criticism of state authorities, especially by the popular *Horizont* (Horizon) program, whose staff were quickly replaced with workers loyal to the government. Nineteen journalists were dismissed from the station in the protests that followed. Borislavov resigned prior to an April 9 Supreme Court ruling invalidating his appointment, but his successor continued to dismiss staff on questionable grounds and refused to negotiate with protesters. The May appointment of a new director-general Polya Stancheva, resolved the crisis, and the journalists were reinstated. An August decision by the incoming government to restrict journalists' access at the Council of Ministers raised questions about its commitment to free expression.

Minority religious groups faced official restrictions and societal hostility. The much-criticized draft denominations law regulating the status of religious groups failed to pass in the outgoing Parliament leaving repressive communist-era legislation in force. In March, the European Court of Human Rights admitted a case against Bulgaria brought by a Muslim permanent resident over his expulsion from the country in July 1999 for "illegal religious activity," following the court's October 2000 judgment against Bulgaria for expelling Muslims on similar grounds.

Bulgaria announced in January that by December 2000 it had destroyed its stockpile of antipersonnel landmines in accordance with the 1997 Mine Ban Treaty, to which it is a state party. Bulgaria also took steps to tighten arms export controls, such as by banning arms sales to twenty countries, most under U.N. or E.U. arms embargoes. At the time of this writing, however, it had yet to enact promised legis-

lation institutionalizing other important arms trade reforms, nor to incorporate human rights criteria into such legislation. The new government also gave indications it might reverse some arms trade restrictions to boost exports and protect jobs. Moreover, Bulgaria continued to sell off huge stocks of Soviet-era weapons in anticipation of joining NATO. In October the Bulgarian defense ministry announced it intended to sell nearly two hundred surplus tanks and other heavy weapons to finance purchases of NATO-standard equipment. Past practice, including confirmed 1999 surplus tank sales to Angola, suggested Bulgaria would likely export the weapons to human rights abusers, contrary to government pledges under the 1998 E.U. Code of Conduct on Arms Exports and other agreements. With U.S. financing and under the auspices of NATO's Partnership for Peace program, in August Bulgaria began to destroy large quantities of surplus small arms, especially assault rifles, but no such funds were made available for the responsible disposal of surplus heavy weapons.

DEFENDING HUMAN RIGHTS

There were no reports of government interference in the work of human rights organizations, but two groups representing Roma and Macedonians reported harassment and interference with public education efforts related to minority participation in the March national census.

THE ROLE OF THE INTERNATIONAL COMMUNITY

Organization for Security and Cooperation in Europe (OSCE)

On March 27, Freimut Duvé, the OSCE representative on freedom of the media, voiced concern over the crisis at Bulgarian National Radio, focusing particularly on the dismissal of journalists. On August 31, the OSCE Office for Democratic Institutions and Human Rights issued its final report on the June 17 parliamentary elections, concluding that the elections met OSCE standards, despite overly-restrictive media regulations.

Council of Europe

On May 31, Bulgaria ratified two agreements enhancing its citizen's access to the European Court of Human Rights. The court declared a religious freedom case against Bulgaria admissible in March. Bulgaria settled a case before the court in May, agreeing to expunge the criminal conviction of a conscientious objector who was willing to perform alternative service. In October the court held that Bulgaria had violated a ethnic Macedonian organization's freedom of assembly.

European Union

A September 5 European Parliament resolution emphasized Bulgaria's progress toward E.U. accession but noted the outstanding areas of concern enumerated in the May 28 report from the Parliament's rapporteur on Bulgaria, particularly the limited improvement in conditions for Roma. In its November 2001 regular report on Bulgaria's progress toward E.U. accession, the European Commission highlighted police violence and the limited progress in improving the status of Roma.

United States

There was no public reference to Bulgaria's human rights record when Secretary of State Colin Powell met then-prime minister Ivan Kostov on April 25. The State Department country report on human rights practices for 2000 reflected the main shortcomings in Bulgaria's record.

CROATIA

HUMAN RIGHTS DEVELOPMENTS

President Stipe Mesic's government often failed to confront entrenched ethnic Croat nationalists obstructing reform, particularly on issues of impunity for wartime abuses and the return of Serb refugees. The Parliament approved constitutional changes reducing presidential authority and abolishing the upper house of Parliament in November 2000 and March 2001 respectively. In local elections held throughout the country on May 20 nationalist parties made significant gains in some areas. Police intervention was required in some areas, such as Vojnic, where ethnic Croat nationalist demonstrators tried to keep elected Croatian Serbs from assuming office.

Croatia's first census since 1991 took place on March 31, 2001. Some Croatian Serb organizations protested that the government did not do enough to include Croatian Serb refugees in the Federal Republic of Yugoslavia and Bosnia and Herzegovina in the count. Serbian Democratic Forum (Srpski Demokratski Forum, SDF), a Croatian NGO, distributed over 50,000 census forms abroad. Comprehensive statistics were not available at this writing, but preliminary results indicated that Croatian Serbs made up approximately 5 percent of the population of 4.38 million in 2001, compared to approximately 12 percent in 1991.

Optimism over the extent of Croatia's cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY) cooled when the ICTY's chief prosecutor reported to the U.N. Security Council in November 2000 that the government's cooperation was unsatisfactory, particularly in providing access to documents requested by the tribunal.

Demands by opposition parties to cease cooperation with the ICTY resurfaced in June, after the ICTY issued indictments against Croatian generals Rahim Ademi and Ante Gotovina. Opposition rhetoric cooled after the government, standing by its commitment to cooperate with the ICTY, survived a vote of confidence in July. General Ademi, indicted for killing at least thirty-eight people and other abuses committed by troops under his command in the Medak pocket near Gospić in 1993, surrendered voluntarily to the ICTY in July. At the time of writing, General Gotovina, indicted for killings, house destruction, and other abuses against Croatian Serbs in 1995 remained at large. The ICTY also publicly charged Yugoslav and Serb personnel for abuses committed in Croatia in 1991. In October, the ICTY published a previously sealed indictment against four members of the Yugoslav People's Army and Navy for crimes committed during attacks on the Dubrovnik region. Two of them, Pavle Strugar and Miodrag Jokic, surrendered to the tribunal in November. Also in October, the ICTY amended its indictment of former Serbian president Slobodan Milosevic to include charges of war crimes and crimes against humanity for the killings, torture, imprisonment, deportation, and other crimes amounting to persecution of the Croat and other non-Serb population of Croatia in 1991.

Progress was also made on domestic accountability efforts. In February, Croatian authorities expanded their investigation into the killing of approximately forty Croatian Serb civilians in the Gospić area in 1991, naming as a suspect former Croatian Army general Mirko Norac, who reportedly ordered the formation of a firing squad. Protesters took to the streets to oppose General Norac's or ICTY involvement in his trial. The ICTY prosecutor had not indicted General Norac, however, and she decided not to request that the Croatian court cede jurisdiction to the international tribunal. In June, Croatian authorities arrested Fikret Abdić, the leader of the wartime breakaway Bihac pocket of Bosnia-Herzegovina, and charged him with war crimes. Bosnian authorities had long sought his arrest, but his Croatian citizenship prevented his extradition under Croatian law. In August, Croatian authorities in Bjelovar detained four men, accusing them of killing Croatian Serb civilians and prisoners of war in 1991. In September, six former military police were arrested on charges of torturing and killing non-Croat detainees in the Lora military prison in Split in 1991.

Croatian authorities also pursued war-crimes charges against Croatian Serbs. The OSCE noted a substantial increase in such cases, many of which involved defendants arrested pursuant to longstanding dormant indictments. Although some suspects were refugees arrested when attempting to return to Croatia, others had been present in Croatia for years. In many cases charges were subsequently dropped, raising suspicions that the arrests were politically founded and arbitrary. When three men from Glina were arrested in March on the basis of a 1993 war-crimes indictment, the alleged witnesses, who had been tortured at a detention center, were unable to identify any of the three as having been present at the scene of the crimes. At least two of the suspects had been living in Croatia for over a year and one had regularized his status as a returnee with the authorities. Although these men were acquitted, fear of such arrests deterred many Croatian Serb men from returning to Croatia.

Obstacles to the return of Croatian Serb refugees remained a significant human rights concern. Although by August 2001 over 100,000 Croatian Serbs had returned according to the U.N. High Commissioner for Refugees, most were elderly. According to international organizations, significant numbers of these returnees may have again departed for the Federal Republic of Yugoslavia or Bosnia-Herzegovina after only a short stay in Croatia.

Human rights violations contributed to the reluctance of refugees to return and to their renewed flight. While violent attacks on Croatian Serbs continued to decrease in frequency, isolated serious incidents contributed to apprehension about return. Croatian authorities frequently condemned ethnically motivated attacks and opened investigations, but arrests or judicial proceedings did not always follow.

A complicated web of discriminatory and confusing legislation meant that few Croatian Serbs were able to repossess their pre-war homes or obtain government reconstruction assistance. Although the Croatian authorities acknowledged the difficulties and modified some legislation, in many cases these changes simply exacerbated confusion over implementation. For example, the reconstruction law had excluded housing destroyed by "terrorist acts" from reconstruction (a category the authorities often used to describe the tens of thousands of Croatian Serb properties burned and looted following Croatian military operations in 1995). Although this provision of the law was repealed, some county offices refused to consider such applications, claiming that the amended reconstruction legislation contradicted other laws. With few exceptions, courts also failed to rule favorably in repossession cases where the prewar housing had been socially owned and occupancy rights revoked because the residents were absent as refugees or internally displaced persons. There were no mechanisms for compensating people deprived of such property rights.

Even when their property rights were recognized, Croatian Serbs also faced discriminatory practices when attempting to physically repossess their property. For example, in most jurisdictions, officials failed to implement court decisions, particularly with regard to evictions of ethnic Croats from Croatian Serb property. Although the authorities acknowledged this common problem, they failed to condemn even the most flagrant cases, nor did they take action against officials who refused to implement the law.

DEFENDING HUMAN RIGHTS

Croatia's vibrant civil society continued to make an active contribution to public life despite legislation restricting associations. In a serious but isolated incident, lawyer Srdj Jaksic of Dubrovnik, who was known for taking on human rights cases, was shot and injured shortly after his Montenegrin client accused of war crimes was acquitted in December 2000. At the time of writing, there had been no substantial progress in the investigation.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

The U.N. Commission on Human Rights decided in April 2001 to exclude Croatia from the mandate of its special representative on the former Yugoslavia. The Office of the High Commissioner for Human Rights maintained a field presence in Croatia, however, focusing primarily on technical assistance to the authorities. In March, the Human Rights Committee considered Croatia's initial report on implementation of the International Covenant on Civil and Political Rights. While commending Croatia on constitutional reforms, the committee criticized the continued impunity for killings and torture committed during the armed conflict. The U.N. observer mission in Prevlaka was extended until January 2002. In May, Croatia ratified the Statute of the International Criminal Court.

Organization for Security and Cooperation in Europe (OSCE)

In June, the OSCE Mission to Croatia reported to the Permanent Council on Croatia's progress in meeting its international commitments, highlighting the continuing obstacles to the sustainable return of Croatian Serb refugees. The mission's mandate was extended until December 2001, although staff numbers were reduced in June.

Council of Europe

The European Commission against Racism and Intolerance published its second report on Croatia in July. It found that despite the good will of national authorities, discrimination endured, particularly against Croatian Serbs in war-affected areas, but also against Roma.

European Union

Croatia further advanced its ties to the European Union, in May initialing a Stabilisation and Association Agreement, establishing favorable economic and trade relations and cooperation in justice and internal affairs. The European Union also continued to provide significant reconstruction and development aid to war-affected areas.

United States

Continuing its support for moderate and non-nationalist reforms, the United States funded reconstruction and demining efforts, as well as development and technical assistance. The U.S. Agency for International Development did not directly engage in housing reconstruction, but it did fund community infrastructure and other projects.

CZECH REPUBLIC

HUMAN RIGHTS DEVELOPMENTS

The treatment of the Czech Republic's ethnic Roma minority remained a major stumbling block as it made progress towards membership in the European Union. The government's decision in July to allow British authorities to screen passengers bound for Britain at Prague's airport drew criticism from human rights and civic groups, as well as Czech President Vaclav Havel and speaker of the Czech Parliament Vaclav Klaus, who charged that the checks discriminated against Roma. A journalists' strike at the Czech state-run television network in December 2000 focused attention on political interference in the public media and prompted calls for new legislation to ensure its independence. Policing during the September 2000 World Bank/International Money Fund meetings in Prague drew hundreds of complaints and several lawsuits alleging police ill-treatment, torture, and misconduct. While officials stated that they exercised great caution and rejected all suspicious arms transactions, irresponsible transfers of arms from the Czech Republic continued to be a source of concern in 2001.

De facto discrimination against ethnic Roma in the country remained the most disturbing human rights problem in 2001, affecting access to justice, education, housing, employment, and public services. Little progress was made in implementing the Czech government's long-term strategy to improve the situation of the Romani minority, adopted in June 2000. Racist attacks on Roma continued, but police and prosecutors frequently failed to adequately investigate and prosecute Roma complaints.

The July stabbing death of a thirty-year-old Romani man, Ota Absolon, by a skinhead—racist gang-member—in Svitany, eastern Bohemia, renewed public attention to the failure of state and local authorities to protect minorities victimized by racially motivated violence and abuse. In the Absolon case, the accused was a repeat offender, having received a suspended sentence in 1997 for seriously injuring a Romani man by stabbing him in the stomach. In another incident, forty-five skinheads reportedly attacked a group of twenty Romani men with baseball bats in the town of Novy Bor on April 24, leaving eight Roma injured. According to local Romani representatives, approximately ten Roma and ten skinheads were charged in connection with the incident. The arrested Roma men claimed that they were being punished unjustly for acting out of self-defense. They also criticized the police for failing to pursue Polish and German skinheads who participated in the attack.

The deployment of British immigration officials at Prague's Ruzyně Airport on July 18 drew sharp criticism from human rights groups as discriminatory against Roma. The Czech government agreed to the checks in order to stave off the reintroduction of visa requirements for Czech citizens traveling to the United Kingdom. The agreement was prompted by the wave of mostly-Roma Czech citizens seeking asylum in the U.K. following the introduction of visa-free travel in 1990.

Between January and September 2001, 1,200 asylum claims were filed in the United Kingdom by Czech Roma citizens, none of which were successful.

Before the checks were suspended in early August, British immigration officers had prevented 120 people—the majority of them Roma—from boarding flights to the United Kingdom. The checks were reinstated on August 27. To bring public attention to the selection process, two undercover reporters for Czech Television (CT), Richard Samko and Nora Novakova, attempted to board a U.K.-bound flight. When questioned by immigration officials, Samko, an ethnic Roma, gave answers identical to those offered by his colleague, a non-Roma Czech. Although both are in their twenties with full-time jobs, carried Czech passports and the same amount in cash, and possessed the numbers and names of people they would be visiting, Samko was denied entrance to the flight. Because most of the Czech citizens claiming asylum in the United Kingdom have been Roma, the Czech Helsinki Committee argued that the checks were designed to discriminate against this group in particular. Such discriminatory checks could deny Czech Roma their right to seek asylum in the United Kingdom.

On December 20, 2000, staff members at Czech Television, the country's public television network, barricaded themselves in the company's newsroom to protest the Czech Television Council's appointment of Jiri Hodac as the station's director. The television journalists accused Hodac of political bias because of his close ties to political leaders. The appointment sparked a widely-supported newscasters' strike, criticism from media organizations abroad, and a demonstration in Prague by some 100,000 people. Despite Hodac's resignation on January 11, journalists continued to call for changes in the law governing the selection of the council to ensure its political independence and public accountability. On January 23, the Czech Parliament passed a bill allowing nongovernmental organizations and civic groups to participate in the nomination of council members. Although a new council was appointed under the new system on May 25, CT employees remained critical of a provision that enabled a parliamentary committee to narrow the list of nominees before submitting it to lawmakers.

In the aftermath of the September 2000 IMF/World Bank summit in Prague (see *World Human Rights Watch World Report 2000*), the U.N. Committee against Torture, the U.N. Human Rights Committee, the European Union, and local and international nongovernmental organizations expressed concern over alleged police ill-treatment, the arbitrary detention of protesters, and violations of detainees' rights.

Despite numerous pledges to reject arms sales to human rights abusers, areas of armed conflict, and countries that might illegally divert weapons, the Czech Republic continued to supply weapons in all such cases. The Slovak submission to the U.N. arms register indicates that in 2000 (and also in 1999) Czech weapons were supplied via Slovakia to Angola, whose long-running civil war has been marked by gross abuses on both sides. The Czech Republic was a major supplier of weapons to war-torn Sri Lanka. Under a 1999 contract, the Czech Republic in 2000 delivered surplus tanks to Yemen despite concerns that they might be diverted, as had happened a year earlier with tanks from Poland, and initiated negotiations for further arms sales to Yemen. Such sales typically involved surplus Soviet-standard weapons, particularly undesirable following the Czech Republic's accession to NATO in 1999.

There were also allegations of Czech involvement in illegal arms transactions, including a case in April in which a Ukrainian plane carrying Czech weapons was halted at Bulgaria's Burgas airport on suspicion that the weapons were to be delivered to Eritrea, under a U.N. embargo at the time. Following an investigation, the cargo was released for delivery to Georgia, the authorized destination, although there appeared to be discrepancies regarding the weapons carried, which reportedly exceeded that authorized for sale. In June, the Czech Republic, a state party to the 1997 Mine Ban Treaty, reported that it had completed destruction of its stockpile of antipersonnel landmines. A month earlier, at an arms fair in Brno, a Czech company offered antipersonnel landmines for sale in violation of the treaty.

DEFENDING HUMAN RIGHTS

Human rights groups worked freely with little government intervention. In July, following its campaign to bring greater scrutiny to new British immigration controls, the Czech Helsinki Committee was given permission to monitor the checks at Prague's airport. Civic Legal Observers, a nongovernmental organization based in Brno, filed twenty-six criminal complaints and four constitutional complaints against police officers for alleged abuses during the IMF/World Bank summit. La Strada continued to disseminate information on women's rights, provide social assistance and support to trafficked women, and influence legislation to ensure the protection of women's rights.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

In July, the U.N. Human Rights Committee concluded that the Czech Republic's antidiscrimination legislation was inadequate. The committee also noted the failure of police and judicial authorities to investigate, prosecute, and punish hate crimes and called on the government to take steps to combat racial violence and incitement and provide proper protection to Roma and other minorities. In May, the U.N. Committee against Torture expressed concern about instances of racism and xenophobia in the Czech Republic, including the increase in racially motivated violence against minority groups.

European Union

In its November 2000 regular report on the accession status of the Czech Republic, the European Commission called on the government to improve the situation of Roma and expressed concern over continued disparities in the earnings of women, who take home on average 25 percent less than men performing similar work.

The European Parliament's rapporteur on the Czech Republic produced a

report on the country's accession status in July, expressing concern over political bias at Czech Television and urging the government to take further steps to combat prejudice against Roma. In September, the full Parliament adopted a resolution endorsing the rapporteur's findings.

United States

In its July report on trafficking in persons, the U.S. State Department noted that the Czech Republic's current antitrafficking measures fell short of the minimum international standards. The State Department's report on human rights practices in 2000 expressed concern about the excessive use of force by police, particularly during the IMF/World Bank protests, the failure of police to take sufficient action in cases of threats or attacks against Roma, and skinhead violence against minorities. On International Roma Day (April 8), the U.S. government's Helsinki Commission called on the Czech Republic to make adoption of antidiscrimination laws a priority.

GEORGIA

HUMAN RIGHTS DEVELOPMENTS

Government pressure on a popular independent television station caused mass street protests in late October 2001, to which President Shevardnadze responded by dismissing the entire government. The government's failure to combat crippling levels of corruption, improve living conditions, and resolve the ongoing energy crisis stoked social tension. Law enforcement agencies acquiesced in rising religious violence, and police corruption led to human rights abuses.

Georgian authorities allowed organized groups of civilian militants to conduct a sustained campaign of violent assaults and intimidation against members of several non-Orthodox religious faiths, chiefly Jehovah's Witnesses, Pentacostalists, and Baptists. The assailants broke up religious services, beat congregants, ransacked or looted homes and property, and destroyed religious literature. Vasili Mkalavishvili, a defrocked Georgian Orthodox priest who led most of the attacks, justified them by claiming that charismatic faiths were defiling Georgia's nationhood and religious tradition. He boasted of receiving assistance from the police and security services. Emboldened by the inaction or complicity of prosecutors and police, and by a February Supreme Court decision to deregister the Jehovah's Witnesses as a legal entity in Georgia, the frequency of mob attacks rose in 2001. The Jehovah's Witnesses reported more than forty attacks on their adherents in the first half of the year. Police failed to protect endangered worshippers and in at least one case, played an active role in the attacks. Police on February 27 forced open a gate to a courtyard in Tbilisi where several hundred Jehovah's Witnesses had been wor-

shipping, allowing Mkalavishvili and his followers to rush in and beat the congregants with clubs, large crosses, and Bibles.

The Georgian Orthodox Church did not condemn the attacks, and newspapers and television stations frequently gave Mkalavishvili a platform, legitimizing his group's activities. The Kavkazia television station in particular screened video footage of the attacks supplied by the assailants themselves. The positive publicity and impunity aided the spread of religious violence from Tbilisi into the provinces, where local officials, Orthodox priests and their parishioners, and the neighbors of followers of non-traditional faiths perpetrated attacks. The group Jvari (Cross) began attacking Christian minorities in Rustavi. In March an Orthodox priest on horseback led a crowd of 150 that broke into a private house in Sachkhere and beat Jehovah's Witness worshippers inside.

In at least one case, religious persecution extended to denial of the right to education. In February, staff and fellow pupils of a Tbilisi high school together bullied a sixteen-year-old student into discontinuing his attendance because of his Evangelist beliefs.

On September 3, after months of deliberation, the procuracy indicted Mkalavishvili and his colleague Petre Ivanidze on a limited range of charges relating to just five of their many attacks, but left them at liberty to lead new assaults. On September 24, Mkalavishvili led a rally in Tbilisi, where he called for widening the campaign of religious violence. In the most serious of three attacks that week, Mkalavishvili's supporters and the Jvari group blocked a highway and beat dozens of Jehovah's Witnesses on their way to a planned convention in the southern town of Marneuli. The mob then descended on the convention site, destroying and looting it.

There were widespread reports of torture and ill-treatment in police detention. In September, Council of Europe monitors reported that Interior Minister Kakha Targamadze last year had dismissed such reports, telling them that they were made by "enemies of Georgia." In a positive move toward addressing torture, amendments to the criminal procedure code voted in June reportedly granted witnesses the right to legal representation. It had been common police practice to label detained suspects as "witnesses" in order to deny them access to a lawyer.

Courts continued to convict on the strength of confessions that may have been extracted under torture. The state continued to prevent defendants from obtaining and presenting forensic evidence of torture to the courts by means of procedural restrictions and by not licensing nongovernmental forensic doctors. In July a court hearing the case of Lasha Kartavelishvili, accused of murdering a policeman, refused to admit testimony from independent forensic examiner Maia Nikoleishvili that Kartavelishvili had been tortured in police detention, on the grounds that she did not hold a forensic practitioner's license.

On October 30, 2001, the independent Rustavi 2 television station made an emergency live broadcast of a visit by National Security Ministry officers who were seeking evidence of tax violations. Many interpreted the incident as the culmination of a government campaign of intimidation against the station, and thousands came to demonstrate in its support, precipitating a political crisis. Several days before, Minister Targamadze reportedly threatened to send his men to "destroy" the

TV company. In previous weeks, Rustavi 2's *60 Minutes* current affairs program had broadcast three detailed investigations into alleged Ministry of Interior and procuracy corruption, including an exposé that compelled Targamadze to dismiss the police chief of a Tbilisi district who was captured on a hidden camera initiating the planting of drugs on a suspect to extort money from him. Rustavi 2's management had briefly taken the program off the air in June after state television, the procuracy, and intellectuals close to the government vilified it, and the program staff reportedly received anonymous death threats.

The July assassination of Giorgi Sanaia, the young presenter of Rustavi 2's Night Courier news and discussion program, precipitated national mourning. Facing public suspicion about the role of the security ministries, the government swiftly invited the U.S. Federal Bureau of Investigation to give forensic assistance to the investigation. The police quickly arrested a man previously detained on a fraud charge, yet at this writing prosecutors had not presented sufficient evidence to indict him for Sanaia's murder. Some commentators linked Sanaia's shooting, which appeared to be expertly planned and executed, to purported knowledge or video material he had obtained, allegedly demonstrating links between law enforcement officials with criminals in Georgia's Pankisi Gorge who engaged in kidnappings and the narcotics trade.

Georgian police did not attempt to enforce the rule of law in the Pankisi Gorge, where 7,000 Chechen refugees had lived alongside Kists—Georgian ethnic Chechens—since late 1999. Several Georgians and foreign businessmen, most of them kidnapped in Tbilisi, were believed to be held for ransom in the gorge, which was also the center of the country's illegal drug trade.

Fighting flared in the separatist-controlled region, Abkhazia, in October, as ethnic Chechen fighters launched an assault on breakaway Abkhazian forces in the Kodori Gorge. Some alleged that the security ministries had arranged to ferry the Chechen fighters from the Pankisi Gorge to the Abkhaz border. Several civilians were killed in the fighting. At this writing an international investigative commission was still trying to determine responsibility for the downing of a helicopter belonging to the U.N. Observer Mission in Georgia (UNOMIG) by a missile over the Kodori Gorge, which killed nine.

In Abkhazia's Gali district, Georgian paramilitary insurgents, tacitly supported by the central authorities, and forces representing the Abkhazian separatist authorities both abducted civilians for exchange or ransom. In early November 2001, the latter demanded U.S. \$65,000 for the release of four Georgian hunters. Relatives and representatives of victims of Georgia's growing kidnapping problem expressed frustration at the authorities' inactivity in securing their release. In August Tbilisi's new police chief led an operation that freed a Lebanese businessman, held for ransom near the city. However, the police appeared to have known for some time where he was held, and they allowed the kidnappers to escape. In July, ethnic Georgian village militias secured the release of two hostages in the Pankisi Gorge by taking seven Kists hostage for exchange; local authorities tacitly approved of this arrangement.

Young women in some rural areas could not rely on law enforcement officials to protect them from the persisting custom of bride kidnapping. Prosecutors reportedly habitually declined to indict the perpetrators for kidnap or rape, telling the victim or her family instead to reconcile themselves to the *fait accompli*. Likewise,

the authorities' failure to make sustained efforts or adopt legislation against trafficking of women allowed networks fronted by employment and travel agencies to continue to lure women into being trafficked abroad for forced prostitution.

Despite strong pressure by international financial institutions, the government did not implement an agreed anticorruption plan. Justice Minister Mikheil Saakashvili resigned in September after the president declined to support an anti-corruption bill that included strong confiscation provisions. Some of the worst corruption involved the siphoning of national resources by powerful clans said to be linked to high-level officials, including a so-called kerosene mafia whose interests were served by the continuing electricity shortages.

The government's serious arrears in paying pensions or wages also affected the armed forces. On May 25 a battalion of national guardsmen mutinied in protest at fourteen-month wage arrears and conditions of near starvation. They seized an Interior Ministry troop base near Tbilisi, but relented after President Shevardnadze met with them and promised to address their complaints.

Electricity shortages provoked street protests in Tbilisi. Together with other resource shortages and high unemployment, they also strained intercommunal relations. Ethnic Georgians displaced from Abkhazia since 1993 blocked a highway in western Georgia in April, protesting local authorities' failure to pay their promised monthly living allowance. In July ethnic Azeris in southern Georgia blocked a highway, protesting lack of electricity, gas, and water supplies. Similar issues generated discontent in the ethnic Armenian populated southern region of Samtskhe-Javakheti, causing tension in Georgia's relations with Armenia.

DEFENDING HUMAN RIGHTS

A wide range of lively and public-spirited human rights nongovernmental organizations were based in the capital, Tbilisi.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

The UNOMIG continued its efforts to promote dialogue between the government and the de facto authorities in Abkhazia, and to monitor implementation of the 1994 ceasefire agreement. It also brokered hostage exchanges and ransom demands between the de facto Abkhazian authorities and Georgian paramilitary groups operating there.

In May, the U.N. Committee against Torture reviewed Georgia's second periodic report. It called for the establishment of an effective and independent complaints mechanism to address numerous allegations of torture by police, and for a systematic review of all convictions based on confessions that may have been obtained by torture. The Committee on the Elimination of Racial Discrimination expressed concern that Georgian law did not criminalize incitement to racial or religious discrimination.

Council of Europe

Informed by a detailed report compiled by rapporteurs of the Monitoring Committee of the Council of Europe, the Parliamentary Assembly of the Council of Europe adopted a strong resolution in September concluding that Georgia was far from honoring its obligations and commitments to the Council of Europe, and urged the government to adopt a raft of remedial measures. The resolution welcomed President Shevardnadze's April 2000 granting of autonomous status to the autonomous region of Ajara, but did not comment on the entrenched authoritarian rule of Ajaran leader Aslan Abashidze. While the resolution noted strong concern over religious violence in Georgia, the Council of Europe took no other action to address it.

In early July the European Court of Human Rights accepted as a priority case a petition from the Jehovah's Witnesses concerning the failure of the Georgian authorities to provide a remedy in the case of the very first mob attack on their adherents, in 1999. The court presented the Georgian authorities with nine questions, including a request that they account for the actions taken to deal with approximately six hundred criminal complaints submitted to date by Jehovah's Witnesses.

European Union

The E.U.-Georgia Partnership and Cooperation Agreement (PCA) entered into force in July. It provided a framework for E.U. development assistance, aimed at achieving Georgia's economic convergence with the European Union and enhancing regional security. Respect for democracy, principles of international law, and human rights were stipulated as essential elements of the partnership and of the PCA.

United States

The U.S. Department of Justice announced its intention to supply the Ministry of Justice with a modern forensic laboratory, and began training Georgian staff in preparation. The facility was intended to provide alternate sources for the provision of forensic expertise.

The U.S. Commission on International Religious Freedom wrote to President George W. Bush, urging him to raise the Georgian authorities' failure to stop religious violence with President Shevardnadze during his October visit to the United States.

Relevant Human Rights Watch Reports:

Memorandum to the U.S. Government on Religious Violence in the Republic of Georgia, 8/01.

GREECE**HUMAN RIGHTS DEVELOPMENTS**

Greece faced criticism for its human rights policies and practices from a range of regional and international actors in 2001. A new immigration bill and the ill-treatment of migrants dominated the human rights landscape and gave rise to a new dimension in rights activism in Greece. In the aftermath of the September 11 attacks in the United States, the Greek authorities further restricted access to asylum procedures for refugees. Ongoing discrimination undermined Greece's progress toward protecting Roma. Resistance to the recognition of ethnic minorities remained a systemic problem, with language rights taking center stage. Criticism of Greece for its poor record on press freedom persisted.

A new immigration bill sparked a heated national debate over immigration policy. A February 2001 draft of the bill lacked an antidiscrimination clause, violated the right to family reunification; failed to address trafficking of persons, failed to acknowledge the basic rights of undocumented migrants, denied undocumented migrant children access to education and health care, and lacked provisions prohibiting the arbitrary detention of migrants or their collective expulsion. After intense lobbying by human rights groups, the law adopted in April contained some improvements, including permission for trafficking victims to remain in Greece pending criminal proceedings against traffickers, access to education and health-care for undocumented migrant children, the right to challenge immigration detention before an administrative court, and a time limit of three months for the detention of migrants who cannot be returned to their home countries. In August, the independent Data Protection Authority called on the government to scrap a provision of the law requiring hospital staff and hotel employees to notify the police if undocumented migrants sought their services because it violated Greece's privacy protection laws.

Detention centers for foreigners in Athens, Hellenikon, and Piraeus came under fire for grossly substandard conditions. A December 2000 Human Rights Watch investigation at the Alexandras Avenue police station in Athens found severe overcrowding, inadequate sleeping accommodations, no access to exercise or fresh air, limited access to medical care, inadequate amounts of food, and a dirty, roach-infested environment. Migrants who had served their sentences but remained incarcerated at Korydallos Prison in Athens also suffered from severe overcrowding. Human rights groups charged the government with arbitrary detention for indefinitely holding migrants who could not be repatriated to their home countries. In two decisions against Greece in 2001, the European Court of Human Rights held that detention conditions at Alexandras Avenue and at Korydallos Prison amounted to inhuman or degrading treatment. In July 2001, the nongovernmental organization Greek Helsinki Monitor (GHM) lodged a complaint with the Greek ombudsman on behalf of detained foreigners who could not be deported to their

home countries, charging that under the new immigration law, any detainee held in excess of three months who could not be deported must be released. As a result of the complaint, seventy detained foreigners were released in late July. In September, GHM lodged another complaint with the ombudsman alleging more illegal detentions of foreigners and substandard conditions in the Hellenikon and Piraeus detention centers.

In June 2001, migrants charged that they were brutally assaulted in a makeshift detention center in Hania, Crete. Hania doctors documented bruises and other signs of beatings on 164 migrants from Afghanistan, Ethiopia, Iraq, Iran, Pakistan, and Turkey. An initial investigation by the Merchant Marine Ministry completed in August found three Port Authority officials accused of the beatings to have engaged in the “irregular execution of duties.” The men faced disciplinary proceedings but criminal charges had not been brought by the time of writing. Rights groups charged that authorities downplayed the savagery of the attacks, which they claimed amounted to torture.

Migrants continued to face police sweeps and collective expulsion from Greece without the benefit of procedural safeguards. In a potentially positive development, in February, the Greek ombudsman publicly stated that sweep operations and collective expulsions were illegal.

Trafficking of women for forced prostitution remained a serious problem and the government’s response inadequate. Specific concerns included the absence of anti-trafficking legislation, the few prosecutions for crimes related to trafficking, the lack of witness protection programs for trafficking victims, the absence of government-sponsored services for all trafficked women, the detention and prosecution of trafficking victims, and the complicity of police officers in trafficking. A U.S. State Department report released on July 12 gave Greece the lowest rating possible for failing to combat trafficking.

People fleeing the military action in Afghanistan and other refugees and migrants who arrived in Greece in the aftermath of the September 11 attacks in the United States were met with a hostile reception. Fearing a large influx of Afghan refugees, the Greek government severely curtailed access to asylum procedures. In October, Afghan refugees arriving in Athens charged that they were not permitted to lodge asylum claims and were summarily given expulsion orders. The Greek Council for Refugees (GRC) reported that the government had even issued an expulsion order to an Afghani mother with a three-week-old infant. On October 18, the GRC charged that the government was in violation of its obligations under the 1951 Refugee Convention. On November 5, a Turkish ship carrying 714 migrants and refugees from Afghanistan, Iraq, Iran, and Turkey—including women and children—was towed to Zakyntos. The Greek authorities initially refused to permit any of the persons from the ship to apply for asylum and relented only after a firestorm of protest from humanitarian, refugee, and human rights groups.

In May 2001 the Greek government took steps to address discrimination with an action plan for Roma, designed to address health, education and housing needs. The first successful resettlement of a Roma community—from the Gallikos River to Gonou—was overshadowed by the inadequate basic services provided to the resettled Roma community. The self-managed Aghia Sofia settlement established

in October 2000 was hailed as an exception to the rule of discrimination against Roma. Praise was short-lived, however, as Roma children immediately faced opposition to their attendance at local schools, in particular from the parents' association of the Halastra Public School, which closed the school in November 2000 in opposition to thirty-two Roma children attending. Problems with access to electricity plagued Aghia Sofia residents throughout 2001 and rights groups charged the state electricity company with discriminatory pricing practices that resulted in power cutoffs.

A January 2001 Greek ombudsman's report found that the municipal authorities' expulsion of Roma and destruction of their homes in the Aspropygos suburb of Athens in July 2000 had violated Greek law. The report recommended that an investigation into the evictions be carried out, but at the time of writing, no investigation had been initiated. In September 2001, municipal authorities demolished six more Romani homes in Aspropygos. The operation was halted only after intervention by the Greek ombudsman and Greek Helsinki Monitor.

In August, the police verbally ordered Roma from the Kalakonero area on Rhodes to vacate their settlement by September 3 or have their homes demolished. No demolition occurred though the residents were informed subsequently by authorities that a process of relocation for the settlement had begun. The Roma filed a complaint with the Greek ombudsman alleging that the pending eviction was illegal because contrary to Greek law the community had received no official relocation plan.

Municipal authorities equipped with a bulldozer entered a Romani settlement in the Glykada Riganokampos area of Patras on August 29 and destroyed four sheds that had housed Romani families. The affected Roma subsequently filed a complaint with the Greek ombudsman alleging that municipal authorities had no right to enter the settlement because the land belonged to the University of Patras.

An international outcry followed the trial of a member of the Society for Aromanian (Vlach) Culture in February on charges of "disseminating false information." Sotiris Blatsas was sentenced to fifteen months in prison and fined 500,000 Greek drachmas (U.S. \$1,400) because he distributed a publication of the European Union's European Bureau for Lesser Used Languages (EBLUL) at an Aromanian festival in July 1995. The EBLUL document listed minority languages spoken in Greece. Conservative New Democracy Deputy Eugene Haitidis pressed charges against Blatsas. Numerous intergovernmental and human rights organizations, including EBLUL, condemned the Blatsas conviction as a violation of free expression. After two postponements, an appeal date was set for December 18, 2001.

DEFENDING HUMAN RIGHTS

Human rights groups generally operated without interference from the government. In August the government denied access to the Hellenikon Holding Centre to representatives of Greek Helsinki Monitor who were attempting to verify complaints of substandard detention conditions. The organization filed a complaint with the Greek ombudsman.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

In its March assessment of Greece's record on discrimination issues, the U.N. Committee on the Elimination of Racial Discrimination failed to acknowledge Greece's systematic discrimination against Roma, Albanian migrants, and other minorities or to make specific recommendations to assist the government in remedying these violations.

In May, however, the U.N. Committee against Torture issued conclusions severely critical of Greece, including findings of the use of excessive or unjustifiable force by police when dealing with minorities and foreigners; harsh detention conditions, in particular the long-term detention of undocumented migrants awaiting deportation and asylum-seekers in police stations without adequate facilities; and severe prison overcrowding. The committee recommended that steps be taken to prevent and punish trafficking of women and other forms of violence against women.

Organization for Security and Cooperation in Europe (OSCE)

In January 2001, the OSCE organized a visit to Greece by representatives of the Ukrainian government to establish a program for the repatriation of Ukrainian women trafficked to Greece. The OSCE expressed concern that Greece had no special mechanism for differentiating between illegal immigrants and trafficking victims.

Council of Europe

In June 2001, the chairperson of the specialist group on Roma and gypsies of the Council of Europe visited Roma communities in Greece and publicly condemned the poor living conditions of many Roma, finding many Roma lived in a situation of "institutionalized apartheid" in Greece.

Twice in 2001 the European Court of Human Rights found Greece had violated the rights of foreigners in detention. In *Dougoz v. Greece* (March), the court found that a Syrian national was held in detention in two police stations (Alexandras Avenue and Drapetsona) in conditions amounting to inhuman or degrading treatment and that the detainee was not afforded an effective opportunity to challenge his detention. A U.K. national brought the charges in *Peers v. Greece* (April), in which the court held that detention conditions in Korydallos Prison amounted to inhuman, or degrading treatment.

European Union

An April European Parliament report on the exercise of fundamental freedoms in the European Union criticized Greece for discrimination and ill-treatment of the Turkish, Roma, and Albanian minorities, and the failure of Greek authorities to abide by final judicial decisions.

In February 2001, the Council of the European Bureau for Lesser Used Languages (EBLUL) expressed deep concern over the conviction of Sotiris Blatsas for distributing EBLUL literature and called the conviction an apparent violation of free expression.

United States

In its first annual trafficking in persons report, issued in July 2001, the State Department gave Greece the lowest rating possible—along with Burma, Pakistan, Russia, Saudi Arabia, Sudan, and Turkey—for failing to combat trafficking, to acknowledge publicly that trafficking is a problem, to implement comprehensive antitrafficking legislation, to prosecute traffickers, to punish traffickers when they were tried, or to address corruption in the police and border control, which the report called “a major problem.”

The U. S. State Department’s *Country Reports on Human Rights Practices for 2000* noted that human rights problems in Greece included substandard detention conditions and occasions of arbitrary detention for foreigners awaiting deportation; the failure to combat trafficking of women for forced prostitution and police corruption in trafficking; ongoing discrimination against minorities, in particular Roma; and continuing abusive prosecutions under Greece’s criminal defamation laws.

Relevant Human Rights Watch Reports:

Trafficking of Migrant Women for Forced Prostitution into Greece, 7/01

Human Rights Watch Critique of Greek Immigration Bill, 2/01

Urgent Concerns: Conditions of Detention for Foreigners in Greece, 12/00

HUNGARY

HUMAN RIGHTS DEVELOPMENTS

While the majority of Hungarian citizens enjoyed a full measure of civil and political rights and the benefits of a modernizing economy, those on society’s margins continued to face discrimination and abuse. The poor treatment of the country’s Roma remained the key concern, despite E.U.-funded government efforts to improve their status, while anti-Semitism and hostility towards gays persisted. Prison overcrowding and police misconduct continued to draw international criticism. Despite some improvements, the state response to violence against women remained inadequate. Asylum seekers faced long periods of detention before their claims were heard, and few were granted refugee status.

The situation for many Hungarian Roma remained precarious. With average life expectancy ten years shorter than the rest of the population and an unemployment

rate ten times higher than the national average, Roma faced discrimination in employment, housing, education, and the criminal justice system, as well as physical attacks. The French government's decision in March to grant asylum to fifteen Hungarian Roma underscored the gravity of their difficulties. The fifteen were part of a group who fled from the Hungarian village of Zamoly to Strasbourg during 2000 to escape threats, physical attacks and the destruction of their homes. Applications from ten other Zamoly Roma were rejected by French authorities, while others remained pending at time of this writing.

Police misconduct against Roma continued. On February 9, police officers raided a Roma settlement in the village of Bag. Four Roma were beaten, including an eight-year-old boy. An April 24 police raid on a Roma family party in Budapest left one family member hospitalized and four more injured. The police response to reports of violence against Roma was also a concern. The European Roma Rights Center reported that five Roma men were shot at and threatened in the village of Fiserbocsa on May 5, allegedly in the presence of a police officer. After several failed attempts to register a complaint about the attack with police in nearby Kiskoros, one of the men, Pal Sztoja, returned to the police station on May 10 with a hidden camera to report the incident. The officer refused to take down the complaint, threatened to beat Sztojka and said it was unfortunate he had not been killed in the shooting.

On June 17, gasoline bombs were thrown at the home of Jozsef Ajtai, the head of the Roma Minority Self-Government in Hencida village. Two of Ajtai's daughters suffered burns from the attack. Gasoline bombs were also thrown at two houses in the village of Jaszladany on June 5, one belonging to a Roma family. No one was injured.

Discrimination against Roma remained pervasive. On January 30, a Roma man was prevented from checking onto a flight to Canada by Hungarian airline staff who claimed he lacked proof of sufficient funds for his stay. His ethnic Hungarian wife and child were permitted to check in. The denial appeared linked to the large numbers of Hungarian Roma seeking asylum in Canada. On February 21, a primary school biology teacher in the village of Erdotelek told pupils that "Gypsies" were characterized by a "special odor" and were generally either unemployed or in prison. The leader of the Roma Minority Self-Government in Erdotelek reportedly received death threats after complaints to the mayor about the teacher.

Some positive steps were taken to improve the status of Roma during 2001, notably the March 8 decision by the state radio and television board to grant a permanent license to the Budapest-based Radio C, Hungary's first Roma-run radio station. In May, the government launched an E.U.-backed program aimed at improving infrastructure in Romany settlements and combating discrimination.

Discrimination was also evident in continuing anti-Semitic programming on state radio and anti-Jewish comments by the vice-president of the parliamentary Hungarian Truth and Life Party. In July, a district mayor in Budapest sought to ban gay and lesbian groups from participating in an popular music festival. Although the government signed the antidiscrimination protocol of the European Convention on Human Rights in November 2000, it again failed to introduce a comprehensive domestic antidiscrimination law, even after Parliament adopted legislation

granting freedom of movement and access to social welfare programs to the estimated five million ethnic Hungarians living in neighboring countries.

Prison conditions remained a concern. A comprehensive report on Hungary released by the European Committee for the Prevention of Torture (CPT) on March 29 identified overcrowding and limited access to work and exercise facilities as key difficulties, echoing the findings of the Hungarian Helsinki Committee's prison monitoring program. The CPT also flagged shortcomings in the treatment of pre-trial police detention, including reports of beatings by police and delays in access to legal counsel.

Hungary remained a popular transit country for asylum seekers and migrants, and a country of origin, transit, and destination for trafficking. Despite some improvements in the asylum system, many asylum seekers endured lengthy detention periods while their claims were adjudicated. Few of those accepted as having valid claims were granted refugee status, with most given "authorization to stay," granting little assistance other than protection from *refoulement* for one year, renewable after review. In late September, authorities transferred all Afghan asylum seekers and refugees to guarded facilities in Debrecen and Szombatheley, citing concern for the refugees' safety. Human rights groups believed the measure was motivated by fear of terrorism after the September 11 attacks on the U.S. and violated Hungarian law.

Following the suspicious death of a thirty-year-old refugee from Cameroon during his deportation by police on December 18, 2000, the Hungarian Helsinki Committee called for an investigation into the cause of death, which an official autopsy identified as a heart attack. Authorities failed to investigate the complaint.

The state response to human trafficking remained poor, with uneven enforcement of antitrafficking legislation, inadequate victim support services, and frequent police hostility toward women victims. Victims of domestic violence and sexual assault in Hungary faced a biased legal system and a lack of support services.

The appointment of prominent member of the ruling Fidesz party, Karoly Mendreczky, as president of Hungarian Television (Magyar Televizio), on July 12, raised questions about the state broadcaster's editorial independence, despite Mendreczky's resignation from the party prior to taking up his new post.

DEFENDING HUMAN RIGHTS

There were no reports of government interference in the work of human organizations, although Roma community leaders who stood up for minority rights sometimes faced harassment and violence.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

Hungarian Foreign Minister Janos Martonyi addressed the U.N. Commission

on Human Rights on March 30, emphasizing Hungary's support for a binding convention on the rights of minorities. On November 6, the Hungarian Parliament ratified the statute of the International Criminal Court.

Council of Europe

The Committee for the Prevention of Torture report and Hungary's response to it were both published on March 29. On September 17, the Advisory Committee on National Minorities published its opinion on Hungary, noting much progress but also deep concern about the plight of Roma. Hungary signed Protocol 12 of the European Convention on November 4, 2000.

European Union

Hungary continued to be regarded as a front-runner for early accession to the European Union. During a visit to Hungary on April 5, European Commission President Romano Prodi highlighted the treatment of Roma as an area for further progress. Discrimination against Roma was also flagged in a May report by Luis Queiro, the European Parliament's rapporteur on Hungary, and reflected in the resolution on Hungary adopted by the full Parliament on September 5. The November 2001 regular report from the European Commission on Hungary's progress toward E.U. accession identified a need for greater government commitment to improve the lot of Roma.

United States

Secretary of State Colin Powell made no public reference to human rights in Hungary during a meeting with Foreign Minister Janos Martonyi in Washington DC on May 1 or during his visit to Budapest on May 28-30 for a meeting of North Atlantic Treaty Organization foreign ministers. Outgoing Secretary of State Madeleine Albright did raise discrimination against Roma with Minister Martonyi in Budapest in December 2000. The State Department country report on human rights practices in Hungary for 2000 reflected difficulties faced by Roma and concerns over police misconduct, and its July trafficking report criticized Hungary for failing to meet minimum standards.

KAZAKHSTAN

HUMAN RIGHTS DEVELOPMENTS

As allegations of corruption against top Kazakh officials persisted in the international press, the government continued to tighten control over political life and

the media in 2001. Journalists, editors, and opposition party activists critical of the government, especially of corruption, faced attacks, criminal charges, and other forms of persecution. At the same time, a government tax amnesty came into effect for those who transferred money from abroad back to Kazakhstan. Opposition parties said the measure legalized money laundering. In a progressive move, authorities lifted the longstanding requirement that citizens request an exit visa to leave the country.

The government resisted calls for electoral reform and hounded the political opposition. Former prime minister Akezhan Kazhegeldin, Nazarbaev's one-time rival and leader of the Republican People's Party of Kazakhstan (RNPK), was tried in absentia on charges of corruption and tax evasion and sentenced to ten years' imprisonment in September. On July 15, Kazakh officials prevented Amirzhan Qosanov, the acting chair of the RNPK's executive committee, together with opposition journalist Yermurat Bapi, from boarding a flight to the United States. They were due to testify at a U.S. congressional hearing on human rights in Central Asia. At the hearing itself, a Kazakh embassy official attempted to subpoena Kazhegeldin for a criminal trial in Kazakhstan.

The deputy chairman of the Azamat (Citizen) Party, Platon Pak, was hospitalized on January 30, after three unidentified people broke into his apartment and stabbed him. In February, unidentified assailants beat Alexander Shushannikov, of the Lad Slavic Movement, in the town of Ust-Kamenogorsk.

The government did not fulfill President Nazarbaev's pledge to implement recommendations made in 1999 by the Organization for Security and Cooperation in Europe (OSCE) on electoral reform. The lack of progress on electoral reforms prompted four opposition parties in February to withdraw from a joint working group with the government, organized with the support of the OSCE, on electoral reform. One party also withdrew from a roundtable discussion on electoral reform in May, citing the government's failure to adopt a new elections law.

In February, Temirtas Tleulesov, an author of two books on corruption in Shymkent, was tried in absentia and sentenced to two years of imprisonment for "hooliganism." The charges arose out of a 1999 incident in which bank security guards seriously beat Tleulesov in Shymkent. Following Tleulesov's conviction, the municipal authorities reportedly banned demonstrations planned for February 22 in support of the author.

The independent print and broadcast media suffered constant harassment and repression. Marina Soloveva, the former director of Ust-Kamenogorsk independent television, was attacked on March 6 by several men, resulting in a broken arm. Police investigators decided that no crime had taken place and charged Soloveva with making false accusations. Gulzhan Ergalieva, a journalist affiliated with the political opposition, and her husband and son were severely beaten and robbed in their Almaty home on March 1. Shortly before this incident, Ergalieva had strongly criticized the government's participation in an electoral reform working group.

Yermurat Bapi, the editor-in-chief of the independent newspaper *SolDat* (whose name is a variant of *Dat*, Let Me Speak, a paper closed last year) was found guilty on April 3 of insulting the honor and dignity of President Nazarbaev. He was sentenced to a one-year prison term, but was released under a general amnesty. The

charges related to an article published alleging that President Nazarbaev and other Kazakh officials had been funneling millions of U.S. dollars from Kazakhstan into Swiss bank accounts. The authorities confiscated the edition of the newspaper before distribution. No publishing house would print *SolDat* for eight months prior to the trial.

Bigeldy Gabdullin, editor of the opposition newspaper *XXI Vek* (21st Century), faced criminal defamation charges following the publication in October 2000 of two articles alleging corruption by President Nazarbaev. However, on April 6 the prosecutor's office issued a press release stating that it had dropped the case. Reportedly, *XXI Vek* has not been able to resume publication. On January 18, the staff of *Respublika-2000* again received violent threats after the publication of an article about corruption; in September 2000, its editor-in-chief, Lira Baisetova, was beaten after the newspaper had published a similar article.

On April 17, the Parliament passed restrictive amendments to the Law on Mass Media, which had been severely criticized by local and international organizations, including the OSCE. The law brought Internet sites under its regulation and limited the transmission of foreign television and radio programs, requiring foreign material to be reduced to 20 percent of all available airtime by January 2003. The legislation sparked protests by private television stations that relied heavily on the retransmission of Russian television and could force the closure of smaller stations.

Intolerance of nontraditional religious groups continued throughout the country. In March, two Baptists from Atyrau faced fabricated criminal charges, which church members claimed were aimed at stopping their missionary activity. In Kulsary, a small Baptist church received a prosecutor's order, dated May 2, declaring the church illegal due to lack of registration. Three U.S. students found guilty of illegal missionary activity were fined and ordered to leave the country. The Taraz procuracy sought, unsuccessfully, to ban Jehovah's Witnesses' activity.

Following the general crackdown in the region against independent Islam, four alleged members of Hizb ut-Tahrir were arrested while distributing leaflets calling for the reestablishment of an Islamic Caliphate in Central Asia. On May 10, two of the defendants were sentenced to twenty-two and seventeen months' imprisonment, respectively, and the two others were released under a general amnesty.

Prison conditions remained horrific in Kazakhstan, which had one of the highest rates of imprisonment in the world. Even after an amnesty early in the year reportedly led to the release of 26,729 prisoners, the prison population in 2001 grew to 84,000 by the end of April.

On April 13, prosecutors in Kyrgyzstan reportedly announced that they had arrested a man on charges of selling Kyrgyz citizens as "slaves" to work on plantations in Kazakhstan. A former plantation laborer claimed in the press that thousands of Kyrgyz citizens were being used as slaves in Kazakhstan.

DEFENDING HUMAN RIGHTS

The body of a leading Uigur activist, Dilbrim Samsakova, was found in June, following her "disappearance" several weeks earlier. Her injuries indicated that she

died from a blow to the head. Samsakova had been working to prevent the extradition to China of the widow and children of a Uighur suspected of violent political activism who was killed during a police operation in Almaty last year. She observed the trial of four Uighurs charged with “terrorism” in Kyrgyzstan earlier this year.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

In May, the U.N. Committee against Torture considered Kazakhstan’s initial report and expressed concern about allegations of torture by law enforcement officials, the lack of investigation into allegations of torture, the insufficient level of independence of the judiciary, and the overcrowding and inadequate access to medical care in prisons and pre-trial detention centers.

In January, the U.N. Committee on the Elimination of Discrimination against Women delivered concluding observations on Kazakhstan’s initial report. The committee commended the government for the high levels of education among women, but expressed concern over a wide range of issues, including stereotyped attitudes towards women, the prevalence of violence against women and girls, trafficking in women and girls, and the rise in unemployment and poverty of women. A coalition of women’s human rights nongovernmental organizations submitted a report to the committee, recommending that the government introduce training programs to combat trafficking and provide trafficking victims with witness protection and support programs.

Organization for Security and Cooperation in Europe (OSCE)

In June, the OSCE chairman-in-office, Mircea Geoana, visited Kazakhstan, meeting with President Nazarbaev and others. Although Geoana stated that human rights must be developed along with economic, politico-military, and environmental factors, he expressed approval at the pragmatic approach to democratization adopted by the current Kazakh authorities. The OSCE ran a series of roundtable discussions on electoral reform. (See above.) Training sessions were held for local nongovernmental organizations on human rights monitoring and the development of leadership for the promotion of women’s rights.

European Union

The European Commission made a formal protest to the Kazakh authorities following the introduction of the new media laws in April 2001. The European Union held the third meeting of its Cooperation Council with Kazakhstan in July, during which it praised Kazakhstan for strong economic growth in 2000 and 2001 but failed publicly to raise concerns about specific human rights abuses.

Council of Europe

The Political Affairs Committee of the Parliamentary Assembly of the Council of Europe continued to consider Kazakhstan's 1999 application for observer status.

United States

In a July 18 congressional hearing in Washington, a State Department representative stated that although there had been economic progress in Kazakhstan, steps towards democracy had been reversed.

The administration requested U.S. \$51.5 million in assistance for Kazakhstan for 2002, with some of the requested funds to be used for the purchase of military equipment under the Foreign Military Financing Program.

International Financial Institutions

When the president of the European Bank for Reconstruction and Development (EBRD) visited Kazakhstan in June, he stated that the country deserved more cooperation with the EBRD. He reportedly praised the economic reform process, and did not raise concerns over issues of corruption or human rights which were at odds with the EBRD's founding charter. The EBRD expected to invest about \$212 million in projects in 2001.

In February, the World Bank's Board of Executive Directors supported a new Country Assistance Strategy for Kazakhstan for 2001-2003. Depending on progress in reforms, the bank was to lend between \$270 and \$820 million over three years. If realized, this could make Kazakhstan the largest recipient of bank funding in Central Asia.

In its December 2000 assessment of the economy, the International Monetary Fund recommended that the government "ensure further transparency of the oil sector's operations and its linkages with public finance" in order to encourage fiscal management and "public accountability" over the government's use of oil revenues. It also recommended that the proposed oil stabilization fund that is meant to maximize the benefits of oil revenues and protect the economy from an unstable revenue stream "be based on the principles of transparency and public accountability." Previously, the Kazakh government had been criticized and investigated for allegedly corrupt dealings within its oil sector.

KYRGYZSTAN

HUMAN RIGHTS DEVELOPMENTS

The deterioration in respect for human rights that had dominated the lead-up to the October 2000 reelection of President Askar Akaev continued unabated in

2001. The government harassed the political opposition, independent media, and human rights defenders. Government measures responding to the year 2000 incursions by the Islamic Movement of Uzbekistan (IMU) into Kyrgyzstan violated the rights of certain ethnic minorities and religious groups.

In January, Gen. Felix Kulov, President Akaev's rival in the elections and leader of the opposition Ar-Namys (Dignity) party, was sentenced to seven years of imprisonment on charges of abuse of office, even though he had been acquitted of these charges in August 2000. Kulov had intended to contest the October 2000 elections. The international community criticized his retrial as politically motivated. On July 17, new charges of embezzlement were brought against Kulov.

President Akaev on August 20 pardoned Topchubek Turgunaliyev, a political activist and founder of Kyrgyzstan's Guild of Prisoners of Conscience. He was released after almost a year in prison on trumped-up charges of plotting an assassination attempt on President Akaev.

After a wave of criticism by community and opposition leaders, President Akaev on August 16 ordered a review of a draft law that would have banned religious and other political parties and put new restrictions on nongovernmental organizations (NGOs).

Progress in press freedoms in early 2001 proved to be ephemeral. For example, at least two new independent newspapers were registered in the first six months of the year. But on April 5, the Ministry of Justice, apparently seeking to tighten state control over the media, required all outlets to reregister by July 1. It later annulled the registration of the newly created media outlets that reregistered after April 5, declaring that new media could not be registered until September 1; it later moved the date to October 1. The editors of several deregistered newspapers attempted, unsuccessfully, to sue the ministry.

Samagan Orozaliev, a journalist, was arrested on May 28 in Jalal-Abad province when he was investigating allegations of local corruption. Orozaliev was held in pretrial detention on charges of taking a bribe. On July 31, he was reportedly hospitalized, under police guard, due to heart problems. On November 1, a court sentenced Orozaliev to nine years in prison and confiscation of property, and his driver, Mukhtar Topchiev, to eight years for, among other things, illegal weapons possession. They claimed police had fabricated charges against them, and had planted evidence in their car. As of this writing, lawyers were preparing to appeal the verdict. In March, the Supreme Court reinstated a conviction against journalist Moldosali Ibraimov that had been quashed in 2000. The court gave him a two-year suspended sentence on libel charges, which related to allegations of corruption in the judiciary.

The opposition newspaper *Asaba* (The Standard) was declared bankrupt on April 20, after losing a court battle over the repayment of a loan and receiving an unprecedented U.S. \$100,000 fine for libel of a member of Parliament. The government-controlled Uchkun publishing house repeatedly refused to publish the newspaper *Res Publica*, as a result of, according to the paper's editor, an edition containing an article about the financial dealings of President Akaev's wife.

In a positive move, the procuracy dropped charges of divulging state secrets against the editor and a journalist of the independent newspaper *Delo No* (Case Number), relating to an article on the trial of Felix Kulov in May. In April, however,

the editor was fined for insulting an employee of the National Security Service in an interview he gave.

In another positive move, the Supreme Arbitration Court upheld an appeal by Osh TV, an Uzbek language station, ordering the court of first instance to reconsider its decision to force the station to change frequencies. The change would have led to the closure of the station viewed by the ethnic Uzbek population in the region.

Police used force to disperse protesters, and arrested protest organizers. An opposition leader and journalist were fined, along with three members of the Ar-Namys party, for organizing an unsanctioned rally in Bishkek on April 13. Klara Ajibeka, chairwoman of the Communist Party, was arrested, convicted, and fined for delivering a speech at an unsanctioned June 12 picket in support of Kulov. Police prevented approximately 1,000 demonstrators from gathering in Bishkek's main square for a May 1 rally and protest. Also on May 1, in Jalal-Abad, three human rights activists were convicted and fined for taking part in an unsanctioned rally. On August 10 police in Osh reportedly arrested fifteen women after dispersing a demonstration of about two hundred women merchants who were protesting the local authorities' decision to stop street trade in the city center.

Kyrgyzstan's participation in the regional push against Islamic "extremism" heightened the atmosphere of repression for both independent adherents of Islam and the Uigur minority in Kyrgyzstan. On April 18, the government required special religious schools to obtain a license from the State Commission for Religious Affairs. According to government statistics, between thirty-seven and fifty people in southern Kyrgyzstan were imprisoned for disseminating "extremist" religious materials in the first five months of 2001; more comprehensive figures were not available. The Kyrgyz Committee for Human Rights (KCHR) monitored a trial on July 13 of five alleged Hizb ut-Tahrir (Party of Liberation) members who were charged with disseminating "extremist" leaflets. The men received sentences of from two to five years of imprisonment.

A military court sentenced to death two men on June 19 for their participation in armed clashes between IMU fighters and government troops in August 2000. It is not known what legal standards of proof or due process the military court applied. As of this writing, the defendants' appeal was being considered.

In late July several armed clashes occurred in the southern border region of Kyrgyzstan, although it is unconfirmed that these involved the IMU. The extent of the clashes is unknown, since the government denied several reports that its troops were engaged in ongoing fighting.

Landmines laid by Uzbekistan in Kyrgyz territory in response to the IMU incursions into both countries have killed at least one person and injured several others this year. The two countries have been negotiating over the removal of the mines.

Four ethnic Uigurs and one other man stood trial on March 12 on charges related to two bombing incidents in the city of Osh in 1998. Four of the men were sentenced to death and one to twenty-five years of imprisonment. The defendants' lawyer reportedly stated that the trial began without warning and that even though she was hospitalized at the time, the court refused an adjournment. Thus, her clients had no legal representation. A previous sentence against the five had been overturned for lack of evidence.

Despite a presidential moratorium on death penalty, effective until December 2001, courts continued to hand down death sentences. It remains unclear whether such sentences will be carried out after that date.

Prison conditions remained abysmal due to lack of food, clothing, heating, and medicine. A group of prisoners' relatives sent an appeal to the Kyrgyz authorities and the international community describing prison conditions of starvation and disease.

Police continued to ignore reports of domestic violence as the Kyrgyz government failed to implement the 1999 recommendation of the U.N. Committee on the Elimination of Discrimination against Women to provide for law enforcement officials' training on violence against women.

DEFENDING HUMAN RIGHTS

The KCHR faced continuing persecution in 2001. Bolot Tynaliev, a member of the KCHR, was reportedly threatened with a knife by five men on January 27. The men stole his KCHR files and warned him to stop his human rights work. On June 27, Numanjan Arkabaev, the KCHR coordinator for Osh province, was arrested and charged with defamation and attempting to overthrow the government. He was released from custody on July 18, after having spent two weeks on a hunger strike. The National Security Service later dropped the charges.

On September 17, Abdymamat Kadyrbekov, a member of the KCHR in Jalal-Abad, received a three-year suspended prison sentence on charges of "hooliganism." On October 7, according to the KCHR, masked men burst into Kadyrbekov's house and caused him severe injuries, warning him not file a complaint about his sentence.

Albert Korgoldoev, also a member of the KCHR in Jalal-Abad, faced criminal charges related to his monitoring of the presidential elections results in October 2000; he fled the country in February. According to the KCHR, Kyrgyz authorities confiscated property from their organization's head office in Bishkek in late May.

The director of the Kara-Sui Human Rights Center, Ravshan Gapirov, was arrested on November 13 and charged with "hooliganism" and swindling. He remained in custody until his trial on February 28, when he received a two-year prison sentence. On May 7, his sentence was reduced to a fine and he was released. On September 14, after a verbal dispute with the Kara-Sui procuracy, he was detained. On October 24 Gapirov was sentenced to thirteen years of imprisonment for "hooliganism" and insulting state officials.

An unidentified man attacked Tolekan Ismailova, the head of the NGO Coalition for Democracy and Civil Society, outside her home on March 13. She was hit on the head and momentarily lost consciousness. The previous day she had strongly criticized the Kyrgyz government at a round table discussion.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

The special representative of the U.N. secretary general on human rights defenders, Hina Jilani, visited Kyrgyzstan in August. During her trip she stated her concerns that basic civil rights were not being systematically observed. Kyrgyz authorities refused to allow her to meet with Turgunaliyev, who was in a prison hospital at the time. Kyrgyzstan was included in the 2001 report of the special rapporteur on torture, which cited allegations of excessive police violence against peaceful demonstrators, torture of detainees, and horrific conditions in places of detention.

Organization for Security and Cooperation in Europe (OSCE)

The OSCE report on the October 2000 presidential elections found that they, “despite some positive features,” failed to comply with Kyrgyzstan’s OSCE commitments. In March, the OSCE representative on freedom of the media, Freimut Duvé, met with President Akaev to express regret at the worsening media situation in the country. In April, the OSCE secretary general visited Kyrgyzstan and met with President Akaev in a closed meeting. The stated aim of the visit was to assess and discuss security and stability in the region. In June, after meeting with President Akaev and others, the OSCE chair announced that he had advised the Kyrgyz leadership that in order to improve the country’s tarnished image, the legislature should adopt new laws on human rights, the media, religious freedom, and the status of refugees.

European Union

At the E.U.-Kyrgyzstan Cooperation Council meeting in July, the European Union reiterated its concern about aspects of democratization, such as media freedom. The European Union also raised concerns about recent developments surrounding the KCHR, while it welcomed the suspension of the death penalty and encouraged its complete abolition.

United States

At a July 18 U.S. congressional hearing, a State Department spokesperson testified that there had been progress on economic reform but that the government had been backsliding on democratic reforms and that there were signs of an escalation in the campaign against peaceful Islamic activities. The Department of State trafficking in persons report, published in July 2001, criticized the Kyrgyz government for failing to respond adequately to trafficking in persons. The report noted that traffickers sent Kyrgyz men, women, and children into situations of forced labor and forced prostitution in Russia, Turkey, Germany, and the United Arab Emirates. U.S. financial assistance to Kyrgyzstan remained fairly constant, at about U.S. \$ 33 million.

MACEDONIA

HUMAN RIGHTS DEVELOPMENTS

Macedonia's image as an island of inter-ethnic peace and coexistence in the Balkans was dramatically upset in February 2001 by the emergence of an ethnic Albanian insurgent group, the so-called National Liberation Army (Ushtria Çlirimtare Kombëtare, commonly known as the NLA), and the ensuing months of fighting between the rebels and government forces. Negotiations between the major ethnic Macedonian and ethnic Albanian parties, facilitated by the international community, led to an August 13 peace agreement providing for far-reaching constitutional and political measures aimed at enhancing the status of the sizeable ethnic Albanian minority. In return, the NLA agreed to demobilize and hand over its weapons to a North Atlantic Treaty Organization force, deployed in Macedonia at the end of August. In mid-November, after a long delay, a lot of filibustering, and mounting international pressure, the Macedonian Parliament finally adopted the constitutional amendments envisaged by the peace agreement. At the time of writing, however, fears persisted that nationalists within the government and police would still try to derail the peace process and pursue a military solution to the conflict.

There was disagreement as to the causes of the conflict, with NLA leaders claiming that they were fighting to end systematic discrimination against ethnic Albanians by the Macedonian authorities, while the government claimed that the NLA's real goal was control over Macedonian territory. Government officials insisted that Kosovar Albanian radicalism lay behind the conflict, not legitimate grievances of Macedonia's own ethnic Albanians. Support for the insurgency by the country's ethnic Albanians, which was tepid early in the conflict, grew quickly as Macedonian security forces launched increasingly heavy-handed attacks against ethnic Albanian civilians and their villages and towns. As of mid-October, about 25,000 refugees remained in Kosovo, while 53,000 ethnic Albanians and Macedonians were still internally displaced within Macedonia.

Both government forces and the NLA committed serious violations of international humanitarian law in the course of the six-month conflict. The government police forces, whose brutality against Albanians has long been a cause of intense resentment, were responsible for a number of grave assaults against civilians and their property. Following an April government offensive in the Tetovo area, monitors of the Organization for Security and Cooperation in Europe (OSCE) found evidence of widespread and indiscriminate destruction and looting in the village of Selce. More than two hundred ethnic Albanians were arrested in the area, dozens of whom were later treated in the Tetovo hospital for fractures and severe bruising. Also in April, a joint mission of the Macedonian, Norwegian, and Serbian Helsinki Committees reported that some thirty men from Poroj had been arbitrarily arrested and severely beaten by the police, resulting in the hospitalization of six persons. The Helsinki mission and Human Rights Watch separately blamed govern-

ment forces for the destruction of the Runica hamlet in the Kumanovo area in retaliation for earlier NLA strikes. While the Macedonian government accused the rebels of using villagers in the Tetovo and Kumanovo areas as human shields, it frequently responded with indiscriminate shelling of those same villages.

Torture and abuse of civilian detainees was routinely used by the security forces to obtain information on the NLA and to intimidate ethnic Albanians. Following a May 22 offensive north of Kumanovo, for example, government forces separated ethnic Albanian men fleeing the fighting and took them to the Skopje and Kumanovo police stations, where dozens of them suffered torture and severe ill-treatment. Fear of such practices prevented many civilians trapped in the crossfire from fleeing to safety into government-controlled territory, forcing them instead to venture through dangerous mountain trails into neighboring Kosovo.

The most serious violations by the government forces were committed during a three-day operation in a village north of Skopje. Following a land mine explosion that killed eight government soldiers, the Macedonian police launched a fierce attack on the nearby village of Ljuboten, which was heavily shelled for two days in August 10 and 11, 2001. On August 12, several hundred police entered the village and began a house-to-house assault, killing six ethnic Albanian civilians, burning scores of houses and terrorizing the village population. Two men were summarily executed and another three were shot dead after they attempted to flee their burning home. More than one hundred men and boys from the village were taken to police stations in Skopje, where they were subjected to severe beatings. As of late October, about twenty-four of them were still being detained on charges of participation in the insurgency. Thirty-five-year-old Atullah Qaini died in police custody, his mutilated corpse bearing clear signs of torture. Three other men were beaten unconscious by ethnic Macedonian vigilantes in full view of the police. The minister of the interior, Ljube Boskovski, who was himself present during the operation in Ljuboten on August 12, claimed that the village was an NLA stronghold and that the victims were "terrorists." However, Human Rights Watch researchers who visited the village, and interviewed victims and eyewitnesses of the abuses, found no evidence that there was an NLA presence in Ljuboten during the attack or that any of the villagers put up armed resistance. The police operation appeared to be motivated by nothing more than revenge.

NLA forces were responsible for indiscriminate killings, abductions, and intimidation of ethnic Macedonian and other civilians. In June NLA forces arbitrarily detained and tortured eight elderly ethnic Serb civilians from the village of Matejce, subjecting them to repeated mock executions. On August 7, 2001, uniformed members of the NLA kidnapped a group of construction workers on the Skopje-Tetovo highway, and, holding them for several hours, the NLA fighters severely beat, humiliated and sexually abused them. The NLA was also suspected of being behind the August 26 bombing of an ethnic Macedonian-owned restaurant in Celopek, which left two of the employees dead. About ten persons from NLA-controlled areas were still missing at the time of this writing, despite claims by rebel commanders that the NLA had released all captives before its formal disbandment by the end of August.

Such methods of warfare against civilians were imitated by an array of ethnic Macedonian paramilitary groups, whose members were largely drawn from the

police reserves. Local and international press reported that the most active of those groups, including the so-called Lions, Tigers, and Red Berets, were controlled by radicals within the Macedonian police structure. Members of such groups appeared to have led a June 6 riot in Bitola, where dozens of ethnic Albanian homes and shops were burned within a few hours. The local police took no action to stop the attacks; in fact, some police officers took an active part in the rampage. The paramilitary groups continued to intimidate and harass ethnic Albanians even after the signing of the peace agreement, threatening to derail the peace process. In a September 15 incident, five "Red Berets" abducted Muharem Ibrahim, a Tetovo-based activist with an ethnic Albanian humanitarian organization, and attempted to kill him by throwing him into the Vardar river.

The conflict also took a toll on the press covering the events. International and local journalists, both ethnic Macedonian and ethnic Albanian, faced frequent hostility and occasional violence, mostly from ethnic Macedonian crowds and security forces. Reporters sans Frontières protested in June against the ill-treatment of the Agence France-Presse correspondent Colin Neacsu and his interpreter, who were detained and repeatedly beaten at a Skopje police station. A Macedonian journalist from the *Utrinski Vesnik* newspaper was beaten unconscious by a mob outside Ljuboten on August 10, as were several Swedish journalists trying to enter the village on August 12. Ethnic Albanian journalists, in particular, faced severe security constraints and discrimination, and were frequently denied access to the conflict areas by the police. Albanian language public television broadcasts were interrupted for three weeks as the Albanian language bureau rejected an order to air only translations of programs prepared by the ethnic Macedonian editors.

Two serious incidents raised concerns that communist-era practices of surveillance of the political opposition and civil society continue unabated in Macedonia. In January 2001, the opposition Social Democratic Union (SDSM) presented evidence of the unlawful phone tapping of 150 conversations that had taken place between September and November 2000. Most of those involved, including prominent opposition leaders and journalists, confirmed the authenticity of the recordings. A parliamentary investigation led to the resignation of the minister of the interior, Dosta Dimovska, but stopped short of assigning responsibility for the violations. The issue resurfaced after the signing of the peace agreement, when a telephone conversation between Branko Crvenkovski and Arben Xhaferi, the respective leaders of the SDSM and the Democratic Party of the Albanians, was leaked to a television station that accused the two of conspiracy against national interests.

DEFENDING HUMAN RIGHTS

Human rights organizations generally operated freely in 2001, although security concerns often prevented their members from reaching certain areas of the country. Both ethnic Macedonian and ethnic Albanian organizations faced difficulties in moving across the ethnic divide in the conflict areas. The Helsinki Committee for Human Rights investigated the Ljuboten events and made findings that were consistent with the conclusions of Human Rights Watch. (See above.) How-

ever, investigation and reporting by local nongovernmental organizations on human rights abuses committed during the conflict was limited overall and at times one-sided.

THE ROLE OF THE INTERNATIONAL COMMUNITY

In contrast with earlier conflicts in the former Yugoslavia, the international community moved relatively quickly in 2001 to bring the inter-ethnic violence in Macedonia to a halt, and to limit its human costs. The diplomatic efforts of the European Union, the United States, NATO, and the OSCE, all of which appointed special envoys to Macedonia, were critical to the negotiation of the cease-fire and the peace agreement. But while much effort was put into security monitoring and shuttle diplomacy, the investigation of human rights violations committed by both sides was inadequate throughout the conflict. At this writing, the international community stood ready to assist with the implementation of an enduring peace in the country, but more needed to be done to integrate critical human rights dimensions into the process.

United Nations

The U.N. Security Council addressed the Macedonian crisis regularly in 2001. The council supported the timely implementation of the peace agreement and the deployment of a multinational security presence in Macedonia. The U.N. High Commissioner for Refugees (UNHCR) cautioned the Macedonian government at the end of September that the return of the refugees remaining in Kosovo and of the internally displaced persons would require ethnically mixed police patrols in conflict areas. UNHCR-chartered buses facilitated the movement of all communities across ethnic lines and security checkpoints in the troubled Tetovo region. The chief prosecutor of the International Criminal Tribunal for the former Yugoslavia warned both warring sides early in the conflict that the tribunal's jurisdiction extended to the events in Macedonia, and that tribunal staff were on the ground collecting information on serious violations of international humanitarian law.

Organization for Security and Cooperation in Europe (OSCE)

The OSCE committed itself, under the peace agreement, to providing a significant number of monitors to report regularly on security incidents, the return of refugees and trafficking in human beings. OSCE-seconded police experts were tasked with assisting in the implementation of the envisaged police reforms. On October 4, however, the OSCE warned the Macedonian government that single-handed efforts by the police to hastily retake control of formerly NLA-held areas were delaying the deployment of the monitors and were jeopardizing the fragile peace. During the conflict, the OSCE Spillover Monitor Mission to Skopje condemned human rights abuses committed by the NLA forces, but showed reluctance to address the serious violations for which the government security forces were responsible.

North Atlantic Treaty Organization (NATO)

NATO's role in the Macedonian conflict was limited by its members' unwillingness to maintain a long-term security presence in the country. The 4,500-strong NATO force deployed in Macedonia throughout September successfully completed its limited, month-long mission to collect about 4,000 weapons voluntarily handed over by the NLA. Doubts remained, however, as to whether the NLA had surrendered all its weaponry. To avoid a security vacuum created by an early departure, NATO agreed by the end of September to maintain a German-led contingent of seven hundred to 1,000 troops in the country to protect E.U. and OSCE security monitors. The second NATO force was to operate in Macedonia for three months, with the option to extend the mission with the consent of the Macedonian government.

European Union

In April 2001, the European Union and Macedonia signed an Association and Stabilization Agreement that sets the stage for Macedonia's progressive integration into the union within ten years. In October the E.U. pledged to finance a 10.3 million euro (approximately U.S.\$9.3 million) program aimed at supporting the implementation of the peace agreement. The program was part of a 24.7 million euro emergency package, and in addition to 42.5 million euros of regular support to Macedonia pledged for 2001. The package was made, however, conditional upon the ratification of all constitutional amendments envisaged by the peace agreement. The European Union maintained that improving the status of the country's ethnic minorities was a requirement of the association process, and it postponed a donors' conference scheduled for October 15, citing Macedonia's delay in the implementation of the agreement.

United States

The United States supported the political and constitutional reforms agreed upon by the Macedonian and ethnic Albanian parties. The U.S. special envoy James Pardew, together with the European Union's Francois Leotard, played an important facilitating role in the negotiation of the peace agreement. Although the United States contributed no troops to the two NATO missions, it provided intelligence and logistical support. The U.S. administration pledged also to support the Macedonian police reform, training of ethnic Albanian police officers, the return of refugees and the new Southeast Europe University, set up to provide higher education in the Albanian language.

Relevant Human Rights Watch Reports:

Crimes Against Civilians: Abuses by Macedonian Forces in Ljuboten, August 10-12, 2001, 9/01

ROMANIA

HUMAN RIGHTS DEVELOPMENTS

Despite making progress toward European Union accession, Romania's human rights record in 2001 remained uneven. Rights groups continued to receive reports of excessive use of force by police. The state response to domestic violence against women and trafficking remained inadequate. No action was taken to remedy constitutional restrictions on free speech. Legislation designed to enhance minority rights was not implemented. Roma continued to experience discrimination in housing, education, medical care, employment, and access to goods and services. Legislative efforts to outlaw discrimination against gays and lesbians had mixed results. Romania came under pressure to improve arms export controls, but enforcement of existing laws continued to be a problem.

There were credible reports of excessive use of force and other misconduct by police officers, including against children. On March 14, fourteen-year-old Vasile Danut was detained and beaten severely by police in Vladesti. On April 5, police in Oradea reportedly attacked sixteen-year-old Ioana Silaghi, and also reportedly intimidated witnesses. Two police officers were accused of beating a suspect to death in Cugir in early July. The introduction of new guidelines on the use of firearms in June, intended to bring police practice into line with U.N. and Council of Europe standards, appeared to have had little effect. After September 11, Parliament suspended consideration of a draft bill curbing police powers to detain citizens for up to twenty-four hours without charge.

Legal protections for victims of domestic violence and trafficking remained inadequate. The Romanian Domestic Violence Victims' Assistance Center reported that a long, complicated procedure and probation system discouraged domestic violence victims from pressing charges against perpetrators. Despite the high level of trafficking through Romania, the Romanian government did little to address the problem.

Constitutional curbs on free expression remained in force in 2001 and were used by authorities to interfere with the work of journalists. Journalists also ran afoul of broad criminal defamation laws, under which prosecutions for slander of public officials could bring imprisonment or fines.

Romania continued to show a half-hearted commitment to the rights of national minorities. The National Minorities Council, meeting for the first time on July 10, 2001, criticized the legislation creating the council for failing to require the executive to consult with it on all legislation pertaining to national minorities. Access to media by national minorities remained limited.

Extremist nationalist parties fueled hostility toward national minorities. The November 2000 elections demonstrated the emerging popularity of the nationalist Greater Romania Party (Partidul România Mare, PRM), which captured one-third of the parliamentary seats. The party leader, Corneliu Vadim Tudor, who received

26 percent of the vote for president in the final round of elections, promised to destroy the “Gypsy mafia.” In August the Romanian Prosecutor-general’s office began an investigation into the publication of *The Nationalist*, a book that minority leaders said incited racial hatred and anti-Semitism. Although the PRM denied any connection to the book’s publication, it was written by a party deputy and endorsed by a top PRM aide.

The problem of discrimination against the Roma population—estimated to number as many as two million—continued to permeate society. A January 2001 European Roma Rights Center investigation found that violations of Roma rights were highly unlikely to be prosecuted, and authorities retaliated against complainants. Roma had their houses raided, and were detained, beaten, and threatened by private citizens and police. On February 1 and 9, 2001, police stopped trains headed for Brasov and detained, fingerprinted, and intimidated some one hundred Roma passengers, and warned them not to enter the city.

On April 25, the government published an ambitious plan for improving conditions for Roma, but Roma activists questioned its lack of detail on reaching the goals identified.

The government took steps to enact legal guarantees for gays and lesbians, but at the time of writing opposition from the Chamber of Deputies cast doubt as to whether sexual orientation would remain protected under pending antidiscrimination legislation.

Notwithstanding legislative efforts to decriminalize homosexuality and ensure the rights of gays and lesbians, gays and lesbians continued to face police harassment. In December 2000, Romanian citizen Adrian Georgescu was called to a police station without explanation. There he was questioned about his sexuality by police officers. After Georgescu publicized this event in January, a police officer admitted on Romanian television that Georgescu had been detained and questioned solely because of his sexual orientation.

A U.N. investigative panel determined in 2000 that Romania was a source of weapons illegally supplied to embargoed rebel forces in Angola from 1996 to 1999. It noted that reforms were needed in Romania to improve controls, as the weapons were authorized for sale to Burkina Faso and Togo on the basis of falsified documents. After taking the important step in mid-2000 of arresting and initiating the prosecution of a Romanian-Israeli arms dealer accused of illegal arms sales, Romanian authorities unexpectedly released him in February and he left the country for Israel. Romanian officials denied he was linked to the Angola case and said the prosecution would continue in his absence. Romania began a major push to export more weapons after sales slumped but said it would revise its arms export laws. Romania ratified the Mine Ban Treaty on November 30, 2000, and the treaty entered into force on May 1. It declared in June that it would destroy stockpiled antipersonnel landmines, which numbered just over one million.

DEFENDING HUMAN RIGHTS

Human Rights Watch received no reports of interference with the work of rights groups in 2001.

THE ROLE OF THE INTERNATIONAL COMMUNITY

Organization for Security and Cooperation in Europe (OSCE)

Despite holding the chairmanship of the OSCE during 2001, Romania's penal and civil codes continued to violate the standards of free expression set by that body. Romania hosted the OSCE Conference on Roma and Sinti Affairs from September 10 to 13.

European Union

The European Parliament's report on Romania's application for E.U. accession welcomed Romania's intention to accelerate negotiations concerning membership but sharply criticized its lack of progress in meeting human rights standards, notably on the rights of children and minorities. The European Commission's 2001 regular report on Romania's progress toward accession recognized significant reforms since the 2000 report, but also urged continued progress, particularly toward implementation of the Roma strategy and antidiscrimination legislation.

United States

The U.S. State Department's first annual report on trafficking in persons categorized Romania as a "Tier-3" country, an indication that it had failed to make significant efforts to bring itself into compliance with minimum international standards. In May, the U.S. Agency for International Development awarded a grant to help fight domestic violence and child abuse in two counties in Romania.

RUSSIAN FEDERATION

HUMAN RIGHTS DEVELOPMENTS

The ongoing conflict in Chechnya and heated debates about press freedom dominated the year. Forced disappearances, torture, and extrajudicial executions by Russian forces were continuing hallmarks of the Chechnya conflict, while Chechen rebel fighters increasingly targeted for murder Chechen civilians seen as

cooperating with the Russian government. The media landscape in Moscow underwent major changes as media conglomerate Media Most crumbled. President Vladimir Putin revived movement on judicial and criminal justice reform, which had been stalled for years. The proposed reforms, however, did not fully address the entrenched problems of police torture and prison overcrowding.

The situation in Chechnya remained deadlocked, with more than 75,000 Russian troops deployed in the republic, unable to root out rebel forces. In January, President Putin transferred command over the Chechnya operation from the Ministry of Defense to the Federal Security Service (FSB), and announced a gradual withdrawal of troops. The withdrawal halted in May after 5,000 troops had left the republic.

The new military strategy announced by President Putin, involving small operations against specific rebel leaders, did not affect the conduct of Russian forces with regard to Chechen civilians. They conducted numerous large-scale and targeted sweep operations, detaining countless men, often arbitrarily, looting the homes of civilians, and often wantonly destroying their property. Detainees routinely faced ill-treatment and torture. Many detainees “disappeared,” with the bodies of some later discovered in unmarked graves.

The sweep operations in Alkhan-Kala, just southwest of Grozny, were paradigmatic. During a June 19 to 25 operation, which resulted in the death of notorious rebel leader Arbi Baraev, federal forces summarily executed at least six men and detained hundreds, many of whom later reported severe beatings. A sweep in late April resulted in the “disappearance” of twelve men.

The July sweep operations in the villages of Sernovodsk and Assinovskaia, in western Chechnya, were of unprecedented harshness. In response to a mine explosion that killed several policemen, soldiers detained hundreds of villagers, often without even asking for their identity papers. Many were later severely beaten and tortured with electroshock.

Russian forces also commonly detained people outside the context of sweep operations who then “disappeared.” In January, for example, police detained Zelimkhan Muralov in Grozny and took him to a local police station. He has since then been unaccounted for.

In 2001, villagers found numerous unmarked graves containing the corpses of people last seen in Russian custody. The largest—containing fifty-one bodies—was discovered near the main Russian military base in February. Law enforcement agents botched the subsequent investigation. At least sixteen of the people whose bodies were found there and identified had last been seen in Russian forces’ custody. Some of the bodies found in this and other unmarked graves showed clear signs of torture.

Chechen fighters were widely believed to be responsible for a wave of assassinations of local civil servants and religious leaders who were reportedly targeted for their cooperation with the Russian government. In 2001, those murdered included at least eighteen leaders of district and town administrations, at least five religious leaders and numerous Chechen police officers, teachers, and lower-ranking civil servants. Several attempts were made on the life of Akhmad Kadyrov, the head of the pro-Russian administration of Chechnya, and one of his deputies was killed.

On January 9, masked gunmen kidnapped humanitarian aid worker Kenneth Gluck, of Médecins sans Frontières, on a road near Starye Atagi. Upon his release, about three weeks later, Gluck's captors handed him a letter signed by rebel leader Shamil Basaev calling the kidnapping a "mistake." On April 18, gunmen in Alkhan-Kala opened fire on Viktor Popkov, a leading Russian human rights activist. Popkov died six weeks later from his wounds. People close to Popkov believe Chechen fighters were involved in the attack.

About 140,000 internally displaced persons from Chechnya remained in Ingushetia, many in squalid conditions, despite strong pressure from the federal government to return to Chechnya. Those interviewed by Human Rights Watch in July 2001 cited poor security guarantees as the main reason for not returning to Chechnya.

The Russian government continued to resist a meaningful accountability process for human rights violations committed in Chechnya, although the number of investigations rose significantly in 2001. In April, a joint Council of Europe-Russian Duma working group compiled a list of 358 criminal investigations into alleged abuses against civilians. But only about 20 percent of the cases were under active investigation; more than half had been suspended. In "disappearance" cases as many as 79 percent of the investigations had been suspended. The criminal investigations list did not include a single case of torture or ill-treatment. Very few abuse cases had progressed to the courts. Courts issued guilty verdicts against servicemen in eleven cases, five of which resulted in prison sentences.

The only trial against a high-ranking military official, for the murder of a Chechen woman in March 2000, seemed set to end in a minimal sentence. In September, a psychiatric institution found that Col. Yuri Budanov was "emotionally distressed" at the time he murdered Elza Kungaeva, allowing the charge to be reduced to manslaughter and opening the way for him to be amnestied. Earlier, prosecutors had dropped a rape charge despite convincing evidence that she had been sexually assaulted.

Media freedom continued to be under attack in Chechnya. Several journalists were briefly detained or punished for their independent reports, and strict limitations on access to Chechnya for journalists remained in force throughout the year.

On February 21, federal forces detained Anna Politkovskaya of *Novaia Gazeta* (The New Gazette) in Khatuni while she was investigating abuses. Russian forces interrogated her and kept her overnight in a basement on a military base. In December 2000, a court in Dagestan found Andrei Babitskii, a Radio Liberty correspondent who had been detained in Grozny in 2000, guilty of carrying a falsified passport (his captors had not returned his Russian passport) but amnestied him. The Ministry of Press delivered several warnings of possible sanctions to Moscow newspapers and the NTV television station for publishing interviews with rebel leaders.

On November 21, 2000, unidentified gunmen speaking Chechen shot dead freelance cameraman Adam Tepsurkaev in Alkhan-Kala. Tepsurkaev had shot extensive footage of Russian soldiers abusing Chechen civilians. Russian soldiers had earlier detained and tortured Tepsurkaev's younger brother, demanding that Adam Tepsurkaev turn himself in to Russian authorities.

In December 2000, Chechen rebels in Georgia's Pankisi gorge briefly detained

three Georgian television journalists on suspicion of cooperating with Russian intelligence services.

During a year of heated debates about press freedom, the media landscape in Moscow underwent major changes as media conglomerate Media Most crumbled. As of this writing, the nationwide broadcast media transmitted a variety of political views.

At the heart of the debates about press freedom were the stormy and convoluted events concerning Media Most and its outlets, in particular its television station, NTV, and radio station, Ekho Moskvyy. In April 2001, NTV, the country's largest nonstate-owned television station, came under control of Gazprom, a colossal gas company that is partially owned by the state. The procuracy launched new charges of financial malfeasance against Media Most owner Vladimir Gusinski, and tried, unsuccessfully, to secure his extradition from Spain.

Prosecutors questioned several top Media Most officials and detained its financial director on embezzlement charges. By mid-February, company officials claimed prosecutors and the tax police had conducted no fewer than thirty raids on its offices since the investigation into Gusinski's affairs began in mid-2000.

Gazprom started its bid to take over NTV when Media Most failed to repay a loan worth several hundred million U.S. dollars. After months of bitter controversy, the two sides reached an agreement whereby the gas giant would not obtain a controlling stake in NTV. However, in early 2001, Gazprom obtained a controlling stake after all when a court froze part of Media Most's shares. In April, Gazprom ousted NTV's board and appointed its own executive director. Part of the NTV team left the company in protest. Gazprom also ordered the closure of Media Most's flagship newspaper, *Sevodnya* (Today), and fired the entire editorial team of its weekly newsmagazine, *Itogi* (The Results).

As of October 2001, the fate of Russia's most popular radio station, Ekho Moskvyy, remained undecided. The station's staff had threatened to resign should Gazprom obtain a majority stake. Gazprom, which owned a 52 percent stake, had promised in July to sell 9.5 percent to Ekho Moskvyy staff, but by October 2001 the transaction had not taken place.

While Gazprom had legitimate business interests at stake in Media Most, the manner in which it gained control over NTV and the vigor and selectivity of law enforcement agencies' pursuit of Media Most and its owner strongly suggested a political motivation for the takeover. Gusinski had been a vociferous opponent of President Putin.

In Russia's regions, journalists and media outlets continued to face violent attacks—the Glasnost Defense Foundation reported that by late May 2001 at least five journalists had been murdered and thirty-nine violently attacked—but in many cases it was impossible to determine whether attacks were politically motivated. Some journalists in the regions faced prosecution for their professional activities.

In April, police in Belgorod detained journalist and parliamentarian Olga Kitova on charges of slander. Several months earlier Kitova had published an article in *Belgorodskaya Pravda* accusing police officers of torturing several teenagers into confessing that they had sexually molested a classmate. When police tried to bring Kitova, who enjoyed immunity as a member of the local parliament, to the precinct

for questioning, she resisted and was, as a result, also charged with resisting arrest and beating police officials. In May, prosecutors released Kitova on her own recognition. As of this writing, a local court was examining the case.

The FSB continued to chill freedom of expression and academic freedom by pursuing espionage cases involving material that defendants claimed was declassified. In July, military journalist Grigorii Pasko went on trial on espionage charges, after Russia's Supreme Court overturned a 1999 ruling by a Vladivostok court acquitting him. The Vladivostok court had excluded several pieces of evidence, citing falsification by the FSB. Pasko was accused of passing state secrets on the combat readiness of the Russian Pacific Fleet to the Japanese media. As of October 2001, the trial was ongoing.

The trial of Igor Sutyagin, a security and arms control researcher at the U.S.A. and Canada Institute, continued. The FSB arrested Sutyagin in 1999, charging him with passing state secrets to two employees of a British consultancy firm. However, according to his lawyers, Sutyagin never had access to classified materials and had only collated materials available in the public domain.

The FSB brought espionage charges against academic Valentin Danilov, head of the Thermo-Physics Center at a university in Krasnoyarsk. Following the scientist's arrest on February 16, the FSB charged Danilov with passing to a Chinese company state secrets relating to satellite technology. In an open letter to the procuracy, twenty of Danilov's colleagues maintained the information had been declassified in 1992. Danilov's trial was expected to start in late 2001.

The espionage conviction of former diplomat Valentin Moiseev also raised fair trial concerns. The Moscow City Court found Moiseev guilty after erratic court proceedings in which three different judges started hearing the case before being removed from it without clear explanation. A fourth judge eventually sentenced Moiseev to a four-and-a-half-year prison term in August.

In a move that could potentially restrict academic freedom, the presidium of the Russian Academy of Sciences in June issued a directive ordering research institutes to exercise "constant control" over scientists' cooperation with foreigners to avoid espionage. Although the directive did not contain any provisions that explicitly restricted academic freedom or freedom of expression, to many, the foregoing espionage cases indicated that the directive might in practice be applied arbitrarily.

In Moscow, racist attacks by skinheads—extremists known for their shaved heads and violence—continued to be a serious problem, as did racist police harassment. Although President Putin sharply and repeatedly condemned racist violence, his statements were undermined by the absence of efforts to hold police accountable for their harassment of ethnic minorities.

Police routinely extorted bribes from ethnic minorities, particularly Chechens, if their victims lacked a *propiska*, the obligatory residence permit. Police continued to plant ammunition, explosives, or narcotics on Chechens, often seeking large bribes in exchange for not pressing charges.

In late October, a group of skinheads stormed a bazaar on the outskirts of Moscow, killing two vendors from the Caucasus in what appeared to be a racially motivated attack. Police attributed the violence to "hooliganism" after Spain's defeat of Moscow's soccer team. Skinhead violence erupted in April around Adolf

Hitler's birthday, when a group of about 150 skinheads attacked an Azerbaijani market in southwestern Moscow and beat many of the vendors. The next day, skinheads taunted and stabbed to death a young Chechen man in central Moscow.

In August, a group of Russian teenagers, using broken bottles and baseball bats, attacked six African asylum seekers near an office of the United Nations High Commissioner for Refugees in Moscow. One of the Africans died of his wounds several weeks later. A week after the incident, two teenagers warned the U.N. office that "they would . . . declare a real war against the Africans."

Russian law enforcement agencies continued to cooperate with Central Asian governments seeking the extradition of political dissidents in Moscow. In June 2001, police arrested religious dissident Nodir Aliev, who was then extradited to Uzbekistan and sentenced to a seven-year prison term on charges of "undermining the constitutional order" of Uzbekistan. Also in June, police detained Tajik journalist Dodojon Avotulloev on an extradition request from the Tajik government, which sought to prosecute him for insulting the president of Tajikistan. After a week of intense international pressure, the Procuracy General denied the extradition request and released Avotulloev.

For the first time in years, the State Duma seemed set to pass a package of laws that would reform Russia's judiciary and criminal justice system. However, the proposed reforms did not adequately address major rights issues, such as torture and ill-treatment in police stations, overcrowding in prisons, and state indifference to domestic violence and rape.

In June, the State Duma passed a draft criminal procedure code in its second reading, the last step before final adoption. If adopted and signed into law, the code would introduce some long-awaited changes, such as a transfer from the procuracy to the judiciary of the authority to approve arrest and search warrants. However, the draft omitted steps that would help combat torture; for example, detainees would still require a prosecutor's consent for a forensic medical examination. Also, the draft code allowed for law enforcement agencies to seek signed statements from suspects before explaining their rights to them.

The State Duma also adopted amendments to several laws on the judiciary to introduce jury trials throughout Russia and to combat corruption among judges. Under the amendments, jury trials would be introduced in all eighty-nine regions of Russia by 2003. Draft amendments would also facilitate the prosecution of corrupt judges. However, some legal experts warned that the amendments made judges more susceptible to political pressure.

Although Penal Reform International reported that overall numbers of inmates in Russian prison facilities had decreased, overcrowding in pretrial detention remained severe. An important initiative that would have relieved overcrowding by limiting pretrial detention to one year failed, due to resistance from the procuracy.

In the first half of 2001, public officials undermined Russia's moratorium of the death penalty. Russia's justice minister and some members of the State Duma called for the restoration of capital punishment, and an army general called for the public executions of Chechen rebel leaders. However, President Putin very firmly spoke out against the death penalty in July.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

For a second consecutive year, the U.N. Commission on Human Rights in April adopted a resolution expressing grave concern about human rights violations in Chechnya. The resolution strongly condemned the use of disproportionate force and serious human rights violations by Russia's forces. It called on Russia to investigate all violations of international human rights and humanitarian law, to establish a national commission of inquiry, and to extend invitations to several U.N. special mechanisms. Notably, it fell short of calling for an international commission of inquiry.

At the commission's September 25 session, U.N. High Commissioner for Human Rights Mary Robinson spoke about Russia's noncompliance with the resolution, specifically its failure to create a national commission of inquiry and to issue invitations to special mechanisms. The Russian delegation responded that the Russian Federation does not consider itself bound by the resolution.

In October 2000, the U.N. Human Rights Committee issued its first ruling against Russia since that country recognized in 1991 the individual right to petition. It found that Russian citizen Dmitry Gridin's right to a fair trial had been violated in his 1990 conviction for rape and murder and urged his immediate release from prison.

Organization for Security and Cooperation in Europe (OSCE)

On June 15, the OSCE Assistance Group returned to Chechnya, opening its office in Znamenskoye after working from Moscow for more than two years. The Assistance Group had received a considerable number of human rights complaints and worked with the office of the special representative for human rights in Chechnya, other Russian authorities, and human rights nongovernmental organizations. The failure by the OSCE to make full use of its human rights mandate and to commit sufficient staff to the Assistance Group undermined its effectiveness.

Council of Europe

The Parliamentary Assembly of the Council of Europe continued to monitor closely the situation in Chechnya. In January, it restored the Russian delegation's suspended voting rights, opting for engagement over exclusion. The assembly established a joint working group made up of European and Russian parliamentarians to monitor Russian compliance with Council of Europe requirements. In April, the joint working group provided the assembly with an exhaustive list of all investigations into crimes against civilians committed by servicemen and members of special police forces, an important contribution toward transparency in the accountability process. In July, assembly president Lord Russell-Johnston expressed his concern about continuing abuses. In September, the joint working group

reported on Russia's failure to comply with the January assembly resolution and its dissatisfaction with Russian investigations into alleged abuses.

Council of Europe Human Rights Commissioner Alvaro Gil-Robles visited Chechnya in February and pressed the Russian government on investigations into rights abuses. However, he chose not to investigate a mass grave near the Khankala military base, discovered days before his arrival in Chechnya. He opted instead to urge the authorities to share information on the investigation with the office of the president's representative on human rights in Chechnya.

The secretary general of the Council of Europe, Walter Schwimmer, also repeatedly criticized the Russian government for the lack of prompt investigations into human rights abuses in Chechnya.

The Committee for the Prevention of Torture issued a rare public statement strongly criticizing Russia's lack of cooperation with the committee's recommendations. The statement specifically addressed Russian authorities' failure to carry out a thorough and independent inquiry into alleged abuses at the Chernokozovo detention facility in 2000 and to prosecute cases of ill-treatment of detainees in Chechnya.

The European Court of Human Rights declared admissible two applications against Russia for the first time since Russia's accession to the Council of Europe in 1996.

European Union

The European Union wavered on human rights in Chechnya in 2001. In April, the European Union tabled a draft resolution on Chechnya at the U.N. Commission on Human Rights but then tried to negotiate a much weaker chairman's statement. When the United States forced a vote on the draft resolution, the European Union voted in favor. At two E.U.-Russia summits, the European Union reportedly discussed Chechnya issues behind closed doors, but avoided mentioning them in public statements.

In December 2000, the European Parliament passed a resolution on the implementation of the E.U. Common Strategy on Russia. It called for a "double-track" strategy of collaborating with Russia on strengthening the rule of law and democratic structures while "whenever necessary, explicitly condemning human rights violations and the disproportionate use of force, as in the case of Chechnya."

U.K. Prime Minister Tony Blair and German Chancellor Gerhard Schroeder undermined the European Union's efforts in Geneva, repeatedly praising President Putin's leadership but neglecting publicly to raise abuses in Chechnya, including Russia's failure to comply with E.U.-sponsored U.N. resolutions. Following the September 11 attacks in the United States, Chancellor Schroeder called for a "reevaluation" of world opinion on the Chechnya conflict.

United States

The Bush administration repeatedly expressed concern over press freedom in Russia in early 2001 and played a critical role in bringing the Chechnya resolution

to a vote the resolution at the Commission on Human Rights in April. However, once the resolution had passed, the Bush administration missed key opportunities to press for Russia's compliance with the resolution's requirements.

In June, President Bush and President Putin held their first summit in Slovenia at which Bush declared his support for Putin's leadership, and forfeited the opportunity to publicly ask for Russia's compliance with the U.N. resolution. Subsequent summits brought no U.S. public criticism of the conduct of the Chechnya campaign.

After the September 11 attacks, the United States actively sought Russia's support for its response. While the administration continued public criticism of the abuses in Chechnya, it did little more to bring Russia to pursue a more vigorous accountability process.

Relevant Human Rights Watch Reports:

Burying the Evidence: The Botched Investigation into a Mass Grave in Chechnya, 5/01

The "Dirty War" in Chechnya: Forced Disappearances, Torture, and Summary Executions, 3/01

SLOVAKIA

HUMAN RIGHTS DEVELOPMENTS

Slovakia made progress during 2001 in its efforts to join the first wave of candidate countries for European Union accession, but its human rights record remained uneven. Roma faced continued violence, discrimination, and police abuse, occasionally with fatal consequences. The state response to discrimination was inadequate, with Roma, gays and lesbians, and domestic violence victims lacking full legal protection. A punitive criminal defamation law impinged on free expression. Reforms were also needed to curb the trade in weapons with human rights abusers.

The July death of a Roma man in police custody demonstrated the vulnerability of Slovakia's Roma population. The deceased, Karol Sendrei, and his two sons were detained after a July 5 altercation between Sendrei and the local mayor in Magnezitovce, in which the mayor and his police-officer son seriously assaulted Sendrei. Following their arrest, Sendrei and his sons were handcuffed to a radiator at the police station in nearby Revuca and beaten throughout the night. Sendrei died from his wounds. Seven people were arrested in connection with the incident, including the mayor and his son, who were charged with causing the death, and two other police officers who face abuse of power charges.

Despite the arrests and assurances from the interior minister that he would

ensure that justice would be done and improve police training, Sendrei's death was part of a continuing pattern of police failure to prevent racist violence against Slovak Roma. In a week of incidents, racist gang members beat and harassed Roma in the town of Holic, culminating in an August 13 assault on Milan Daniel that left him needing brain surgery. Roma residents asserted that the police had failed to protect them despite repeated complaints. On August 20, police finally charged two youths with the attack on Daniel. On August 30, Peter Bandur was sentenced to seven years' imprisonment for his part in the beating death of a Roma woman, Anastazia Balasova, a year earlier. (See *Human Right Watch World Report 2001*.) While Bandur was convicted of the more serious crime of racially motivated assault, his two accomplices received three and five years respectively for simple assault (without racist intent).

Roma continued to face discrimination in employment, education, and housing. Hostility on the part of other Slovaks formed part of the problem: a government plan to resettle five homeless Roma families in Medzilaborce was met in February by a protest petition signed by around 2,000 of the town's residents. But the government also failed adequately to implement and fund legal and policy measures to combat anti-Roma discrimination. Positive developments came in the form of the replacement in June of Vincent Danihel, the much-criticized minister for Roma issues, by Klara Orgovanova, and the appointment of Roma parliamentarian Ladislav Fizik as advisor to the interior minister.

Equal treatment for gays and lesbians suffered a setback on July 2, when the National Council (parliament) rejected a proposal prohibiting employment discrimination on the grounds of sexual orientation. There was some progress in official recognition of the rights of national minorities, demonstrated by Slovakia's signing of the European Charter for Regional or Minority Languages on February 20 and expanded Hungarian-language teaching. Antagonism toward minorities remained, however, with the desecration of Hungarian monuments in Kosice in March and Jewish tombstones in Zvolen in July. Anti-domestic violence laws remained inadequate, although the Alliance for Women cooperated with a government criminal law reform committee in efforts to remedy the shortcomings. Victims of rape faced bias in the justice system. Slovakia continued to lack an ombudsman office, although the government approved a draft law creating the post on September 19. At time of this writing, Parliament had yet to vote on the legislation.

Free expression continued to mature in Slovakia, but government officials' use of a criminal defamation law against journalists raised ongoing concerns. The office of the Slovak president brought a criminal defamation suit brought against Ales Kratky, a journalist with the daily *Novy Cas*, over an article questioning the president's fitness for office, leading to formal charges by a state prosecutor on July 2. Kratky faced a prison sentence if convicted. On July 12, the European Court of Human Rights found that a Slovak court's 1992 conviction of writer Lubomir Feldek under the same law, for an article about a government official's war record, was a violation of Feldek's right to free expression under article 10 of the European Convention on Human Rights.

Slovakia's growing popularity as a transit country for asylum seekers and

migrants and a country of origin and transit for trafficking accentuated its significant shortcomings in refugee and trafficking policy. Principal concerns were the continued lack of an appeal mechanism for asylum petitions, lack of adequate facilities to house asylum-seekers, and inadequate guarantees against return to a country where individuals face threat of persecution.

Slovakia continued to authorize weapons transfers that risked fueling human rights abuses in recipient countries. For example, it continued to be a major supplier of arms to the highly abusive Angolan government, supplying mostly surplus weapons made redundant by military modernization plans linked to Slovakia's NATO aspirations. United Nations investigators found that Slovakia was the point of origin of weapons that were funneled to Liberia, in violation of a mandatory arms embargo. In addition, Slovakia played a role as a transit country for arms shipments originating in other countries. A weapons shipment from Iran apparently destined for Angola via Slovakia and Israel was impounded at Bratislava airport in September because the cargo was wrongly declared. The Slovak government at this writing had not taken action to close a legal loophole that permits weapons to transit through the country for up to seven days without a government license, nor to incorporate in national law minimum export criteria agreed under the 1998 E.U. Code of Conduct and a November 2000 OSCE agreement on small arms. Slovakia, a state party to the 1997 Mine Ban Treaty, announced on October 18, 2000, that it had completed destruction of its stockpile of antipersonnel landmines.

DEFENDING HUMAN RIGHTS

There were no reports of interference with the work of domestic monitoring or international human rights monitors. In March 2001, the Slovak Helsinki Committee initiated a project to monitor news reporting on minorities. Initial findings were encouraging, with more than 75 percent of news reporting on Roma and ethnic Hungarians assessed as neutral. The European Roma Rights Center continued their efforts to secure civil rights for Slovak Roma, filing suit against Slovakia in the European Court of Human Rights on October 5 on behalf of Lubomir Sarissky, a Roma man who died in police custody in August 1999.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

In May, the Committee against Torture considered Slovakia's initial report on compliance with the Convention against Torture. The committee expressed concern at police involvement in attacks on Roma, allegations of ill-treatment of detainees in police custody, and the failure of Slovak authorities adequately to respond to police misconduct. The special rapporteur on the independence of judges and lawyers, Dato'Param Kumaraswamy, visited Slovakia in November 2000 to investigate government attempts to remove the president of the Supreme Court,

Dr. Stefan Harabin, in light of ongoing concerns about political interference in the judiciary. The government proposal to remove Dr. Harabin was subsequently defeated by the National Council in December 2000.

Organization for Security and Cooperation in Europe (OSCE)

The death of Karol Sendrei while in police custody was condemned in July by the OSCE contact point for Roma and Sinti. The contact point, Nicolae Gheorghe, emphasized the importance of an effective investigation by the Interior Ministry.

Council of Europe

In addition to signing the minority languages charter (see above) in February, Slovakia allowed publication on July 6 of the Opinion on Slovakia by the Advisory Committee on the Framework Convention on the Protection of National Minorities. The opinion, adopted by the committee in September 2000, noted progress in Slovakia's compliance with the convention but expressed concern about the treatment of Roma. Similar concerns were highlighted by Human Rights Commissioner Alvaro Gil Robles while visiting a Roma settlement in Kosice during his May trip to Slovakia.

European Union

E.U. concern over the plight of Roma remained a sticking point in relations with Slovakia during 2001. After visiting a Roma settlement in Jarovnice during a February trip to Slovakia, E.U. Enlargement Commissioner Guenther Verheugen contrasted Slovakia's overall progress towards accession with its continued discrimination against Roma. The European Parliament's rapporteur on Slovakia, Jan Marinus Wiersma, condemned the death of Karol Sendrei. Discrimination against Roma was also noted in Wiersma's May 8 report to the Parliament's Foreign Affairs Committee on Slovakia's membership application and the related resolution adopted by the full Parliament on September 5. In its regular report on Slovakia's progress toward E.U. accession released in November 2001, the European Commission noted continued concerns about the slow implementation of programs designed to assist Roma.

United States

The State Department country report on human rights practices in Slovakia largely reflected the main developments during 2000, including trafficking, although Slovakia was omitted from the department's July global report on trafficking. The U.S. government's interagency Helsinki Commission maintained its scrutiny of Slovakia's record on Roma issues.

TAJIKISTAN

HUMAN RIGHTS DEVELOPMENTS

Four years after a peace agreement ended Tajikistan's civil war, political violence continued and the government moved closer to single-party rule. It imposed increasing control over political and religious life by obstructing political opposition, arresting citizens on religious grounds, and severely restricting the media. Torture by police and security forces remained endemic.

Assassinations of high-ranking political figures reflected ongoing internal power struggles between and within the parties to the 1997 peace agreement—the government, led by President Emomali Rakhmonov, and the United Tajik Opposition (UTO), now disbanded. On April 11, Deputy Interior Minister Habib Sanginov, a former UTO political representative and key contributor to the peace negotiations, together with two of his bodyguards and driver, was shot by three unidentified assailants in Dushanbe. Sanginov's relatives dismissed the official version for his killing—that Sanginov had refused to repay a loan—and asserted it was connected to his efforts to identify illegal criminal groups with alleged links to the government. Authorities detained and harassed Sanginov's friends and relatives, causing at least one to flee the country. On July 17, gunmen killed Karim Yuldashev, a presidential foreign policy advisor, at his home in the capital. On September 8, Minister of Culture Abdurahim Rahimov was shot by unidentified gunmen outside his home in Dushanbe.

Renewed fighting between former UTO members and government forces in 2001 highlighted continuing distrust between the two sides and shortcomings in the demobilization process envisaged in the 1997 peace agreement. In June, former UTO field commanders based in northeastern Tajikistan took hostage at least four policemen in Teppa Samarkandi and fifteen members of a German humanitarian aid organization in Tavil-Dara. The kidnappers protested the arrest of former UTO members in connection with the murder of Habib Sanginov. All hostages were released unharmed, but a military operation against the rebel fighters ensued. Local legal experts and journalists reported that government forces' indiscriminate fire killed or injured up to eighty civilians, and that Tajik law enforcement agencies beat civilians and looted. Authorities acknowledged six civilian deaths.

UTO representation in the government, mandated by the peace accords, remained at best a formality, as in practice their officials and parliamentary deputies supported official policy and the president on almost all points. In 2001 the government moved to consolidate its de facto single-party control by banning and denying registration to opposition parties. The Adolatkoh (Justice) party was banned on charges of violation of the law on political parties, and party officials claimed that its supporters had been intimidated by authorities into denying membership in the party. Registration documents for the Social Democratic Party languished with the Ministry of Justice. Pro-government candidates in the December

2000 and May 2001 parliamentary by-elections ran uncontested, as opposition candidates were denied registration on charges of violating electoral procedure.

The government harassed and arrested several members of the Islamic Revival Party (IRP), a key part of the former UTO, claiming they were members of Hizb ut-Tahrir (Party of Liberation), a banned Islamic organization. The IRP claimed that only one of its members supported the organization and that the government was using the crackdown against Hizb ut-Tahrir as a pretext to weaken the IRP.

Courts handed down increasingly severe sentences against scores of Hizb ut-Tahrir members. Whereas in previous years sentences ranged between five and twelve years, on charges of inciting religious hatred, distributing antistate literature, membership in banned organizations, and attempted violent overthrow of the state, in 2001 these charges brought sentences of up to fourteen years of imprisonment. Hizb ut-Tahrir advocated Islamic government and reestablishment of the caliphate by peaceful means.

The government continued severely to restrict freedom of expression. The sole state-owned publishing house for newspapers continued to censor material critical of the government or influential public figures. The authorities "counseled" all media on political content, and enforced pre-publication censorship and burdensome licensing procedures for media outlets. The government granted broadcast licenses to one independent radio station in northern Sugd province, while authorities in Dushanbe continued for a fourth year to deny operating licenses to both independent radio and television stations.

The authorities attempted to punish a foreign-based journalist for his criticism of the government. On July 5, Dodojon Atovullo, exiled editor-in-chief of the opposition newspaper *Charogi Ruz* (Light of Day), was arrested in Moscow, upon the request of Tajik law enforcement agencies. Atovullo had in recent years published articles accusing Tajik authorities of corruption and involvement in narcotics trafficking. Threatened with extradition back to Tajikistan to face charges of sedition and publicly slandering the president, he was released after six days after pressure from other governments and international organizations.

Tajik authorities continued to refuse entry to more than 10,000 Afghans who fled fighting in northern Afghanistan in late 2000. The government claimed that the presence of armed combatants among the refugees posed too great a security risk to Tajikistan and that the country lacked the necessary economic and social resources to accommodate them. The displaced Afghans were living in squalid conditions on islands in the Pianj River on the border between the two countries and were at times subjected to crossfire between United Front and Taliban forces. Their numbers steadily increased prior to and during the U.S.-led military offensive in Afghanistan. Authorities also ordered several thousand Afghan refugees already resident in Dushanbe to relocate to areas south and west of the capital to "ensure security and public order in places of settlement." While police harassed refugees following the order, as of this writing there were no reports of refugees having been forcibly relocated. In mid-October Dushanbe authorities closed three Afghan schools, charging that they violated administrative regulations, and refused to issue identity documents to Afghan refugees.

The International Organization for Migration reported that more than a thou-

sand women, including minors, were trafficked in 2000 to the Middle East and Commonwealth of Independent States countries, where they were often employed in the sex industry. Traffickers paid bribes to Tajik law enforcement officials to procure travel documents and facilitate travel arrangements.

Antipersonnel landmines remained a feature of the Tajik landscape in 2001. Most were laid by Uzbek government forces in 2000, in response to the incursions of that year by the Islamic Movement of Uzbekistan through Tajikistan into Uzbekistan and Kyrgyzstan.

DEFENDING HUMAN RIGHTS

Local human rights defenders raised human rights violations in international fora, but the atmosphere of fear and intimidation prevented active monitoring and advocacy within the country. One notable initiative included a roundtable on the death penalty jointly organized by the OSCE and the League of Women Lawyers of Tajikistan. A principal recommendation was a moratorium on the death penalty.

THE ROLE OF THE INTERNATIONAL COMMUNITY

Tajikistan assumed a high profile as the U.S. military counterterrorism campaign in Afghanistan got underway. It was of strategic importance both for humanitarian relief operations in northern Afghanistan, and potentially as a base for U.S. military deployment. International actors seeking to bolster financial assistance to Tajikistan in recognition of its new strategic role made no effort whatsoever to take into account the country's dismal human rights record. Tajikistan was granted membership in NATO's Partnership for Peace program.

United Nations

The U.N. Office of Peace-Building (UNTOP), the United Nation's small peace-building mission that followed six years of peacekeeping operations, made a priority of attracting international assistance for job creation programs for former combatants and improvements of the rule of law. The UNTOP mission's staff included a human rights officer, whose brief, however, did not include human rights monitoring.

The U.N. High Commissioner on Refugees (UNHCR) pursued a wavering policy regarding the displaced Afghanis on the Pianj river islands. In early 2001, the high commissioner requested the Tajik government to create the necessary conditions to admit the displaced, by, among other things, separating combatants from civilians and moving the latter to a safer area. When the authorities refused, UNHCR suspended its own relief operations on the islands in mid-March, also arguing that effective relief could not be delivered until combatants were separated from civilians. UNHCR continued to press the Tajik government on devising a strategy for separating combatants from civilians.

Organization for Security and Cooperation in Europe (OSCE)

The OSCE mission headquarters in Dushanbe and its field offices in Khujand, Shaartuz, Dusti, and Kurgan-Tiube intervened in several individual human rights cases involving torture, rape, murder, and commutation of the death penalty. It monitored policies in southern Khatlon province on employment and access to land that discriminated against the Uzbek minority, visited some of the country's prisons, and did limited trial monitoring. Other notable activities included round tables on the death penalty and trafficking of women and children and the initiation of a project to train prison personnel. The mission also provided legal assistance to Tajiks deported from Uzbekistan and helped to draft new laws on the media to bring them into conformity with international norms. It did not, however, publicly intervene to attempt to prevent the single-party elections in May.

Russia

After the September 11 attacks in the United States, Russia for the first time publicly admitted its longstanding provision of material support to the United Front, delivered via Tajikistan. It also increased this support during the course of the U.S. campaign. Tajikistan's role as a strategic partner in the U.S.-led operation in Afghanistan became possible when Russia cleared the way for U.S. use of Tajikistan's airports.

In October, Russia sent at least 1,500 troops to Tajikistan, adding to the already more than 10,000 Russian border guards stationed along the Tajik-Afghan border, and about 10,000 troops of the 201st Motorized Rifle Division headquartered in Dushanbe.

United States

Tajikistan became a strategic partner in the U.S. government's counter-terrorism campaign when it offered the use of airports by U.S. forces should the need arise, and the United States continued to channel important amounts of humanitarian aid through the country. The State Department's annual report of human rights practices delivered an unbiased and in general accurate account of the human rights situation.

International Financial Institutions

Donor activity increased significantly in 2001, largely in reaction to the recognition of Tajikistan's importance to Central Asian security. A U.N.-sponsored donors' conference in May resulted in pledges of U.S. \$430 million for poverty reduction and economic growth in 2001-2002. In addition, the European Bank for Reconstruction and Development contributed \$2 million for rehabilitation and \$13 million in loans for telecommunications modernization, while the World Bank issued a \$50 million tranche of a continuing loan for poverty reduction programs and economic reforms. The Asian Development Bank made a \$4.4 million loan for recon-

struction of water supply systems. During the course of the U.S.-led military coalition operations in Afghanistan, Germany included Tajikistan on its list of priority countries for development assistance.

TURKEY

HUMAN RIGHTS DEVELOPMENTS

The strongly nationalist ruling coalition of the Democratic Left Party, Nationalist Action Party, and Motherland Party once again failed to enact key reforms in the face of longstanding opposition to these measures by the army and security forces. The government's National Program for Accession to the European Union should have marked a turning point for human rights, but consisted mainly of vague and general undertakings that were clearly designed to delay or avoid significant change. In June the Constitutional Court closed the religious Virtue Party for "actions against the republic's secular principles." An opportunity for significant change was missed in October, when a package of constitutional amendments were enacted that shortened detention periods, but left the death penalty and constraints on freedom of expression on the statute books. Three provinces remained under state of emergency. In December, security forces deliberately killed prisoners resisting transfers to new high security "F-type prisons," and beat them in transit. Thirty-three prisoners died in hunger strikes.

The Turkish government talked about lifting constraints on free expression, but did not take effective legislative action to do so. Those who challenged the official view of the role of religion, ethnicity, and the army were prosecuted and imprisoned. In June, Dr. Fikret Baskaya began serving his third prison term for his writings, a sixteen-month sentence for "separatist propaganda" under article 8 of the Anti-Terror Law, for a 1999 newspaper article about the trial of Kurdistan Workers' Party (PKK) leader Abdullah Öcalan. Ahmet Turan Demir, deputy chairperson of the People's Democracy Party (HADEP) which has a largely Kurdish membership, was committed to Ankara Closed Prison in August to serve a one-year sentence under article 8 of the Anti-Terror Law for a speech at his party's youth congress in 1998.

Military courts tried civilians on charges limiting free expression. In December Sanar Yurdatapan, coordinator of the Freedom of Expression Initiative, and Nevzat Onaran of the Contemporary Journalists' Association were imprisoned by the General Staff Military Court with two-month sentences for "criticizing the institution of military service."

Governors closed exhibitions, banned film shows, and confiscated books and newspapers. In August police confiscated the Women Pensioners' Union booklet *Voice and Courage*, which published speeches from a conference on sexual assault and rape in custody, and officials of the group were charged with "insulting the security forces."

The High Council for Radio and Television (R.T.U.K.) temporarily or permanently suspended scores of independent broadcasters and in August banned BBC World Service and Deutsche Welle on the grounds that they “threatened national security.”

Various legal pretexts were used to prevent broadcasting and education in minority languages, calling into question whether the 2001 constitutional amendments ostensibly lifting the broadcasting ban would be fully implemented. Local governors prohibited the use of Kurdish street names and banned plays, cassettes, and films in Kurdish on the grounds that they were “separatist.”

The ban on wearing the headscarf was applied with increasing severity against students and civil servants and extended to private universities. A change in regulations prohibited any student wearing a headscarf from sitting for the June university examinations, a move that human rights groups criticized as violating the students’ right to freedom of religion, conscience, and thought. Teachers and doctors were also dismissed for wearing the headscarf on duty.

Many lawyers and human rights defenders charged that the use of torture and ill-treatment increased. Detainees in all quarters of the country reported that police or gendarmes inflicted torture by beating, death threats, hosing with cold water, sexual assault, electric shocks, and hanging by the arms. Victims included women and children, and people detained for common criminal offenses as well as State Security Court (SSC) offenses (those involving narcotics and organized crime, political violence, and some nonviolent political offenses). Two people died as a result of beatings during arrest.

The Turkish government refused to abolish incommunicado detention, the principal factor in the persistence of torture in Turkey identified by U.N. and Council of Europe experts. Turkish law continued to permit detention for SSC offenses for up to four days without access to family or lawyers. In practice this was frequently extended. Those held for common criminal offenses were entitled to a lawyer from the first moments of detention but rarely got one. Blindfolding, similarly condemned by international experts, also continued unchecked.

Legal safeguards for children in police custody were frequently ignored. In March, parliamentary deputy Sema Piskinsüt, former president of the Parliamentary Human Rights Commission, estimated that 90 percent of imprisoned children had been tortured in police custody. In January, nine children under the age of fifteen complained that they had been beaten, forced to remain standing for long periods, and deprived of food, drink and sleep while detained in Viransehir in the province of Sanliurfa in southeast Turkey. Local lawyers complained about the ill-treatment and breach of detention procedures, but as of November 2001 no action had been taken against the responsible police officers. A fifteen-year-old detained in April during an Istanbul demonstration against F-type prisons reported that police officers beat him with wooden sticks about the head and body. Medical examination showed extensive bruising and broken teeth.

Women reported sexual abuse and rape in police custody. The Women’s Commission of the Diyarbakir Bar stated in February that over the preceding year it had received complaints of sexual assault or rape by police or gendarmes from 123 women. In July, Health Minister Osman Durmus issued a circular which appeared to circumvent a 1999 ban on “virginity examinations” by providing for the expul-

sion of female medical students proven to be sexually active or engaged in prostitution. The minister later denied that he had authorized the reinstatement of such examinations, but did not rescind the circular. A sixteen-year-old in Van reported that in June she was taken from a gendarmerie post, where she was being questioned for alleged links with the PKK, to a state hospital and there subjected to a forced "virginity test."

The climate of impunity for torture remained unchanged. Where security personnel were charged and convicted of crimes based on torture, sentences were frequently light or suspended. In February a policeman convicted of torturing a thirteen-year-old boy in Istanbul in 1994 received a suspended sentence of fifteen months' imprisonment and returned to active service. In August the Turkish Parliamentary Human Rights Commission reported that it had forwarded 451 torture cases to local prosecutors, who had responded in only sixty-nine cases. Only one prosecution had been opened. The December 2000 Law on Conditional Release and Suspension of Sentences, resulting in the release of thousands of prisoners held on common criminal charges, also suspended sentences for police officers convicted of ill-treatment under article 245 of the Turkish Criminal Code.

Torturers continued to be protected by the abuse of medical examination procedures. In December, Dr. Nur Birgen, a Forensic Institute official, was convicted of issuing misleading reports that concealed torture. Her three-month prison sentence was commuted to a fine of approximately one U.S. dollar.

HADEP officials Serdar Tanis and Ebubekir Deniz "disappeared" after being summoned to a gendarmerie station in Silopi, Sirnak province, in January. The authorities first denied and then admitted that the two men "visited" the gendarmerie, but claimed they had left after half an hour.

The Justice Ministry moved forward with its long-planned transfer of prisoners held for SSC offenses from large ward-based prisons to new F-type prisons organized in smaller cells for up to three prisoners. The ministry ignored warnings from nongovernmental and international organizations that the planned F-type regime might amount to cruel, inhuman, and degrading treatment and that the lack of transparency surrounding the prison reform risked exacerbating prisoners' fears. In December, the government launched "Operation Return to Life," sending 10,000 soldiers into twenty ward-based prisons to transfer hunger-striking prisoners into small-group isolation in the newly constructed F-type prisons. The operation left twenty-eight prisoners and two gendarmes dead. Some prisoners burned themselves in protest, but others were deliberately killed by security forces. Gendarmes beat and tortured prisoners during transfer and on arrival at the F-type prisons. Eight male prisoners formally complained that gendarmes anally raped them with truncheons on arrival at Kandira F-type Prison, but they were not medically examined for three weeks.

Complaints that F-type prison guards maintained discipline through beatings were corroborated by medical evidence in several cases. In February, Sabri Diri made a formal complaint that guards at Tekirdag F-type Prison twice beat him and subjected him to *falaqa* (beating on the soles of the feet) in his single cell. A medical examination delayed for a week showed no signs of ill-treatment but a June medical examination using scintigraphy, an imaging technique, revealed evidence

consistent with Sabri Diri's allegation of falaka and beating. As of October 2001, thirty-three prisoners and eight relatives had died in hunger strikes in protest at the F-type regime. More than fifty other hunger strikers suffered severe and permanent brain damage.

More than 250,000 mainly Kurdish villagers remained unable to return to their homes in the southeast, despite the substantial reduction in hostilities between government forces and the PKK in that region. The vast majority had been forced from their homes in the early and mid-1990s by security forces in brutal operations accompanied by torture and "disappearances." A smaller number had fled their villages after repeated PKK attacks. Returns were slow due to apparent official reluctance to repopulate distant rural areas. Where civil authorities granted permission to return, villagers were sometimes turned back by gendarmerie or neighboring communities' paramilitary village guards who had occupied their lands.

Sporadic forced evacuation and house destruction actually continued. Following the death of a gendarme in a landmine explosion near Beytüssebab in Sirmak province in July, gendarmes forcibly evacuated the villages of Asat and Ortaklı.

The decline in attacks by armed illegal political organizations in recent years continued but political killings of civilians continued. In September, a suicide bomb attack by a member of the Revolutionary People's Liberation Party/Front (DHKP/C) in Istanbul killed Australian tourist Amanda Rigg and two Anti-Riot Squad officers. A fifteen-year-old was killed and three other schoolchildren injured in an attack on the extreme right Idealist Hearth in Istanbul. Official reports claimed the attack was committed by the Turkish Communist Labour Party (TKEP).

Asylum seekers were frequently denied proper protection. Under Turkey's geographical reservation to the 1951 Refugee Convention, non-European asylum seekers were required to register with the police so that the U.N. High Commissioner for Refugees (UNHCR) could determine whether they were refugees and eligible for resettlement in a third country. Hundreds of asylum seekers entering the country from Iran and northern Iraq were summarily returned across the borders. Others were arbitrarily refused permission to register or to report weekly to police stations, thereby exposing them to risk of summary return as illegal residents. In July more than two hundred African asylum seekers, including some recognized by UNHCR as refugees, were rounded up in Istanbul. One female member of the group died in custody, while others reported that gendarmes ill-treated, raped, or otherwise sexually assaulted them before forcing them at gunpoint across the Greek border.

Landmines laid by the government along the borders and by both sides in the conflict between the security forces and the PKK, killed at least ten people. In April, however, Turkey declared that it would begin procedures to accede to the Ottawa Convention on the prohibition of production and use of anti-personnel mines.

DEFENDING HUMAN RIGHTS

Prime Minister Bülent Ecevit issued a circular in June that required government

authorities to be “tolerant towards civil society organizations,” but also said that members of such organizations did not deserve to be called human rights defenders.

Human rights organizations saw little benefit from the circular. In September, police raided the Diyarbakir referral center for the treatment of torture survivors run by the Turkish Human Rights Foundation (TIHV) and carried off computers, patient files, and information about assisting doctors. In March, nineteen participants in a conference on sexual assault and rape in custody were put on trial for “insulting the State authorities” at Beyoglu Criminal Court. Nazli Top, who was tortured and raped with a truncheon in police custody in 1992, was a speaker at the June 2000 conference and a defendant in the ongoing trial.

The F-type prison crisis and associated hunger strikes imposed considerable strain on the human rights community. Government authorities relentlessly persecuted TIHV, Human Rights Association (HRA), and Turkish Medical Association members who were stretching their resources to the limit in order to document abuses, ensure supplies of vitamins and clothing to F-type inmates, and provide support to the relatives of sick, dead, and dying prisoners. Five HRA branches were shut down by local governors because of their work on F-type prisons. HRA members were repeatedly beaten and detained when they tried to make public press statements. The Justice Ministry announced that providing information about the hunger strikes was “supporting terrorism.” Accordingly, Ankara HRA branch president Lutfi Demirkapı and eleven others were charged in March under the Anti-Terror Law for their defense of human rights and face possible seven and a half year prison sentences. Their trial at Ankara SSC was under way as of this writing.

In October, *Yeni Safak* (New Dawn) published an April 1998 memorandum from the military’s Office of the Chief of General Staff, outlining a military plan to discredit the HRA with false information linking it to the PKK. The military did not deny the April 1998 memorandum’s authenticity but claimed it was never implemented. However, an attempt on HRA president Akin Birdal’s life in May 1998 was provoked by the type of groundless accusations contemplated in the memorandum. Birdal barely survived the attack, which left him disabled.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

In January, the U.N. special rapporteur on religious intolerance and discrimination published a report on his 1999 visit to Turkey. The report strongly questioned the Turkish Republic’s view of itself as a secular state, stating that the Directorate of Religious Affairs wields “excessive powers of religious management such that religious practice appears to be regimented by the government and Islam is treated as if it were a ‘State affair.’”

The report noted that Muslim and non-Muslim religious minorities were not satisfactorily protected and recommended that the U.N. Working Group on Minorities review the effectiveness of safeguards provided by the Treaty of Lau-

sanne, the foundation for Turkey's policies towards minorities. The special rapporteur also urged recognition of the right to conscientious objection.

The February visit of the U.N. special rapporteur on extrajudicial, arbitrary and summary executions included investigations into the "disappearance" of HADEP officials Serdar Tanis and Abubekir Deniz.

In June the Committee on the Rights of the Child recommended that the Turkish government introduce legislative changes and an awareness campaign in order to combat "honor killings," the murder of women by family members who believe that they have been dishonored by the woman's conduct. The committee was also "extremely concerned" that children were being exposed to torture and ill-treatment as a result of incommunicado police detention.

Council of Europe

The Committee for the Prevention of Torture (C.P.T.) concertedly engaged the Justice Ministry on the violence of the December prison operation, isolation in F-type prisons, and associated hunger strikes. The C.P.T. visited Turkey in December just before the operation, attempting to resolve hunger strikes that started in October. It visited again in January, April, and September.

The Turkish government authorized the committee's publication of all outstanding reports visits dating back to 1990. The C.P.T. did not oppose the change from large wards to cells but emphasized that small-group isolation in F-type prisons was "not acceptable" and urged the Justice Ministry to establish out-of-cell activities and independent monitoring.

In a number of judgments the European Court of Human Rights (ECHR) ruled that Turkish security forces had been responsible for arbitrary house destruction, torture, "disappearance," and extrajudicial execution in their operations in the southeast.

The ECHR's controversial judgment in July rejected the Welfare Party's complaint against closure by the Turkish Constitutional Court for "activities against the principle of secularism" in 1998. The European Court considered that the party leadership's intention to establish Islamic law (*shariah*) conflicted with values embodied in the convention, and that statements by the leadership suggested that it might resort to force in order to gain and retain power. In the same month the court ruled that Kurdish former parliamentary deputies Hatip Dicle, Orhan Dogan, Selim Sadak, and Leyla Zana, sentenced to fifteen years for treason in 1994, had been imprisoned after an unfair trial.

European Union

The E.U. Presidency's May statement on the prison crisis urged the Turkish government to implement "generously and properly" the C.P.T.'s suggested steps and underlined that prison reform was a priority area for meeting the accession criteria. In June, a European Parliament delegation visited Turkey to investigate developments in F-type prisons.

The European Parliament's October 2000 report on the accession process criti-

cized the vagueness of the National Plan and noted that “the signs of openness which are on occasion expressed by governmental authorities may be challenged by military powers, which still have an unusual influence on Turkish politics.” The European Commission’s November 2001 Regular Report concluded that on human rights, “the situation on the ground has hardly improved.”

United States

The State Department’s *Country Reports on Human Rights Practices for 2000* surveyed the continuing abuses, giving examples of restrictions on speech and the press, extrajudicial killings and torture. The report blamed incommunicado detention and impunity for the persistence of torture. It documented child labor, violence against women, and spousal abuse.

Its description of “an upsurge in the rate of returns” of displaced Kurdish villagers gave a more optimistic picture than warranted. The conclusion, apparently based on official Turkish government pronouncements, was not borne out by Human Rights Watch investigations. The State Department’s *Trafficking in Persons Report* stated that Turkey did not meet the minimum standards nor had it made significant efforts to combat trafficking of women and girls to Turkey for forced prostitution.

Technical issues slowed contractual negotiations on the sale of 145 attack helicopters to Turkey by U.S. manufacturer Bell Textron. This class of equipment was implicated in past human rights violations in Turkey, making the pending sale, which is subject to U.S. Congressional approval, highly controversial in the United States.

Relevant Human Rights Watch Reports:

Small Group Isolation in F-type Prisons and the Violent Transfers of Prisoners to Sincan, Kandira, and Edirne Prisons on December 19, 2000, 4/01

TURKMENISTAN

HUMAN RIGHTS DEVELOPMENTS

In 2001, Turkmenistan isolated itself from the international community and continued to stifle all forms of dissent, to hound religious and ethnic minorities, and to exercise strict control over all media and expression.

President Saparmurad Niazov’s cult of personality reached new levels. “President for Life” in the year 2000, in February he declared his intention to remain president only until 2010, when he promised multicandidate elections without opposition candidates. On October 19, the government’s highest legislative body

declared that *Rukhnama* (Book of the Soul), written by President Niazov, was a holy text, and officials indicated that it would be comparable to the Bible and the Koran.

In January, President Niazov added about 1,000 agents to the National Security Committee (or KNB), bringing their number to 2,500. Successor to the KGB, the KNB exercised truly pervasive surveillance over the population, using intimidation, searches without warrants, arbitrary detention, and torture to dissuade all dissent.

In response to international pressure, Turkmen authorities released in December 2000 two dissidents, Nurberdi Nurmamedov and Pirkuli Tangrikuliev, imprisoned since January 2000 and August 1999, respectively. President Niazov signed a decree pardoning the two after their videotaped statements of “repentance” were broadcast on television.

Mukhmatkuli Aimuradov, a political prisoner since 1994, continued to serve an eighteen-year prison sentence. Notwithstanding his worsening health, the authorities limited family visits and delivery of food parcels and medicines, and denied his petition to have his sentence reduced.

Since 1997, the government has officially allowed only two religious denominations, Sunni Islam and Russian Orthodox Christianity, and viciously persecuted those who followed other faiths, which were considered illegal. Religious persecution worsened after a January 26 presidential speech tasked the KNB with reinvigorating the struggle against “various non-native religious groups intent on fracturing our society.” Pentacostalists, Baptists, Jehovah’s Witnesses, and Hare Krishnas bore the brunt of this new crackdown. Police and KNB agents interrogated and intimidated worshippers, confiscated their literature, and prevented group worship. The government also continued to deport religious activists who were not citizens of Turkmenistan.

At least fifteen believers were tortured or ill-treated during police and KNB interrogations about their beliefs or “illegal” religious activities. On March 11, KNB agents detained seven Hare Krishnas at a wedding in Mari, and beat them on the soles of their feet to punish them for adherence to an “incorrect” faith. A court sentenced them to five days of detention on trumped-up charges of “hooliganism.”

In January 2001, President Niazov claimed that in 2000 law enforcement agents had confiscated 350,000 religious books and 80,000 cassettes that were “incompatible with our faith.” In March, authorities banned the sale of Bibles in Russian or Turkmen.

By March the government had closed the last Pentacostalist and Baptist houses of worship. Several families were evicted from their homes in retaliation for praying at unsanctioned gatherings.

In February, Shahgildy Atakov, an imprisoned Baptist pastor convicted in 1999 on unfounded charges of alleged financial misdealings, was transferred in serious condition to a prison hospital in Mary. The authorities had reportedly offered to release Atakov provided he take an oath of allegiance to the president. When he refused, state agents beat him and forcibly medicated him with psychotropic drugs. The government denied Atakov’s ill-treatment but ignored diplomats’ requests to meet with him. On March 23, Atakov was transferred to the remote Turkmenbashi prison facility. Also in March, his wife, Artigul Atakova, and five children were

forcibly relocated to Kaakhka, where local authorities reportedly threatened to deny parental rights to Atakova unless her children participated in the school ritual of swearing allegiance to the president.

At least six Jehovah's Witnesses were serving prison sentences, mostly for conscientious objection to military service. Authorities in some cases reportedly brought new charges against conscientious objectors when they finished out their terms.

Islamic groups also suffered state harassment. On June 25, President Niazov stated that he had ordered the official head Turkmen Muslims to close the last *madrassah* (religious school) in the northern city of Dashoguz. Only the department of theology at Ashgabad University, which is under strict police surveillance, had the right to teach Islamic studies. The Shi'ite community had been denied registration since 1997, although some communities had permission to gather for prayer on major holidays.

Law enforcement agencies stepped up pressure on nongovernmental organizations (NGOs). In November 2000, a special commission in Turkmenbashi composed of the KNB, procuracy, tax police, and local government officials launched "inspections" to intimidate thirty NGOs that had participated in a seminar on democratization sponsored by the Organization for Security and Cooperation in Europe (OSCE). Umid (Hope), the NGO that had organized the conference, was forced to cease its operations. From July through September, the Ministry of Justice and procuracy repeatedly summoned forty-eight environmental and humanitarian NGOs, some of which had previously been denied registration, to warn them that any activities pursued by unregistered NGOs were illegal.

The government systematically stifled all media freedoms, and imposed pre-publication state censorship. The authorities forced people to subscribe to Turkmen newspapers, even if they did not speak Turkmen. In March state libraries were instructed to confiscate the works of about twenty authors who either "inaccurately depicted" the country's history or had emigrated for political reasons.

The government went to extraordinary lengths to block all information about the human toll of the December 6, 2000, earthquake in western Turkmenistan. President Niazov publicly stated that no one had perished, though dozens were reported dead, and declined all foreign assistance.

Beginning in the third quarter of 2000, the government took unprecedented action to curtail freedom of movement. It declared two of Turkmenistan's five provinces "closed"; travel there required a special pass. In several of the country's largest cities, local authorities banned the sale of homes to residents of other cities and strictly enforced *propiska* (obligatory residence permits) rules. Several people were denied permission to travel abroad on political or religious grounds. In 2001, the government gave few visas to foreigners, and in numerous cases KNB agents warned individuals not to issue invitations to their friends and relatives abroad, required for Turkmen visas.

To discourage contact with foreigners, on June 4 President Niazov signed an order requiring a fee of U.S. \$50,000 to register a marriage with a foreigner.

President Niazov's grandiose construction projects for Ashgabad required the destruction of many homes, and according to diplomats, homeowners in numer-

ous cases were not paid the full amount of promised compensation, or received nothing. Those who had the right to alternative housing in some case did not receive it.

In December 2001, President Niazov amnestied 11,774 of the country's 19,000 prisoners, but prisons remained overcrowded and horrific. Corruption pervaded the amnesty process.

DEFENDING HUMAN RIGHTS

The government does not allow domestic human rights NGOs. Due to emigration, Russian Community, an unregistered entity, collapsed. The organization had defended the rights of ethnic minorities and assisted them in emigration matters. On May 2, KNB agents interrogated one of its former activists, Viacheslav Mamedov, after he visited the OSCE in Ashgabad. They accused him of giving the OSCE a "political document" and banned him from traveling to the capital to meet with foreigners without first informing them.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

Turkmenistan declared its support for a U.N.-led campaign against terrorism, and agreed to allow the United Nations to deliver humanitarian aid through its border with Afghanistan.

Organization for Security and Cooperation in Europe (OSCE)

For the fourth year in a row, Turkmenistan failed to sign a substantive Memorandum of Understanding with the OSCE's Office of Democratic Institutions and Human Rights, one of the conditions under which the OSCE had agreed in 1998 to establish a center in Ashgabad. Nonetheless, Chairman-in-office Mircea Geoana met with President Niazov in June 2001 for talks on security and human rights issues, and claimed to have made steps toward "re-engaging Turkmenistan on the human dimension of the OSCE."

In February, the head of the OSCE center in Ashgabad requested permission to visit Shahgildy Atakov, but officials ignored the request. He also publicly noted that President Niazov's decision to hold elections in 2010, while positive in setting a limit to his presidency, effectively cancelled the elections scheduled for 2002. Also in February, OSCE representatives attempted to monitor the trial of Nurberdi Nurmamedov; officials barred them entry, despite having invited them to attend.

Despite hindrances to its operation, the OSCE Center sponsored a number of seminars and events on human rights issues.

European Union

The ratification of the E.U. Partnership and Cooperation Agreement (PCA) with Turkmenistan remain stalled, due to human rights concerns. But the PCA's Interim Agreement extended full trade benefits, squandering the European Union's leverage with Turkmenistan.

After the September attacks in the United States, the European Union began to reevaluate its engagement with Central Asian states bordering on Afghanistan. Within this context Belgian Foreign Minister Louis Michel, representing the E.U. presidency, visited Turkmenistan to discuss cooperation on terrorism, border control, and drug trafficking.

United States

In the post-September 11 context of U.S. policy toward Central Asian states, Turkmenistan's human rights record took second place to its strategic location, sharing a border with Afghanistan. The Bush administration's list of countries of particular concern for religious freedom, released in October, did not include Turkmenistan. In August, the U.S. Commission on International Religious Freedom had recommended its inclusion.

European Bank for Reconstruction and Development (EBRD)

In a letter to President Niazov in July 2001, the EBRD threatened to cut off all activities in Turkmenistan if political and economic reforms were not enacted within a year, citing "grave concerns about the state of democracy and the lagging pace of political and economic transition." The EBRD had ended public sector lending to Turkmenistan in April 2000.

UNITED KINGDOM

HUMAN RIGHTS DEVELOPMENTS

In the aftermath of the September 11 attacks in the United States, the United Kingdom proposed emergency measures that threatened to undermine civil liberties and the rights of refugees and migrants. Three years after the 1998 Multi-Party Agreement was negotiated in Northern Ireland, the agreement's human rights provisions were not yet realized. Contentious outstanding issues included the creation of a representative, accountable police force, and the establishment of public inquiries into the murders of two slain defense lawyers.

On September 27, British Home Secretary David Blunkett suggested that Afghans who might flee their country were not entitled to seek refuge elsewhere.

“There is already a major problem on the Afghan border,” he said. “The main aim is to stop people coming from that region and spreading across the world. That is also necessary for reasons of terrorism.” Blunkett indicated that in order to prevent terrorism it might be necessary to curb the appeal rights of those refused entry into the United Kingdom. Such measures threatened to prevent asylum seekers from having their claims for refugee status assessed fully and fairly. Most individuals recognized as refugees in the United Kingdom had appealed an initial negative decision.

In October, the British Home Office proposed new security measures—including enhanced police powers; a denial of judicial review for decisions made by the Special Immigration Appeals Commission, which deals with asylum claims of persons suspected of terrorist activities; and provisions for the indefinite administrative detention of those suspected of terrorist activity or associated with terrorist groups or their members. In February, the United Kingdom lifted its derogation from article 5 of the European Convention on Human Rights, which governs the rights of individuals in custody. The indefinite detention proposal would have required the United Kingdom to reinstate the derogation.

On November 12, Home Secretary David Blunkett declared a “state of emergency,” a requirement for derogation from certain provisions of the European Convention on Human Rights (ECHR). Blunkett told the *Guardian* that the declaration was a legal technicality—necessary to ensure that certain antiterrorism measures that contravene the ECHR could be implemented—and not a response to any imminent terrorist threat. In a statement to Parliament on October 15, Blunkett stated that “[t]here is no immediate intelligence pointing to a specific threat to the United Kingdom.” These public pronouncements raised concern that the United Kingdom sought to derogate from its human rights obligations in the absence of conditions amounting to a bona fide state of emergency.

The Home Office subsequently introduced the Anti-Terrorism, Crime and Security 2001 bill on November 13. The bill included a definition of “international terrorist suspects” that included persons who “have links with a person who is a member of or belongs to an international terrorist group,” giving rise to concern that people could be found guilty by association; provided for indefinite detention with limited judicial review for foreigners certified by the Home Secretary as suspected terrorists; and undermined the 1951 Refugee Convention by denying those considered suspects the fundamental right to seek asylum and potentially excluding them from the United Kingdom, or detaining them indefinitely without adequate safeguards. An expedited process was implemented to see the bill to adoption, which was expected by December.

Attacks against Muslims living in the United Kingdom increased dramatically after September 11. On September 17, three white men beat an Afghan taxi driver so severely that he was paralyzed from the neck down. Although such attacks were condemned by the government—with a promise to toughen enforcement of hate crimes legislation—new government calls for antiterrorist measures, more restrictive immigration and asylum controls, and for halting the flow of Afghan refugees into Europe contributed to an increasingly hostile climate toward refugees and migrants in the United Kingdom.

The Northern Ireland peace process faced numerous challenges in 2001. On August 18, the Irish and British governments issued a revised implementation plan for the 1999 Patten Commission report on policing. Although Northern Ireland's Irish nationalist Social Democratic Leadership Party (SDLP) agreed to the plan, the republican party Sinn Fein refused to approve it, citing its failure to incorporate key provisions of the 1998 Patten report, which recommended fundamental reform of policing arrangements. In September, the Northern Ireland Police Board—the policing oversight body—was established with representatives from all the major political parties except Sinn Fein. Without support from Sinn Fein, members of the Catholic minority that identify themselves as republicans or nationalists were less likely to seek jobs in the service.

In June, the Royal Ulster Constabulary introduced “less lethal” plastic bullets into its cache of weapons. Human rights groups and Labor Party MPs argued that scientific evidence indicated the new bullets remained lethal and continued their calls for a total ban on the use of plastic bullets.

Children's right to education was threatened in September in the Ardoyne area of Belfast where local protesters—who identify themselves as Protestant “loyalists” to the U.K.—lobbed a blast bomb, tossed bottles, and shouted sectarian slurs at Holy Cross elementary students, girls aged four to eleven, as they made their way to school. Loyalists issued death threats against some parents. On November 11, a sixteen-year old loyalist protester died after a pipe bomb exploded in his hand. Catholic parents charged the RUC with failing to protect their children adequately. In November, the RUC arrested a nationalist who was videotaping loyalist protests outside the school.

Press outlets continued to suffer setbacks in their efforts to report on the Force Research Unit (FRU), a unit within British Army intelligence alleged to be responsible for a number of killings—through its agents in both loyalist paramilitary groups and the Irish Republican Army (IRA)—including the murder by loyalist paramilitaries of defense lawyer Patrick Finucane in 1989. On April 24, the Ministry of Defense secured a temporary injunction against Ulster Television's *Insight* series, which was about to broadcast a program about FRU's infiltration of former soldiers into the IRA. The program alleged that members of the security forces and the public died in IRA attacks that were allowed to go ahead in order to protect those agents' cover. A permanent injunction was served on UTV on April 26 banning the station from broadcasting information about the ban.

In February 2001, the Irish government issued a public statement supporting the call for an independent international public inquiry into the March 1999 murder of human rights lawyer Rosemary Nelson. In August 1 proposals to advance the political process, the British and Irish governments called for the appointment of an international judge to investigate allegations of official collusion in several cases, including the murders of Rosemary Nelson and Patrick Finucane. The Nelson and Finucane families continued to call for independent public inquiries into the murders.

DEFENDING HUMAN RIGHTS

In July 2000 human rights activists discovered a web site listing names of persons being targeted by loyalist paramilitaries, including defense lawyers, journalists, and community activists. The police got the list off the web in December 2000. Evidence subsequently came to light that loyalists had the list and were amending it. The RUC warned hundreds of people that their names were on the list.

On September 28, journalist Martin O'Hagan, who wrote about alleged collusion between the security forces and loyalist paramilitaries, was shot dead in Lurgan.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

In April, the U.N. special rapporteur on the independence of judges and lawyers and the special rapporteur on human rights defenders called for public inquiries into the murders of Rosemary Nelson and Patrick Finucane.

In November, the U.N. Human Rights Committee issued concluding observations on the United Kingdom's fifth periodic report. The committee welcomed the entry into force of the Human Rights Act 1998 and the establishment of a police ombudsman and human rights commission in Northern Ireland. It recommended that any derogation from the International Covenant on Civil and Political Rights (ICCPR) in the effort to combat terrorism comply with the requirements on derogation contained in article 4, to implement "a full, transparent, and credible accounting" of the circumstances into disputed killings in Northern Ireland, including the murders of Patrick Finucane and Rosemary Nelson, to examine the asylum system to ensure that asylum seekers' rights under the ICCPR receive full protection, and to establish a national human rights commission.

Council of Europe

In four judgments issued in May, the European Court of Human Rights held that the United Kingdom had failed to conduct effective investigations into disputed killings in Northern Ireland. The cases were brought by the families of eleven people killed by security forces and one person killed by Loyalist paramilitaries with the alleged collusion of the security forces. The court unanimously found in all four cases that the procedures for investigating the use of lethal force by police officers failed to meet the requirements of article 2 of the European Convention on Human Rights, which guarantees the right to life.

United States

On March 15, the second anniversary of Rosemary Nelson's murder, the House

Subcommittee on International Operations and Human Rights held a hearing on the review of the criminal justice system in Northern Ireland.

The U.S. State Department's *Country Reports on Human Rights Practices for 2000* adequately catalogued the concerns of human rights groups, including the lethal potential of plastic bullets, alleged collusion between security forces and loyalist paramilitaries, and the unresolved murders of lawyers Rosemary Nelson and Patrick Finucane.

Relevant Human Rights Watch Reports:

Commentary on the United Kingdom's Anti-Terrorism, Crime and Security Bill 2001, 11/01

UZBEKISTAN

HUMAN RIGHTS DEVELOPMENTS

The new U.S.-led campaign against terrorism dramatically changed Uzbekistan's international position, but its appalling human rights record remained unchanged. The government retained tight control over all media and other forms of expression, dealing harshly with dissidents and rights activists who sought to expose abuses. It did not tolerate independent political parties or social movements. State agents tortured those in custody and at least five people died in custody under highly suspicious circumstances in 2001.

The government pressed forward with a campaign of unlawful arrest, torture, and imprisonment of Muslims who practiced their faith outside state controls, and took increasing numbers of pious women into custody. Police forcibly disbanded protests by relatives of religious prisoners, and placed several under administrative arrest for demonstrating.

Seventy-three mountain villagers were convicted, after being tortured and ill-treated, on charges of abetting the Islamic Movement of Uzbekistan (IMU) insurgency in 2000 in southeastern Uzbekistan.

While authorities withheld comprehensive statistics on prisoners held on religious and political charges, conservative estimates put the total number at around 7,000. Local rights organizations estimated that in 2001 at least thirty people per week were convicted for alleged crimes related to their religious affiliation or beliefs. The majority of cases involved those accused of membership in Hizb ut-Tahrir (Party of Liberation), which espouses reestablishment of the Islamic Caliphate by peaceful means. The government of President Islam Karimov equated the group's beliefs and activities with attempted overthrow of the state, and authorities prosecuted any person in possession of the group's literature or in any way affiliated with it. They also prosecuted so-called Wahhabis, or Muslims who were

not members of any organized group but who worshiped outside state controls and were subsequently branded “extremists” and “fundamentalists.”

Those associated even loosely with well-known religious leaders branded as “Wahhabis” were tried in unfair proceedings on charges of conspiracy to overthrow the government, and sentenced to lengthy prison terms. On April 9, twelve men accused of taking Koran lessons and attending religious services at the mosque of Imam Abduvahid Yuldashev were sentenced to terms ranging from two-year suspended sentences to eighteen years of imprisonment. The men, who claimed that they had been engaged only in worship and study of Islamic texts, testified that police held them incommunicado and tortured them. A Tashkent court sentenced Imam Yuldashev himself to nineteen years in prison, ignoring his testimony that he was tortured and his family threatened.

Following a well-established pattern, authorities arrested or harassed the relatives of independent Muslim leaders. In at least one prominent case in 2001, police used a family member as a hostage to coerce an imam into cooperating with an investigation. On March 17, 2001, Tashkent police arrested Rahima Ahmedalieva, wife of Imam Ruhiddin Fahriddinov, whom authorities labeled a “Wahhabi” and who was believed to be in hiding, fearing arrest. Police held Akhmedalieva, conditioning her release on Fahriddinov’s appearance for questioning. Police detained Akhmedalieva’s nineteen-year-old daughter, Odina Maksudova, on March 20, threatened her with physical abuse, and forced her to write a statement incriminating her mother. They also threatened to send Akhmedalieva’s minor children to an orphanage, “so [they] won’t become ‘Wahhabi,’” and tore off the religious headscarves worn by Maksudova and Akhmedalieva, ordering the younger woman not to wear religious dress again. Maksudova was released the next day.

On March 26, when Maksudova filed an appeal on behalf of her mother to the United Nations with the office of the United Nations Development Programme, police confiscated the appeal from a U.N. employee, detained Maksudova as she left the U.N. building, and forced her to disavow the appeal. On September 21, Akhmedalieva was sentenced to seven years in prison for alleged anti-state activities.

On August 23, President Karimov issued an amnesty decree for various categories of prisoners, excluding those charged with anti-state activities or sentenced to lengthy terms for alleged membership in banned religious organizations. However, an unknown number of religious prisoners sentenced earlier to relatively short terms in prison were reportedly released following the amnesty decree.

Notwithstanding the government’s longstanding policy of dispersing unsanctioned public demonstrations, women in various parts of Uzbekistan protested the campaign against independent Muslims. On March 21, 2001, an estimated three hundred demonstrators, primarily women, took to the streets in Andijan to demand the release of their male relatives, imprisoned for their religious affiliations and beliefs. The participants reportedly carried signs reading, “2001: Year of the Widow and Orphan,” a play on President Karimov’s declaration of the year 2001 as the “Year of the Mother and Child.” Police dispersed the demonstration and detained at least two female participants, carrying one off by her arms and legs.

Two days later, Andijan police reacted even more quickly to disperse a followup

protest. Officers allegedly detained female demonstrators violently, fined them each 2,200 som (approximately one month's salary), and threatened to extend the prison sentences of the women's jailed relatives if they did not submit statements asking for forgiveness for their actions. After another similar demonstration, local authorities organized a public meeting to denounce the protesters.

On April 12, 2001, police violently dispersed and detained some forty women protesting outside government buildings in Tashkent, injuring at least ten. A human rights defender who witnessed the protest reported that officers fired blanks over the women's heads. Most of the women were released the same day; four were released three days later. Police allegedly beat one of the women in custody.

September 4, 2001, saw two more protests organized by female relatives of independent Muslim prisoners, to voice dissatisfaction with the August amnesty decree. Police in Karshi arrested twelve of a group of about sixty women who called for the release of their loved ones. As of this writing, their whereabouts remained unknown. In Tashkent, police arrested another ten demonstrators, including Fatima Mukadirova, the mother of two young men imprisoned for alleged membership in Hizb ut-Tahrir. Arresting officers accused Mukadirova of membership in the Islamic group and placed her under arrest on charges that she attempted the violent overthrow of the Republic of Uzbekistan. On November 5, Mukadirova was given a three-year suspended prison sentence, under which she was to report to authorities every ten days.

In 2001, the government of Uzbekistan took an important step toward transparency in the prison system with its decision to allow access for the first time ever to the International Committee of the Red Cross (ICRC) to prison facilities. However, progress proved illusory. According to prisoners' relatives, the authorities consistently ordered prisoners not to speak to the international observers and temporarily transferred political and religious prisoners from facilities prior to the visits. Conditions in Uzbekistan's prisons remained ghastly. Overcrowding forced prisoners to sleep in turns. Meals were commonly limited to one loaf of bread for four men and one cup of tea. With poor hygiene, diseases such as dysentery, eczema, kidney ailments, and tuberculosis were rampant and claimed numerous lives. Authorities routinely denied prisoners access to medicine and medical attention.

Prison guards systematically beat prisoners with wooden and rubber truncheons and exacted particularly harsh punishment on those convicted on religious charges, subjecting them to additional beatings, and forcing them to sing the national anthem and recite poems praising the president and the state. Those who attempted to observe the five daily Muslim prayers were beaten and sometimes locked in isolation cells for days on end.

Torture remained endemic in pretrial custody as well, abetted by the practices of failing to notify family members of an individual's detention and holding people incommunicado, sometimes for up to six months. Authorities systematically tortured detainees to force them into giving testimony or self-incriminating statements and used it as a form of extrajudicial punishment. At least five suspicious deaths in pre- and postconviction custody in 2001 were likely due to torture, including that of a human rights defender. In all cases officials provided implausible explanations for the cause of death.

Police detained Emin Usmon on February 11, 2001, on suspicion of "religious

radicalism,” and on March 1 returned his corpse to his family. Usmon, a well-known writer and commentator in Uzbekistan, had spoken out on behalf of others held on such charges. Fifty to sixty police officers surrounded Usmon’s neighborhood when his corpse was returned, stopped the family from holding a viewing of the body, demanding that they bury the body immediately and preventing relatives and neighbors from attending the funeral. Initially, police told the family that Usmon had committed suicide; however, the death certificate ultimately given to the family stated that he had died of a “brain tumor.” No independent medical examination was allowed. Nonetheless, one relative alleged he saw clearly an open wound on the back of Usmon’s head during the procedure of preparing the body for burial.

Police also offered an implausible explanation for the death of Hazrat Kadirov, a displaced person who had spoken out about poor conditions for those displaced from Surkhandaria province. Police officers detained Kadirov for “informal questioning” on December 11, 2000; three days later, they returned his corpse. Officials claimed that Kadirov had tried to escape police custody and then had died of a heart attack. A person who viewed Kadirov’s body reported seeing multiple injuries.

On October 17, 2001, Tashkent police arrested brothers Ravshan and Rasul Haidov on suspicion of membership in Hizb ut-Tahrir. Ravshan’s body was returned to his family on October 18. Those who viewed the body reported that the thirty-two-year-old’s neck was broken, as was one leg below the knee; that his upper back was injured; and that his body was covered with bruises. The official cause of death was “heart attack.” As of this writing, twenty-five-year-old Rasul Haidov reportedly remained in intensive care in a local hospital under armed guard.

In late December 2000, Habibullah Nosirov, a Hizb ut-Tahrir member imprisoned since 1999, reportedly died from injuries sustained during beatings in prison. He was the brother of Hafizullo Nosirov, who in March 2000 was convicted for being the reputed head of Hizb ut-Tahrir in Uzbekistan.

Uzbek authorities did not respond to repeated requests for information regarding the whereabouts in custody of Bahodir Hasanov, a teacher at the Alliance Française, who was arrested in July 2000. By November 2001, he was unaccounted for.

Journalist and artist Shukhrat Bobojonov was forced to flee Uzbekistan in August 2001 under fear of arrest. State prosecutors in his hometown of Urgench had repeatedly summoned Bobojonov for questioning relating to an investigation of his membership in the Union of Artists of Uzbekistan in the early 1990’s. Internews reported that Bobojonov had objected to the government’s 1999 closure of his independent television station in Urgench and that he had even sued to have his broadcast license reissued.

On October 23, the National Security Service (SNB) arrested Yusup Jumaev, a well-known Uzbek poet, stating that his poetry, published in 1994 and 2000, qualified as “anti-state activities.” As of this writing, Jumaev was being held in the basement of the Bukhara district SNB, where he allegedly had been tortured.

Uzbekistan executed undisclosed numbers of persons by firing squad in 2001. On October 29, the Uzbek parliament amended the criminal code to reduce from eight to four the number of crimes punishable by death.

As part of its declared aim to counter the threat of Uzbek militants based out-

side Uzbekistan, the government mined its borders with Kyrgyzstan and Tajikistan, with mines killing an estimated thirty civilians and injuring numerous others in 2001, according to media and government reports.

In 2001, local and international human rights organizations uncovered evidence that authorities forcibly displaced approximately 3,500 mountain villagers from their homes near the Tajik border during and after the August 2000 IMU incursions. The government had reported that the civilians had fled. The displaced persons were relocated to centers where they were cut off from interaction with the general community and deprived of means of livelihood. The military prohibited the displaced persons' return to the area even to retrieve personal belongings and razed their homes to create a *cordon sanitaire* along the border.

Obstacles to women's escape from severe domestic violence and pursuit of remedies persisted at the local and national levels. In particular, neighborhood authorities, or *mahallah* committees, thwarted women's attempts to obtain divorces and split from violent husbands by preventing them from pursuing legal remedies when they asked for assistance and encouraging their return to violent households. The authorities thereby blocked women's access to the criminal justice system. These actions were consistent with a larger government campaign to "save the family" by maintaining a low divorce rate.

Female university students expelled since 1997 for wearing *hijab*, headscarves that covered their faces, were as in the past not permitted to rematriculate unless they removed their religious garb and agreed to pay tuition. All universities in Uzbekistan were state-run, and only a small percentage of students were normally required to pay tuition.

Government officials obstructed the registration of Christian and other non-Muslim religious groups, depriving them of legal status in Uzbekistan. Proselytism remained illegal. Authorities discouraged ethnic Uzbeks in particular from converting to Christianity. In 2001 several churches reported that local officials rejected congregation lists, required for registration, which included members with Uzbek names.

DEFENDING HUMAN RIGHTS

In 2001, the Uzbek government released two human rights activists who were wrongly convicted, but it continued to harass and arrest others. One defender died in police custody, an apparent victim of extrajudicial execution. In December 2000 President Karimov ordered the release of rights defender Mahbuba Kasymova of the Independent Human Rights Organization of Uzbekistan (IHROU). A mother of five, Kasymova served one and a half years of a five-year sentence on fabricated charges brought in retaliation for her efforts to expose police abuse against independent Muslims. However, shortly after her release, authorities in Tashkent briefly detained Kasymova and threatened to arrest her again if she continued to monitor trials of those brought up on religious charges.

Seven months after Kasymova's release, on July 3, another IHROU defender, Ismail Adylov, was released from prison after serving two years of a seven-year term

on wholly spurious charges that he was a member of a banned religious organization. Upon his release Adylov revealed that prison authorities had denied him medical attention and had systematically beaten him during his incarceration. The authorities attempted to deny Adylov an exit visa—official permission still necessary for travel abroad—to travel to the United States to be honored for his human rights work. Only after intense intervention by diplomatic representatives, particularly the U.S. government, did the authorities grant Adylov permission to travel.

The chairman of the IHROU, Mikhail Ardzinov, continued to be denied his passport, which was confiscated at the time of his detention in 1999. Uzbek citizens must carry their passports with them at all times; travel within the country is difficult without this form of identification and travel outside the country is impossible. Persons without passports are routinely denied their pensions or other government assistance.

Any perceptions that the Karimov government grew more tolerant of rights defenders were shattered when police apparently tortured to death Shovruk Ruzimuradov, a long-time dissident and activist in the Human Rights Society of Uzbekistan (HRSU). Officers arrested Ruzimuradov, forty-four, on June 15 in his hometown in southwestern Uzbekistan, and held him incommunicado for some twenty-two days before returning his corpse to his family on July 7.

Police blocked all entry within one kilometer of the Ruzimuradov home and turned away fellow rights defenders who traveled from Tashkent to view the body and attend the funeral services. Police threatened to arrest the activists and “tear [them] to pieces” if they investigated the case further, and expelled them from the area. A preliminary report issued by state authorities gave the cause of death as “suicide by hanging.” Shortly before his death, Ruzimuradov had spoken out publicly on the arrest and conviction of seventy-three men from Surkhandaria province, on charges of collaborating with armed insurgents in 2000. He also advocated on behalf of those forcibly displaced from Surkhandaria as part of the armed forces’ “mop up” operation there.

Other members of HRSU in Tashkent, Jizzakh, Khorezm, Andijan, and Kashkadaria reported being temporarily detained, subjected to intimidating interrogation and threats, and otherwise harassed in 2001.

On April 6, 2001, police detained Elena Urlaeva, a member of HRSU who worked on behalf of people dispossessed of their homes by city authorities. Authorities forcibly committed her to a state mental hospital, where staff systematically medicated Urlaeva during two months of confinement, causing her severe medical problems. Finally, on June 30, 2001, after considerable international outcry, Urlaeva was allowed to leave the hospital and return home. However, on November 6, law enforcement agents raided the office of the state human rights ombudsman, where they arrested Urlaeva. Police cleared the office, searched Urlaeva, and took her into custody. The rights defender was first held under armed guard in a hospital ward in Tashkent and then transferred to a police holding facility. She was released on November 16.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

In March 2001, the U.N. Human Rights Committee considered Uzbekistan's initial report on compliance with the International Covenant on Civil and Political Rights. The committee's concluding observations were frank and highly critical of the government's report and its lack of progress implementing basic rights. The committee expressed grave concern regarding reports of torture and inhumane treatment and stated that such allegations should be investigated and persons responsible prosecuted. It also expressed concern about impediments to detainees' access to legal counsel, prison conditions, particularly deaths in prison, and forced displacement of villagers. It added that it "deplores the State party's refusal to reveal the number of persons who have been executed or condemned to death, and the grounds for their conviction . . ."

In its February concluding observations on Uzbekistan's initial report, the U.N. Committee on the Elimination of Discrimination against Women requested that the government ". . . enact laws on violence, especially on domestic violence, including marital rape, as soon as possible and . . . ensure that violence against women and girls constitutes a crime punishable under criminal law and that women and girl victims of violence have immediate means of redress and protection." The committee also requested that the Uzbekistan government provide more information on the trafficking of women and girls.

European Union

The E.U.-Uzbekistan Cooperation Council met in January 2001 to discuss implementation of the Partnership and Cooperation Agreement (PCA), signed in July 1999. The two parties agreed to intensify cooperation in the areas of trade and investment, and to continue political dialogue. The E.U. reportedly raised human rights and rule of law issues, and future E.U. assistance to Uzbekistan for training members of the judiciary. The PCA requires that partner states guarantee basic civil and political rights. The statement following the January meeting praised the Uzbek government for granting the ICRC access to prisons.

Organization for Security and Cooperation in Europe (OSCE)

In December 2000, the Organization for Security and Cooperation in Europe (OSCE) renegotiated its presence in Uzbekistan with the government, renaming its office in Tashkent the OSCE Center. Similar centers had already been established in the other Central Asian states.

The OSCE office undertook training sessions in women's rights and continued a series of training seminars for local rights defenders. Its representatives visited Elena Urlaeva while she was forcibly confined to a mental institution.

A June visit to Central Asia by OSCE Chairman-in-office Mircea Geoana failed to include meetings in Uzbekistan. The official explanation given by the govern-

ment of Uzbekistan was scheduling problems. A subsequent visit to Uzbekistan in October 2001 included meetings with President Karimov and other government officials. Scheduling problems reduced a planned meeting between the chairman-in-office and human rights defenders, a group at particular risk, to a very brief forum together with journalists; the human rights leaders had no opportunity to present issues of concern to the OSCE head.

United States

After years of relative obscurity in the U.S. foreign policy making community, Uzbekistan became an essential U.S. ally in the post-September 11 coalition against terrorism. As of this writing, it was too soon to judge whether the Bush administration's "qualitatively new relationship" with the Uzbek government would translate into enhanced pressure for human rights improvements, or whether it would be yet another squandered opportunity for leverage.

The United States' diplomatic initiatives in late 2000 succeeded in pressing the Uzbek government to allow the ICRC access to prisons. The agreement, finalized in record time, marked the first formal acceptance by the government of Uzbekistan of foreign monitors in prison and pretrial detention facilities. U.S. insistence on Uzbekistan's compliance with legislation known as the Cooperative Threat Reduction program, which states that countries receiving assistance under this program must be "committed to observing internationally recognized human rights," also resulted in the release from prison of prominent human rights activists Mahbuba Kasymova and Ismail Adylov. U.S. intervention also aided Adylov in receiving an exit visa to travel outside Uzbekistan in November 2001.

In October 2001, the U.S. government failed to designate Uzbekistan as a "country of particular concern for religious freedom" under the terms of the 1998 U.S. International Religious Freedom Act.

The United States offered security and financial assistance in exchange for use of an air base in Uzbekistan for the U.S. military operation in Afghanistan. At least 1,000 U.S. troops from the 10th Mountain Division were deployed to an Uzbek military base by mid-October. Unofficial reports also indicated that U.S. bombers had targeted the Afghanistan-based training camps of the IMU, which the United States in 2000 had placed on a list of terrorist organizations.

After meeting with U.S. Secretary of Defense Donald Rumsfeld during his November visit to the region, Uzbek Minister of Defense Qodir Guliamov stated that the military had benefited from training and joint exercises with U.S. forces and hinted that he expected other types of aid to be forthcoming. "I am confident that the kind of cooperation which is being developed now is characterized by a higher level [sic], and consequently I am positive that the forms of our cooperation with change accordingly," Guliamov said. The September 11 events also brought to light past U.S. assistance to, and joint covert operations with, Uzbekistan in efforts against Osama bin Laden.

Recognizing the potential human rights consequences of military assistance to Uzbekistan, the U.S. Congress adopted an amendment to the Foreign Operations Appropriation Act with new reporting requirements. Under the amendment, the

State Department must provide a list of U.S. security aid given to Uzbekistan, how Uzbek units used the defense articles and services, and which units engaged in violations of human rights or international humanitarian law during the reporting period.

In 2001, Uzbekistan received \$63.57 million in U.S. assistance and \$136 million in U.S. Export-Import Bank credits, which were granted through a certification process that included human rights conditions.

Relevant Human Rights Watch Reports:

Memorandum to the U.S. Government Regarding Religious Persecution in Uzbekistan, 8/01.

Sacrificing Women to Save the Family?: Domestic Violence in Uzbekistan, 7/01

Uzbekistan: "And it Was Hell All over Again . . .": Torture in Uzbekistan, 12/00.

FEDERAL REPUBLIC OF YUGOSLAVIA

SERBIA AND MONTENEGRO

HUMAN RIGHTS DEVELOPMENTS

The December 2000 Serbian parliamentary elections consolidated the transition from the authoritarian rule of former president Slobodan Milosevic, with the Democratic Opposition of Serbia (DOS) winning 64 percent of the vote. In Montenegro, the early elections in April 2001 served as an informal referendum about the status of the smaller of the two Yugoslav republics. Pro-independence parties only won slightly over half the votes, less than generally anticipated, but the ruling coalition continued to boycott the work of the federal institutions. The authorities in Serbia and Montenegro made little progress toward solving the federal constitutional crisis, but the real risk of armed conflict under the Milosevic government gave way to a political process.

On April 1, Serb authorities arrested Milosevic on corruption charges. Faced with mounting pressure from human rights organizations, the United States, and the European Union to surrender Milosevic for war-crimes prosecution before the International Criminal Tribunal for the former Yugoslavia (ICTY), Yugoslav President Vojislav Kostunica and other officials argued that Milosevic's transfer required adoption of a law on cooperation with the ICTY first. The Yugoslav Ministry of Justice drafted a law in June, but the Montenegrin partner in the federal coalition government, the Socialist People's Party (SNP), blocked its adoption. On June 23, the cabinet, dominated by DOS members, adopted a cooperation decree in lieu of the law. The Federal Constitutional Court, filled with appointees from the Milosevic

era, stayed application of the decree while examining its constitutionality. To avoid the emerging political and legal gridlock, the government of Serbia transferred Milosevic to The Hague on June 28, invoking the Statute of the Tribunal and the Constitution of Serbia as the legal basis.

Progress on accountability for wartime abuses was otherwise disappointing. Serbian authorities arrested and surrendered to the tribunal indicted Bosnian Serb Milomir Stakic on March 23, and Bosnian Serb brothers Nenad and Pedrag Banovic on November 9. Blagoje Simic, another Bosnian Serb living in Serbia, surrendered himself to the tribunal under pressure from the Serbian government, as did retired General Pavle Strugar and former naval commander Miodrag Jokic, who both had been indicted for crimes committed in Dubrovnik in 1991. Nonetheless, at the time of this writing, at least four senior Yugoslav and Serb officials or former officials remained at liberty in Serbia who were charged with crimes against humanity committed by troops under their command in Kosovo, along with three Yugoslav Army officials indicted on charges relating to the destruction of Vukovar and two other officers indicted for crimes committed at Dubrovnik.

Public debate on crimes committed by Serb forces in Kosovo and Bosnia slowly started in 2001. Between June and September, the police exhumed five mass graves in Serbia, containing more than three hundred bodies thought to be Kosovo Albanians killed by the police and the army during the 1999 NATO bombardment. In an unprecedented move, the state-run television showed a BBC documentary about the 1995 killings of more than 7,000 Bosnian Muslims in Srebrenica.

In contrast to the Milosevic era, the political opposition in Serbia could openly express its views and operate free of government harassment. The new government initiated criminal investigations into corruption and other charges against dozens of former Milosevic cronies, with the proceedings apparently driven by the demands of the rule of law rather than by political revanchism. Only one of these cases had proceeded to trial as of October, resulting in convictions for former head of Serbian State Security Radomir Markovic and two of his closest collaborators. Their trial was closed to the public on grounds of state security, raising questions about the fairness of the proceedings.

The Serbian parliament replaced fifty-seven of two hundred presidents of municipal courts by July 2001, substantially clearing the judiciary of Milosevic appointees. Although the new government stopped short of exerting direct pressure on the judiciary, well-known judges repeatedly complained that pro-government media and some politicians obstructed judicial independence by publicly recommending criminal prosecutions and "appropriate" punishments.

An amnesty law adopted in February covered Kosovo Albanians convicted for seditious conspiracy and armed rebellion, but not those convicted on terrorism charges. When Slobodan Milosevic was ousted from power in October 2000, 850 Kosovo Albanian prisoners detained during the 1999 Kosovo war remained in Serbian prisons. By August 2001, an estimated 225 Kosovo Albanian prisoners remained, an estimated fifty of whom had been sentenced for political reasons in unfair trials.

The new Serbian government generally respected freedom of expression. Some media were closer to one or the other party in the political conflict between nation-

alist Yugoslav President Vojislav Kostunica and pro-Western Serbian Prime Minister Zoran Djindjic, but neither leader directly controlled the state-run media or major private outlets.

The media in Montenegro generally operated free of government intrusion. In a surprising setback, on September 3, a court in Podgorica convicted the editor of the opposition daily *Dan* on a charge of criminal libel and handed down a suspended five-month prison sentence. The newspaper had published a series of articles on cigarette smuggling, implicating a businessman associated with Montenegrin President Milo Djukanovic.

The police practice of so-called informative talks, much abused during the Milosevic era, occasionally reappeared in 2001. On May 29, State Security agents interrogated student Milos Cvorovic, an activist in a nongovernmental group in Belgrade, about his contacts with Kosovo Albanians. A reporter from Valjevo with the daily *Blic*, Predrag Radojevic, was taken to the police station on July 12 for an "informative talk" about his work as a journalist. Radojevic had written a series of articles during the previous months on the presence of the mafia in the town. *Blic's* editor-in-chief Veselin Simonovic was also interrogated on August 14, following the publication of an article about a former State Security agent who was killed on August 3.

The authorities in Belgrade made positive steps toward reducing ethnic tensions in the Presevo valley, where ethnic Albanians were a majority of the population. As a result of months-long negotiations, armed Albanian groups there voluntarily disbanded in May, and civilian life began returning to normal. At the end of May the first multiethnic police patrols were deployed in the area, following a short training course under the auspices of the Organization for Security and Cooperation in Europe (OSCE). Two more courses were completed by mid-July. Nearly 4,000 of the estimated 15,000 local Albanians who had left their homes during and after the 1999 Kosovo conflict returned in June and July 2001.

Police brutality against Roma was a common occurrence in 2001. On September 22, two policemen broke the arm of a fourteen-year-old boy in Novi Sad after beating him and a group of other Roma children. Police in Leskovac detained Daka Zekic, a seventy-six-year-old Roma for two days in January, deprived him of food and water, and subjected him to beatings and racial insults. On March 5, four policemen beat and uttered racial insults against Miroslav Milic, a Roma teenager from Belgrade. On May 7, three police officers in Backa Topola beat up and uttered racial slurs against two Roma villagers, Stevan Brancic and Sasa Gojkov. In a positive development that may help counter these abuses, the Federal Republic of Yugoslavia acceded to the Framework Convention for the Protection of National Minorities on May 11.

According to a large-scale recount of refugees in the Federal Republic of Yugoslavia, 390,000 persons from Croatia and Bosnia were registered as refugees, a 30 percent drop from 1996 figures. The government failed to support the return of Serb refugees to their pre-war homes in Croatia and Bosnia, while facilitating Serb refugee integration in Yugoslavia. The Serbian commissioner for refugees stated that between 230,000 and 250,000 internally displaced persons from Kosovo also lived in Serbia proper.

DEFENDING HUMAN RIGHTS

With the one known exception of the police interrogation of Milos Cvorovic, human rights activists carried out their activities free of government intrusion. The positive change reflected the fact that several human rights and minority rights advocates, including federal ministers Goran Svilanovic, Momcilo Grubac, and Rasim Ljajic, assumed prominent positions in the government. The Humanitarian Law Center continued to be the leading source of reliable information on the treatment of Roma, police brutality, and violations committed by all parties in Kosovo. Among other leading human rights groups were the Helsinki Committee for Human Rights, the Belgrade Center for Human Rights, the Yugoslav Lawyers' Committee for Human Rights, and the Leskovac Council for Human Rights.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

On November 1, 2000, the General Assembly approved admission of the Federal Republic of Yugoslavia to membership in the United Nations. Yugoslav efforts toward a peaceful settlement of the crisis in the Presevo valley won praise from the Security Council in December 2000 and from the U.N. Commission on Human Rights in April 2001. The commission expressed its concern at the continued detention in Serbia of Kosovo Albanian political prisoners, however, and replaced the long-standing mandate of its special rapporteur for human rights in the former Yugoslavia with a special representative to examine the situation of human rights in Yugoslavia and Bosnia and Herzegovina. The special representative, Jose Cutileiro, visited Yugoslavia at the end of August and the beginning of September. Examining the first individual petition from Yugoslavia, the Committee against Torture concluded on May 11 that Yugoslavia had violated its obligations under the Convention against Torture since its government agencies had failed to investigate promptly and effectively allegations regarding the torture of Milan Ristic, who died in February 1995 of injuries inflicted by the police.

The Federal Republic of Yugoslavia signed the Statute of the International Criminal Court on December 19, 2000, and it ratified the statute on September 6, 2001.

Organization for Security and Cooperation in Europe (OSCE)

Yugoslavia, which was suspended from the OSCE in July 1992, became a participating state following a decision by the OSCE Permanent Council on November 10, 2000. An International Election Observation Mission, including representatives of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the OSCE Parliamentary Assembly, concluded that the December 2000 elections in Serbia were conducted in line with accepted international standards. An ODIHR

mission also monitored the April 22 elections in Montenegro and found the entire electoral process transparent. On March 16, the OSCE opened a mission office in Belgrade.

Council of Europe

On November 9, 2001, Yugoslavia applied for Council of Europe membership. In January, the Parliamentary Assembly granted special guest status to the Federal Assembly of Yugoslavia and adopted conditions for membership. Among other conditions, it called on Yugoslavia to cooperate fully with the ICTY and to surrender war crimes suspects, to carry out legislative reforms including the abolition of the death penalty, and to amnesty political prisoners. On March 16, a Council of Europe office was opened in Belgrade for a renewable one-year term. The Parliamentary Assembly representatives who made up part of the International Election Observation Mission that monitored the December 23, 2000, parliamentary election in Serbia praised the way in which they were conducted. A delegation from the Parliamentary Assembly also observed and positively assessed the elections in Montenegro in April 2001.

European Union

After the fall of Slobodan Milosevic in October 2000, the European Union provided 200 million euros (U.S. \$168 million) to help Serbia with electricity, heating fuel, and food payments during the winter. On February 27, 2001, European Union foreign ministers lifted all sanctions imposed on the Federal Republic of Yugoslavia since 1998, except the financial, trade, and travel restrictions on firms and individuals connected to the Milosevic regime. On April 10, the European Commission allocated the first part of a 240 million euros aid program for Yugoslavia to support energy supply, healthcare, agriculture, and medium-sized companies. Included in that sum was the allocation of 49.5 million euros for human rights projects. In mid-July, the Council of Ministers invested 300 million euros in macro financial aid for the Federal Republic of Yugoslavia, consisting of 225 million euros in loans and 75 million euros in grants.

While E.U. bodies called on the new authorities in Belgrade to cooperate with the International Criminal Tribunal for the former Yugoslavia, they failed to condition financial assistance on the country's cooperation. The European Parliament called on the Yugoslav government to release all political prisoners by presidential pardon or on the basis of an amnesty law.

In November of 2001, the European Union and a Federal Republic of Yugoslavia Consultative Task Force met in Belgrade to discuss various topics, including democracy, human rights and minority issues as well as regional cooperation and compliance with international obligations. The commissioner for external relations, Chris Patton, visited the Federal Republic of Yugoslavia in October. The two parties hoped to initiate discussions that would draw the Federal Republic of Yugoslavia closer to the European Union. Further meetings were expected in 2002.

United States

The U.S. Congress prohibited the continuation of economic aid to Belgrade past March 31, 2001, unless Yugoslavia arrested and transferred those indicted by the war crimes tribunal to its custody, cut off economic assistance to the Bosnian Serb army, and took steps in democratization and minority protection. The conditionality placed considerable pressure on Serb and Yugoslav authorities and contributed to the eleventh-hour detention of Slobodan Milosevic on April 1. On April 2, the secretary of state certified the conditions for continued aid were present but stressed that the United States' support for the holding of an international donors conference for Yugoslavia would depend on the country's continued progress toward full cooperation with the tribunal. Lack of progress and the refusal of the United States to participate led to a postponement of the conference from May 31 to the end of June. On the eve of the conference, Serbian and Yugoslav officials firmly committed themselves to cooperation, and on June 28 Slobodan Milosevic was transferred to the custody of the tribunal. The United States participated at the conference and pledged U.S.\$182 million, the largest individual state pledge.

KOSOVO

HUMAN RIGHTS DEVELOPMENTS

In the third year of Kosovo's international administration the human rights situation in the province continued to be of serious concern. Violence and hostility rendered normal life impossible for Serbs, Roma, and other minorities. Participation of minorities in the November 2001 elections for the Kosovo Assembly gave, however, some hope for the prospects of ethnic coexistence in the province. The U.N. administration came under growing local and international criticism for attempting to improve the security situation by curtailing fundamental rights. And despite the efforts of the United Nations, the administration of justice continued to suffer from judicial bias, inadequate enforcement of human rights norms, and poor investigations of serious crimes.

Ibrahim Rugova's Democratic League of Kosovo (Lidhja Demokratike e Kosovës, LDK) overwhelmingly won the October 2000 municipal elections with 58 per cent of the overall vote and a majority in twenty-four out of thirty municipal assemblies. The main parties led by former KLA commanders, the Democratic Party of Kosovo (PDK), and the Alliance for the Future of Kosovo (AAK), fared less well, receiving 27.3 and 7.7 per cent of the vote, respectively. Members of the more moderate LDK suffered numerous violent attacks in the months preceding the election. Moreover, the elections were marred by the collective refusal of the Kosovo Serb community to register and vote. While the United Nations Interim Administration Mission in Kosovo (UNMIK) pointed to the Belgrade authorities' influence over the Serb community's decision, the preelection environment was rife with incidents of violence and intimidation against members of the minority groups. After the elections, the special representative of the U.N. secretary-general (SRSG),

who exercises ultimate legislative and executive power in Kosovo, appointed municipal assemblies in three localities with a majority Serb population. Representatives of Kosovo's Ashkalija, Bosniac, Egyptian, and Roma minority communities generally accepted appointments to the new local government bodies.

In May 2001, UNMIK promulgated a Constitutional Framework for Provisional Self-Government in Kosovo. The framework contained guarantees for the rights of the minority communities and their members, including proportional or equal representation in parliamentary committees, and safeguards against simple out-voting by the majority on matters related to the minorities' "vital interests." UNMIK retained exclusive authority in the sensitive areas of the judiciary, law enforcement, and external relations. The framework incorporated into the document a number of international human rights treaties that are directly applicable in Kosovo. Its human rights chapter suffered, however, from two serious omissions: the failure to incorporate the International Covenant on Economic, Social and Cultural Rights and the lack of any judicial review mechanisms through which individuals and groups would enforce their constitutional rights. A special constitutional chamber was established within the Supreme Court, but only governmental actors were given standing to file motions with the chamber.

Whatever promise the new Constitutional Framework held for the future of the Kosovo's minorities, their members—the Serbs and Roma in particular—continued to face severe threats to their personal safety, freedom of movement, and socio-economic well-being. The year 2001 saw some of the worst cases since the end of the NATO campaign of organized violence targeting minorities, who make up a disproportionate 20 percent of the victims of major crimes. In late January and early February, Serb homes, churches, and cultural sites were damaged by mortar fire and other similar attacks. Some of these sites had been designated for the accommodation of potential returnees. On February 13, a convoy of Kosovo Serbs en route to Strpce, escorted by peacekeepers of the multinational Kosovo Force (KFOR), was the target of a shooting that left one person dead. Only three days later a weekly convoy of civilian buses carrying about 250 Serbs to Gracanica, with a KFOR escort of seven armored vehicles, fell victim to a brutal bomb attack killing eleven people and injuring dozens. On April 18, the head of the Federal Republic of Yugoslavia passport office in Prishtina, Aleksandar Petrovic, was killed in yet another deadly bomb attack.

Attacks on minorities appeared to be increasingly focused and sophisticated. Groups of Serbs and Roma returning from Serbia and other neighboring countries were frequent victims of armed attacks. On November 9, 2000, three Ashkalija men and a fifteen-year-old boy were shot dead, in execution style killings, a few days after they had returned to Dosevac near Prishtina. Another group of Roma that had recently gone back to Shtime was injured in a bomb attack on August 8. In August 2001 the first organized return of a group of fifty-four Serb refugees to Osojane was followed by ethnic Albanian protests in nearby Istok. These and other incidents had a devastating effect on the efforts of the international community to help refugees and internally displaced persons return to their homes. The number of returnees remained very small, and in some areas more minority residents were still leaving Kosovo than returning.

Non-Albanians were not the only victims of organized violence. In November 2000, Xhemal Mustafa, a chief aide to Rugova and head of the Kosovo Information Center, was assassinated in central Pristina. A pattern of politically motivated killings which began in the spring of 2000 continued in 2001 with several attacks against Kosovo Albanian political activists, generally LDK supporters. In April 2001, unidentified gunmen murdered Ismet Rraci, Mayor of Klina and chairman of the local LDK branch. On September 1, the houses of two LDK officials from the villages of Belobrod and Brodosavce were bombed. However, no other serious incidents took place in the run-up to the November 17 general election, and the election day itself was largely peaceful.

Twenty-six political parties and independent candidates, including representatives of five minority groups, were certified by the OSCE to contest the November election. These included a coalition of twenty Kosovo Serb parties and organizations, named Coalition Return, which decided to register at the last minute. In contrast with the 2000 municipal elections, Kosovo Serb and other minority voters registered in large numbers: 70,000 within the province and an additional 100,000 in Serbia and Montenegro. And in spite of the drawn-out hesitation both in Belgrade and among the Kosovo Serbs about their participation in the vote, about 46 percent of all eligible Kosovo Serb voters turned out to vote on November 17. In northern Kosovo, where Serbian extremists were responsible for widespread intimidation of voters into abstention, the participation of ethnic Serbs was considerably lower than the average.

Trafficking of women into Kosovo for forced prostitution continued to surge in 2001: the International Organization for Migration reported that 160 trafficked women and girls received repatriation assistance between February 2000 and May 2001. Implementation of a new UNMIK regulation providing for victim and witness assistance came slowly, and only a handful of prosecutions went forward. The United Nations disciplined four civilian police officers for alleged involvement in trafficking. According to a report issued by the OSCE Legal Systems Monitoring Section, women who brought charges for domestic violence, rape, or trafficking faced bias, discrimination, and contempt from the judicial system, and the average sentence for sexual violence cases declined from three years to one year.

DEFENDING HUMAN RIGHTS

The Humanitarian Law Center (HLC) looked into allegations of unlawful detention and monitored trials against Kosovo Serbs charged with war crimes and other serious offences. In one case it protested to UNMIK when international authorities at the Mitrovica prison denied an HLC attorney access to his clients and conducted unlawful searches of his effects. The Council for the Defense of Human Rights and Freedoms continued to monitor and report regularly on human rights violations in the province. Although the council was still more sensitive to violations of the rights of ethnic Albanians than those of non-Albanians, it condemned attacks against minority members in stronger terms than in previous years. The Ombudsperson Institution, which started work in November 2000, dealt mostly

with complaints related to property rights, employment controversies, due process, and personal security. The Ombudsperson, Marek Antoni Nowicki, issued a number of public reports on human rights violations by the U.N. administration, and requested the latter to remedy them. One report concluded that a 2000 regulation on privileges and immunities granted to KFOR and UNMIK violated the property and due process rights of Kosovar individuals; another report looked into the lawfulness of cases of executive detention ordered by the SRSG and found them in violation of the defendants' rights to a fair trial.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

In response to the unsatisfactory performance of the justice and law enforcement systems, UNMIK created a new justice and police component and adopted legislation to combat organized crime, weapons trafficking, and terrorism. But these measures did not result in any significant improvement in the overall security situation. Most major incidents of ethnic and political violence remained unresolved, while the SRSG ordered the prolonged detention of certain suspects. Following widespread criticism of its practices of administrative detention, in September UNMIK set up a commission of international legal experts to make final decisions on the legality of administrative detentions. A new UNMIK regulation authorized potential victims of ethnic bias in the criminal justice system to request that their case be tried by a panel with a majority of international judges. The number of international judges and prosecutors, however, fell short of what was needed to implement the regulation. UNMIK's failure to adequately consult and involve local and international organizations in drafting legislation also caused frustration.

Acting pursuant to an indictment charging Slobodan Milosevic and four other Yugoslav and Serbian officials with crimes against humanity and violations of the laws and customs of war committed in Kosovo, the Serbian authorities handed Milosevic over to the International Criminal Tribunal for the former Yugoslavia on June 28, 2001. The tribunal was also investigating allegations of crimes committed by the KLA during the 1998-1999 conflict in Kosovo; however, it had issued no public indictments at the time of writing. The U.N.'s special rapporteur on human rights in the former Yugoslavia at the time, Jiri Dienstbier, reported in January and March 2001 on the human rights situation in Kosovo. The U.N. Commission on Human Rights appointed José Cutileiro as its special representative with a one-year mandate to monitor the human rights situation in certain parts of the former Yugoslavia, including Kosovo.

Organization for Security and Cooperation in Europe (OSCE)

The OSCE Mission in Kosovo (OMIK) continued to monitor and report on the situation of Kosovo's minorities and the human rights performance of the justice system. A February OSCE report highlighted the persistence of bias in criminal

proceedings, the absence of habeas corpus procedures, and the lack of effective access to defense counsel. The OSCE was particularly critical of several convictions of Kosovo Serbs and Roma charged with war crimes and genocide, which its monitors found inconsistent with the evidence presented in the courtroom. In one of the genocide cases, the OSCE called for review of the sentence by a panel of international judges. The organization of the November elections in line with international standards was a major challenge for the OSCE, which cooperated with the International Organization for Migration to open registration centers for Kosovo refugees in neighboring countries.

North Atlantic Treaty Organization (NATO)

The 40,000-strong NATO-led KFOR made greater efforts in 2001 to cooperate with the U.N. civilian police in confronting organized violence and crime. In a number of cases, however, it refused to share information with U.N. officials investigating serious crimes in which members of the Kosovo Protection Corps (KPC) were thought to be implicated. In an attempt to address a major public relations problem, KFOR offered to review Kosovar claims relating to land and properties damaged or taken by its troops without compensation. Between November 2000 and June 2001 the ombudsperson received sixty-two compensation claims against KFOR, despite making it clear that he lacked jurisdiction over the multinational force.

European Union

In January 2001 the European Union called on the Belgrade authorities to release Kosovo Albanian political prisoners detained in Serbia. E.U. officials condemned the violent attacks against Kosovo's minorities and threatened to withdraw promised economic aid if violence did not stop. The European Union nevertheless continued to be Kosovo's main donor, with 362.5 million euros pledged in 2001 for reconstruction assistance and humanitarian aid.

United States

The incoming U.S. administration avoided a blow to the stability of Kosovo and the Balkans by declaring that the United States had no intention of withdrawing troops unilaterally from the region. In July President Bush blacklisted five senior KPC officers for their support of the ethnic Albanian armed insurgency in Macedonia. The five were promptly discharged by the head of UNMIK. U.S. officials came under criticism, however, for their alleged failure to support criminal investigations involving top KPC officials, and in some cases for attempting to unduly influence the investigations.

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