

MADRID PEACE CONFERENCE:

The Human Rights Record
of the Principal Regional Parties

October 28, 1991

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** Egypt holds observer status only at the conference.*

INTRODUCTION

This report includes the four governments that are coming to Madrid to negotiate peace agreements, as well as Egypt -- an observer at the conference -- and the Palestinian leadership. The choice may appear to be arbitrary. It could be argued that the human rights records of those states invited to the anticipated third phase of the conference on regional issues, such as the six Gulf Cooperation Council countries of the Arabian Peninsula, should also be examined. The performance of these states would, unquestionably, also be found wanting.

The logic in limiting scrutiny to these six parties is that they represent the principal regional actors in the longstanding Arab/Israeli conflict. Egypt may be at peace with Israel, but its 1979 treaty has done little to improve its domestic human rights record; and the Mubarak government should recognize that the interlinkage of regional security and respect for human rights applies to Egypt just as much as it does to those who have yet to settle with Israel.

This is not a comprehensive study of all human rights violations in the countries concerned; rather, it reflects priority areas of examination selected by Middle East Watch since the organization's creation in 1989. No reference is made, for instance, to conditions within Israel proper, even though there are grounds for concern over a pattern of discrimination against the country's minority Arab population.

While the Palestine Liberation Organization has historically laid claim to being the sole legitimate representative of the four to five million Palestinians scattered around the world, in practice several parties within and outside the Israeli-occupied territories exercise varying degrees of moral and practical authority over Palestinians. Responsibility for authorizing, or condoning, abuses of human rights by Palestinians cannot therefore be laid at the door of any one group. Hence the use of the general phrase "Palestinian leaders" to describe those whom Middle East Watch holds responsible for certain actions, notably the killing of accused collaborators in the occupied territories.

The treatment of Lebanon is, of necessity, cursory; until recently there was no government to speak of in Beirut, never mind one that could be held to account for the multiplicity of abuses spawned by 15 years of civil war. Nor has it been possible for independent fact gathering to take place on the ground in a reliable fashion. Even now, with much of Lebanon under the control of foreign powers, it is to Jerusalem and Damascus that one must look for redress for many of the human rights violations that occur in that country.

Middle East Watch does not address the issue of self-determination. In common with other divisions of Human Rights Watch, the New York-based human rights monitoring organization, it believes that the right of self-determination is an essentially political right that can only be understood in a specific geographic or historic context. No universal principle can be devised to demonstrate why, for instance, the Palestinians or Kurds should enjoy this right, but not the Druze or the Assyrian peoples who reside in other parts of the country or region.

To avoid undermining the near-universal acceptance of human rights principles, Middle East watch therefore concentrates its attention on the traditional core group of civil and political liberties. Its mandate also covers the rules of war set forth in the Geneva Conventions and other international legal instruments.

Consistent with the Human Rights Watch policy of eschewing political issues, Middle East Watch therefore does not deal with competing claims to sovereignty. Instead, it bases its actions on the international community's consensus that the regions captured by Israel in June 1967 -- the West Bank (including East Jerusalem), the Gaza Strip and the Golan Heights -- are occupied territories. The standards established by the Fourth Geneva Convention must be respected by the occupying power, Israel.

If universal human rights principles are ignored in the upcoming Madrid talks, the prospects of establishing an enduring peace in the Middle East are sure to be diminished. Such a regrettable omission would reverse a trend in international peacemaking begun at Helsinki in 1975, by the NATO and former Warsaw Pact countries, and renewed in 1987, with the Central American Peace Accord. In both sets of negotiations, respect for human rights became a major component of the final treaties, helping bring about greater regional stability and, in some cases, dramatically improving the lives of the peoples concerned.

The international community now accepts that a clear link exists between human rights, the preservation of regional security and co-existence. The Middle East should not be allowed to become an exception. Human rights issues must therefore be discussed in the bilateral negotiations scheduled to follow this week's opening session and incorporated into treaty agreements, then added to the list of regionwide issues on the agenda for the conference's planned third phase.

A decade after the Madrid Conference on Security and Cooperation in Europe succeeded in giving teeth to the 1975 Helsinki Accord's human rights provisions, it is symbolically appropriate that the principal parties to one of the world's most intractable regional disputes should convene in the Spanish capital.

The task before the participants is to devise a way not only for states to co-exist in peace and security, but for all peoples in the Middle East to enjoy the benefits of these conditions. The benefits of peace cannot be confined to the provision of adequate food, clothing and shelter, as some would have it, but must include the basic freedoms of expression and association, freedom from arbitrary arrest and torture, respect for the rule of law, an end to discrimination between ethnic and religious groups, and the ability of citizens freely to choose -- and change -- their government.

EGYPT

An almost-continuous state of emergency has been in force in Egypt for close to 25 years; it has been uninterrupted since the 1981 assassination of President Anwar Sadat. This state of emergency affords the authorities broad powers to administratively detain any individual without charge or trial. Abuse of this power has led to tens of thousands of arrests. The Gulf crisis and war escalated the scope and frequency of rights violations in general and the emergency law's application in particular: arbitrary detention and torture are perhaps the most significant human rights abuses in Egypt.

Emergency Law

These emergency powers are based on emergency law enacted under the Egyptian Constitution and on security offenses outlined in the penal code. Attempts to stop terrorism, prevent assassinations, and control drug trafficking are the major justifications offered by the government for the continuation of the emergency law. Government critics, however, have linked President Hosni Mubarak's three-year extension of the state of emergency this March to a desire to prevent popular protests of price increases mandated by Egypt's economic restructuring plan. The use of the emergency law during the Gulf war -- and its subsequent application to "profiteers" who might, as the government put it, "exploit" economic restructuring -- represents not only an expansion of the law's scope, but its apparent institutionalization.

Arrest and Detention

Mass arrests, warrantless arrests, and administrative detention were all used by the Egyptian authorities in 1991. Employing the emergency laws, the security forces detained Christian converts, Islamists, and anti-war activists of various religious and political affiliations. The 1990 assassination of Dr. Rifat Al-Mahgoub, speaker of the People's Assembly from the ruling National Democratic Party and a close associate of President Mubarak, led to widespread arrests of alleged Islamic militants. The Jihad Organization was blamed for the assassination, after a nationwide round-up of hundreds of students and radical Islamists.

During the Gulf war, the authorities took measures to quash the expression of anti-war views. Journalists, representatives of opposition parties, intellectuals and student activists alike were prime targets for arrest and detention. In a clear warning to student activists in February, Minister of Interior Abdel Halim Moussa said: "Universities are a place for science and learning and not for political activity. We will take action strongly and firmly against anyone who tries to cause unrest or block the learning process." Earlier that month, so-called "fundamentalist agitators" were rounded up as a "security measure."

Torture

Egyptian security forces continue to torture detainees with apparent impunity, despite Egypt's unreserved ratification of the Convention against Torture and the express prohibition of torture in Egyptian law. The independent Cairo-based Egyptian Organization for Human Rights (EOHR) stated in August 1991 that there was a "total absence of safeguards for the prisoner while in detention in public prisons." In addition, there are persistent reports that political prisoners, especially those arrested upon administrative detention orders, are subjected to systematic torture at Lazoughly, the headquarters of State Security Intelligence.

Torture, which has included the application of electric shocks to sensitive parts of the body, beatings with whips and thick wooden sticks, and hangings from wrists and ankles for long periods, is used to elicit confessions, to enforce penal discipline or simply to terrorize detainees and prisoners. In an appeal issued on October 24, 1991, EOHR publicized the torture of Al-Shadly Ebeid Al-Saghir, an attorney, who was arrested on September 9 in the Red Sea port city of Safaga. Held at the Central Security Forces (CSF) camp in Hurghada, EOHR reported that he and four others were subjected to electric shock, hangings and beatings. He then was transferred to Tora Istikbal prison in Cairo and is being held in administrative detention under the emergency law. The lawyer had been held for 10 days at the same CSF camp after an arrest on June 7, 1991, and severely beaten, hanged by the arms and given electric shocks; on this occasion, an EOHR representative saw clear signs of torture on Al-Saghir's body. A complaint was submitted to the Public Prosecutor, but Al-Saghir was not seen by a forensic medical examiner until after his release.

Torture during interrogation is facilitated by the emergency law, which allows detainees to be held for up to 90 days without charge and by security provisions of the penal law which sanction detention for up to 60 days before requiring access to a court. Under both provisions, a person may be detained a minimum of 30 days without recourse to the judiciary. In addition to torture, EOHR also reported in August that detainees are subject to long periods of interrogation, deprived of adequate food and water, and denied access to family and lawyers.

Use of Force by the Security Forces

The Egyptian authorities' use of deadly force against unarmed protesters and in clashes with Islamists has become a matter of great concern. In June, security forces used live ammunition to quiet an Islamist protest at Beni Suwef, killing one Jihad member. In the most widespread student demonstrations since 1972-73, in late February, security forces shot plastic and live bullets, aimed above the waist, at anti-war protesters at Cairo University, killing four students and injuring dozens. In July, a motorcyclist who made a wrong turn and drove past the home of Interior Minister Moussa was gunned down by security forces.

Freedom of Association

Limitations on freedom of association are also significant in Egypt. The Egyptian Constitution guarantees the right to private assembly but public meetings, processions and gatherings require Ministry of Interior approval. Pamphleting is prohibited and several anti-war protesters were arrested for preparing or passing out pamphlets in February. While the Egyptian Constitution describes Egypt's political system as "a multi-party one" and sets forth the right of all citizens to seek public office, Egypt's political arena is not open to all competing ideologies. Egypt's law regulating political parties requires that prospective parties request legal status from a committee dominated by appointees of President Mubarak's ruling National Democratic Party. Legal status continues to be denied to the Moslem Brotherhood, the Nasirites and the Communists. Members of these groups are barred from running for office under their party affiliations.

In the case of voluntary private organizations, Egyptian law empowers authorities to reject an organization's application to become legally registered with the government. Prominent independent groups that have been denied legal status in Egypt include the EOHR and the Arab Thought Forum, a prominent group headquartered in Amman, Jordan, and concerned with regional economic, social and cultural issues. For those that are legally registered, the law grants the Ministry of Social Affairs the power to appoint government representatives to the board of directors, to call board meetings, to appoint temporary boards of directors, or to dissolve organizations completely. This June, the leading independent women's organization in the Arab

world, the Arab Women's Solidarity Association (AWSA) was ordered dissolved by an administrative decree that did not provide the reasons for the order. AWSA's assets were ordered transferred to another organization, Women in Islam. Legally registered with the government since 1985, AWSA has held consultative status with the United Nations Economic and Social Council since 1985.

Freedom of Expression

There are no absolute prohibitions against free expression in the Egyptian media, but radio and television are owned by the state and all broadcasts are supervised by the Government. This control of the broadcast media is particularly significant since approximately half the population is illiterate and rely on radio and television as their major news source. Although state radio and television are sharply limited as forums for the expression of the diverse political views, several opposition newspapers publish freely.

There is room for free expression in Egypt, but not without limits. In a September 1991 interview, President Mubarak characterized freedom of expression as "an established right" and admitted that "[s]uppressing opinions is very harmful." However, in the same interview he stated that freedom of expression has "limits," explaining: "This is the limit of freedom of expression: matters concerning Egypt's interests and reputation."

Discrimination

While religious minorities are not directly persecuted, the case of three converts from Islam to Christianity suggests Egypt's intolerance for religious freedom if it is judged to be controversial. The three men were arrested in September and October 1990 and charged with the propagation of extremist religious thought. Egyptian officials said the men were being held "to protect social peace and national unity." The three were later released in July of 1991, but the charges against them were not dropped.

Coptic Christians, who comprise about 10 percent of Egypt's 55 million people, have complained that security forces do not intervene forcefully in incidents of Islamist attacks on Coptic churches and property. In February, Islamists protesting the arrest of leaders at an anti-war protest in Beni Suwef, engaged in a riot that turned sectarian when Coptic businesses were burned. In September, sectarian strife, usually confined to Upper Egypt, spilled into Cairo when a local dispute led to clashes in Imbaba over a four day period; two Coptic churches and dozens of Christian-owned businesses were targeted by Islamists militants.

Egypt's Palestinian community of 100,000-strong has suffered increasing discrimination. Since the beginning of the Gulf crisis in August 1990, Palestinians reportedly have been denied reentry to Egypt after routine trips abroad, and Palestinian students at Egyptian universities have been deported. In June, the government withdrew the right of Palestinians to own farmland. The Minister of Agriculture and Land Reclamation approved the reclamation of approximately 2,600 acres of state lands from a number of Palestinian residents -- the latest step in a steadily increasing squeeze on Palestinians. Whereas in 1963 a law banning foreigners from owning land in Egypt had excluded Palestinians, in 1985 the preferential treatment was dropped. Palestinians were given a five-year grace period to sell the land.

Nor has the Egyptian government been responsive to the tragic situation of stateless Palestinian families in liberated Kuwait who hold only Egyptian travel documents and lack the right to reside anywhere. This community currently numbers an estimated 18 to 20,000 people, or some 5,000 to 8,000 families. These stateless families face deportation to Iraq when their temporary Kuwaiti residence permits expire on November 15, 1991.

They typically have been unable to obtain visas from the Egyptian authorities to enter Egypt, even in cases where they have applied to join spouses or other relatives who are Egyptian citizens or legally resident in Egypt. Many of these stateless Palestinians were born in British Mandate Palestine or the Egyptian-administered Gaza Strip, and left for the Gulf on Egyptian travel documents, which they periodically renewed and still hold. They and their stateless children lack the Israeli-issued identity cards that would enable them to return to Gaza, and most of them have nowhere to go when expelled from Kuwait. Egyptian authorities have not explained the basis for denying visas to these stateless Palestinians; in fact, the government's public position is that it treats Palestinians in the same way as Egyptians. In a newsletter issued this month, Middle East Watch reported that the Kuwaiti authorities have already taken steps to force some of these families to leave. Egypt has failed to provide information about the guidelines used by the Ministry of Interior to evaluate, and approve or deny, visa applications submitted by stateless Palestinian families in Kuwait. The government also has not indicated whether it intends to address this humanitarian problem, which requires urgent and extraordinary action.

Human Rights Monitoring

The Egyptian government permits international human rights monitors to visit the country and does not hinder their work. However, it so far has denied access to its prisons to organizations such as Middle East Watch, Amnesty International and the U.N. Human Rights Center's Special Procedures Unit. Three domestic human rights organizations are permitted to operate. EOHR, however, continues to have difficulty obtaining responses from the Egyptian authorities to its complaints about torture in detention.

ISRAEL

Occupied West Bank and Gaza Strip

In the occupied West Bank and Gaza Strip, an estimated 1.7 million Palestinians live under Israeli military occupation and enjoy no rights of self-government. In the view of nearly the entire world community, the applicable international law in the territories is the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War. While Israel rejects the applicability of this convention, it has said it would abide by its humanitarian provisions. Israel nevertheless has violated human rights on a widespread and systematic basis, particularly since December 1987, when Palestinians began a protracted uprising, or intifada, against the occupation. That uprising employs such tactics as stone-throwing against Israeli soldiers and vehicles, strikes, demonstrations, and boycotts of Israeli taxes and products.

This brief survey excludes the 150,000 Palestinians residing in Israeli-annexed East Jerusalem, who live under somewhat different conditions from those that prevail in the West Bank and Gaza Strip. It also does not examine issues relating to Israeli settlements, settlers or land confiscation in the occupied territories. In excluding these issues, Middle East Watch takes no position on the appropriate ultimate status of any of the occupied territories.

In 1991, conditions improved in some respects and deteriorated in others. The year began with the most severe act of collective punishment in the 24 years of occupation, the imposition at the start of the Gulf war of a curfew over the entire West Bank and Gaza Strip. The strict curfew, which lasted one month -- longer in several areas -- caused great hardship to Palestinians, depriving them of income and reducing their access to food and medical care. Although Israel's initial justification for this drastic measure was plausible -- its stated desire to avoid an outpouring of violence in support of Iraq at a time when Israel faced the threat of Iraqi missile attacks -- the duration and comprehensiveness of the curfew violated the obligation of the occupying power to balance its security requirements against the heavy burden it was placing on the population under its control. For example, Israel did not sufficiently attempt to lift the curfew in order to test its continuing necessity, or to allow exceptions for the many rural villages where the threat to security and public order was presumably lower.

During the first nine months of 1991 overall, the incidence of various abuses has declined in comparison with previous years: the numbers of administrative detainees, house demolitions, school and university closings, and killings by security forces were all down. Unfortunately, authorities revived the practice of deporting suspected activists in violation of Article 49 of the Fourth Geneva Convention, after having foregone this measure for two years; four Gazans suspected but not convicted of inciting violence were expelled to Lebanon.

Also in 1991, a series of tough new restrictions on entry into Israel proper hurt an already depressed Palestinian economy by depriving tens of thousands of laborers from the territories of their former jobs. These restrictions, which followed a spate of stabbings of Israelis by Palestinians, supposedly targeted Palestinians who were security risks. They were implemented, however, in a sweeping and arbitrary fashion, and were sometimes imposed on entire communities as a form of collective punishment for disturbances in the vicinity.

The number of Palestinians presently permitted to work in Israel is about 70,000, compared to one year ago, when 110,000 to 120,000 Palestinian laborers entered Israel daily. The restrictions also cut off an even larger proportion of the Palestinian population from annexed East Jerusalem, the de facto capital of the West Bank.

Political Prisoners and Arbitrary Detentions

Israel holds an estimated 13,000 Palestinian prisoners, giving the occupied territories a per capita incarceration rate that surpasses that found in nearly all countries of the world that release such data. The vast majority of these individuals are imprisoned on security rather than on common criminal charges or accusations. Middle East Watch views as political prisoners Palestinians who have been convicted of belonging to or serving the Palestine Liberation Organization or other outlawed groups, as long as they have not been convicted of activities directly linked to violence.

The approximately 500 Palestinians in administrative detention at present should also be considered political prisoners, since they have been interned without charge or trial on security grounds. During the four-year-old intifada, an estimated 15,000 Palestinians have served terms in administrative detention, including a number of intellectuals, journalists, professionals, and human rights workers who have been labelled prisoners of conscience by Amnesty International. Past administrative detainees include at least two of the 14 Palestinian negotiators at the Madrid peace talks, Nabil Jabari and Sami Kilani. Two other negotiators, Ghassan al-Khatib and Mamduh al-Aqer, respectively spent ten and forty days in "investigative detention" without charge during the intifada.

Torture

Torture is common during the interrogation of security suspects by Israel's General Security Service (Shin Bet), as was persuasively documented in reports issued this year by Amnesty International and the Israeli human rights group B'Tselem. Such mistreatment during interrogation is only one of many routine abuses following the arrest of Palestinian security suspects that fundamentally prejudice the fairness of the military justice system in the territories.

While the Israeli government this year ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, along with the International Covenant on Civil and Political Rights, it has yet to retract its 1987 endorsement of "moderate physical pressure" against security suspects under interrogation. The methods commonly employed by Israeli interrogators, which include severe and prolonged beating, sleep and food deprivation, hooding for long periods, and painful confinement in small, coffin-like cells, easily meet the definition of torture found in international agreements ratified by Israel.

Excessive Force

From the start of the uprising until the end of September, Israeli security forces have killed by gunfire 768 Palestinians, including 166 aged 16 or under, according to B'Tselem. Many of these killings were unjustifiable in that they did not occur in life-threatening situations, and/or soldiers could have employed means other than lethal force to counter the threat at hand. Factors contributing to such deaths are excessive reliance by troops on live ammunition in riot-control situations, open-fire orders that are too permissive in some respects, and laxness in the official investigation and punishment of abuses, which encourages soldiers to

believe they can exceed the open-fire orders with little risk of being held accountable. Palestinian human rights organizations have collected evidence to suggest that in a number of cases Israeli security forces have ambushed and deliberately executed wanted suspects whom they could have captured. Despite Israeli denials, the army's open-fire orders condone what amounts at the very least to a "wanted dead or alive policy" toward certain categories of unarmed fleeing suspects.

Collective Punishment

Collective punishments are commonly imposed by authorities in response to Palestinian resistance. The most dramatic means is the demolition of the house of the family of a person suspected of grave security offenses. Between January and mid-October, authorities razed 43 Palestinian homes and fully sealed 35 others on these grounds, according to the Ramallah-based human rights organization al-Haq. In nearly all cases, the measure is taken before the suspect has been convicted. As with other extrajudicial measures, families may file an appeal before Israel's High Court of Justice, but such appeals can be examined only on narrow grounds, and rarely succeed.

Other forms of collective punishment have cast a wider net. Entire villages and refugee camps have been barred from travel because of disturbances in their vicinity. Many curfews and school closures, which may have been justifiable as short-term measures to prevent or halt violence, assumed the character of collective punishment by virtue of their sweeping nature and the failure of authorities to test whether the proclaimed underlying conditions for the measure were still present. One example is the uninterrupted closure since February 1988 of Bir Zeit University, without allowing it to reopen even once on a trial basis. Fortunately, the other five Palestinian universities have been permitted to reopen during the last two years after being shut around the start of the uprising.

Freedom of Expression

Freedom of expression is limited, but not completely stifled, in the occupied territories. All published material possessing "political significance" must be licensed and pass military censorship. Acts of "incitement," interpreted very broadly, are prohibited, as are expressions of sympathy or support for the PLO and other outlawed organizations. Possession of posters, T-shirts, or banners displaying the Palestinian national colors can result in fines or imprisonment.

The Palestinian press, which is based almost entirely in East Jerusalem because of the relatively favorable conditions there, is able to publish much material that is critical of Israeli policies or human rights abuses in the territories, and favorable to the PLO. At the same time, many articles are censored more on political than security grounds, including news items that have been accurately translated from Israeli media. In addition, many publications and press offices have been summarily closed during the intifada by Israeli authorities, usually on the grounds that they were PLO-affiliated.

One member of the Palestinian delegation in Madrid, Saeb Erekat, received a fine and suspended sentence for incitement in 1987 for having written that "Palestinians must learn how to endure and reject and resist [all forms of occupation] until we regain our freedom." The comment appeared in an English-language university newsletter that circulates mainly overseas.

Freedom of Association

Freedom of association is restricted by a ban on public gatherings of ten or more persons without a permit. Such gatherings often take place without hindrance, even though permits are rarely if ever requested. Sometimes, however, gatherings deemed to be of a political nature are forcibly dispersed by soldiers.

Unions, charitable groups and other organizations must register by law, although they do not always do so. Both registered and unregistered organizations have been summarily closed by authorities on the grounds that they were linked to the PLO or involved in inciting resistance. During the uprising, Israel cracked down on the grassroots "popular committees," many of which carried out activities in support of the intifada, including such nonviolent activities as promoting self-reliance and tax boycotts. Membership in "popular committees" was made a punishable offense.

Political life in the occupied territories is tightly circumscribed. No elections have been permitted since 1976, when pro-PLO candidates won overwhelmingly in municipal elections; most of the elected mayors were later deposed by Israeli authorities. Despite the absence of elections and the ban on political parties, various local organizations, including those in the active Palestinian trade-union and women's movements, are often able to hold meetings and forums, issue statements, and conduct other activities of a political nature.

Treatment of Refugees

The Arab-Israeli conflict has spawned a complex array of refugee problems. Middle East Watch believes that all former Palestinian residents of what has become Israel proper have a right to return, or, if they prefer, to reside legally in the West Bank or Gaza Strip. Similarly, all former residents of the West Bank and Gaza Strip should be granted the right to reside in those territories. Insofar as the children of these former residents would have had the right to reside in Israel or the territories had the residency rights of their parents not been terminated, they too should be given the same residency rights.

Firm human rights principles support this position. Article 12(4) of the legally binding International Covenant of Civil and Political Rights (ICCPR), which Israel ratified earlier this month, states that "[n]o one shall be arbitrarily deprived of the right to enter his own country." For those who fled or were forced to leave the area of Palestine that became Israel in 1948, their "country" is Israel, just as Israel has become the country of citizenship to the many Palestinians who remained within its boundaries.

Among the pressing refugee concerns at present is the plight of West Bank and Gaza Palestinians who seek permanent residency status for their relatives. Many Palestinian families have been divided by Israel's refusal in most cases to grant legal residency to Palestinians who have lived in the territories or have close relatives there, but who, for one reason or another, have themselves been deprived of residency status. These include Palestinians who were outside the area when Israel conducted a one-day census of the territories after the 1967 war, children born to Palestinian parents at least one of whom lacks residency status, and persons who failed to renew their residency status while abroad.

"Non-residents" whose applications for reunification with their families in the territories have not been approved or who find the process too arduous or unpromising must enter the territories on visitors' visas. After two renewals, they must generally leave the area in order to reapply, or stay on illegally and risk deportation if caught.

Middle East Watch believes that Israel's practices regulating family reunification in the West Bank and Gaza Strip violate the right of persons to return to their "country" -- there is no reason to believe that the

framers of the ICCPR meant to exclude residents of occupied or administered territories from this right. These practices also violate the family rights of the population under occupation as set out in Article 27 of the Fourth Geneva Convention, rights that we believe encompasses the right of family members to live together.

JORDAN

The human-rights situation in Jordan has improved since public discontent over price increases and political repression sparked riots in April 1989, bringing down the government of Prime Minister Zeid Rifa'i. Pressures for reform led to Jordan's first parliamentary election in over two decades, in November 1989, in a pre-election atmosphere generally marked by the absence of rights abuses. The polling was widely considered to be fair.

The political space opened during the 1989 election campaign was followed by coverage of previously taboo political subjects by Jordan's four major daily newspapers, the unfettered circulation of opposition publications, the lifting of restrictions on blacklisted journalists, the rescinding of the executive order that dissolved the Jordanian Writers' Association in 1987, and a proliferation of new political groupings that could speak and assemble freely. By most accounts, the grip of the pervasive domestic intelligence service -- the General Intelligence Directorate, or GID -- loosened significantly. Many of the public-sector workers who had been fired or denied employment for political reasons have been reinstated, and bans imposed on foreign travel of thousands of politically active Jordanians have been lifted.

Despite progress in addressing past abuses, Jordan's current human-rights record is not unblemished. The reform of existing laws, necessary to institutionalize newly exercised freedoms of expression and association, remains a major uncompleted task: these laws include the Press and Publications Law of 1973, the Law on Public Meetings of 1963, the Law on Political Parties of 1955, and the Law on Resistance to Communism of 1953.

In addition, various provisions of the Jordanian penal code significantly limit freedom of expression and association. The overhaul of these restrictive laws and penal-code sanctions is necessary to institutionalize protection of human rights and bring Jordan into conformity with its obligations under the International Covenant on Civil and Political Rights, which it ratified in 1975.

Emergency Law

Martial law was imposed in Jordan in June 1967. It remained continuously in force until December 1989, when the Cabinet amended the martial-law regulations and removed certain political offenses from the jurisdiction of the Martial Law Court. (Jordanian lawyers who represented clients before this court strongly criticized its lack of independence, the pattern of convictions based on weak evidence, and the lack of a right of appeal to a higher court.) In July 1991, all the martial-law directives were lifted, with the exception of those pertaining to economic and financial affairs.

Arrest and Detention

Rights advocates view the canceling of martial law as a half-measure since Jordan still remains under a state of emergency, declared in 1939, pursuant to the much-criticized General Defense Law of 1935, when Jordan was the Emirate of Trans-Jordan under the British Mandate. This law grants broad powers of arrest and indefinite detention to Ministry of Interior officials and local administrative governors, whose actions are unsupervised by judicial authorities. These emergency powers were used in 1991. Eight detainees, arrested in

April on suspicion of planning to infiltrate into Israel and the occupied territories, were held under administrative detention in al-Swaqa, Jordan's main prison, located 80 km south of Amman. The detainees began a hunger strike in late September to protest their prolonged detention without charge; they all were released on October 20.

The fact that the Martial Law Court no longer hears security and political cases does not mean that alleged offenders automatically are tried in the regular civil courts. A 1959 law provides for the trial of a broad array of political offenses in another exceptional court, the three-judge State Security Court. This court, which can conduct its proceedings *in camera*, is not bound by the Code of Criminal Procedure and its judgments cannot be appealed to a higher court. Jordan's Interior Minister, Jawdat al-Subul, announced in September that the case of alleged members of the underground Prophet Muhammed's Army, who were apprehended by the security forces in July and accused of carrying out car bombings and planning other violent attacks in Jordan, will be tried by this court. Proceedings began on October 10. (The Jordanian authorities said that some of the group's members received training in Afghanistan, and that the group itself "has had links and connections with the outside," presumably with militant Islamist circles abroad.)

Torture

The treatment of political detainees held for interrogation at the Amman headquarters of the intelligence service has been long-criticized by international and local rights advocates, and allegations of torture continue to be reported. The Jordanian penal code flatly prohibits the infliction of "any type of violence or hardship" to obtain a confession or information about a crime; offenders face penalties of up to three years' imprisonment. Amnesty International reported that Muhammad Mut'ab, 24, was brought to this facility one week after his arrest on April 30, 1991, held incommunicado until June 2, and prevented from seeing a lawyer. Suspected of involvement with an illegal organization, Mut'ab was detained under the emergency law and not charged. He allegedly was beaten while in GID custody. In an August 1991 report, the public liberties committee of the House of Representatives noted that the GID's detention facilities are not registered as official prisons, pursuant to the 1953 prisons law, and thus escape inspection and oversight of the Justice and Interior ministries. Complaints also continue to be received about allegations of torture at al-Swaqa prison.

Political Pluralism

The cabinet of Prime Minister Tahir al-Masri was sworn in by King Hussein in June. Excluded from the government was the Muslim Brotherhood, despite the fact that it holds the single largest parliamentary bloc: 23 seats in the 80-member chamber. In his policy statement to Parliament on July 11, al-Masri stated that his government was committed to establishing "the foundations of democracy" on the basis of political pluralism and the rule of law. But the commitment to political pluralism was sacrificed when King Hussein, by royal decree in September, arbitrarily extended Parliament's recess until December 1. The King's move appeared to have been a maneuver to undercut Muslim Brotherhood and other Islamist and leftist deputies opposed to Jordan's participation in the Arab-Israeli peace talks which open in Madrid this week. (On October 7, at least 49 of 80 deputies signed a petition calling for the resignation of al-Masri's government; a vote of confidence, however, cannot be held until Parliament is reconvenes on December 1.)

Freedom of Assembly

The government imposed additional measures this month that run counter to its commitment to respect human rights. On October 9, it announced the banning of a public rally in Amman called by the

Muslim Brotherhood and Hamas (the Islamic Resistance Movement) for October 11, warning of "firm and decisive" action if the ban was defied.

Freedom of Expression

In his July policy statement, al-Masri stated unequivocally that his government considered "freedom of thought, opinions, and expression to be the right of both citizens and the press.... The government will be eager to provide a free, democratic climate for the press." Despite this public pledge, reports from Jordan indicate that on October 9 the Jordanian authorities banned and seized the issues of two weekly newspapers: *al-Ahali*, a leftist weekly that carried a piece criticizing the King's extension of the parliamentary recess, and the Muslim Brotherhood's *al-Ribat*, which recommended a national referendum on Jordan's participation in the peace talks.

These recent actions recall the authorities' past resort to the use of its broad powers to suppress information under the 1973 Press and Publications Law. Under this law, imported foreign publications are subject to approval by the Direction of the Department of Print and Publication in the Ministry of Information prior to circulation or sale; any imported publication can be seized if its public distribution is considered harmful to the public interest. In 1990, the authorities used this power to ban the April 9 issue of *Newsweek* that carried the cover story, "Iraq's Dark Knight: Saddam Hussein." The July 30 issue of *Newsweek* also was banned for its Gulf coverage, and *Time's* August 13 issue, with "Iraq on the March" as a cover story, was banned by the DPP. The press law includes provisions for prior censorship of newspapers, and contains a list of prohibited subjects, including attacks on the leaders of friendly states and stories which distort the truth about Jordan's security forces and secret police.

Freedom of Association

From 1957 until 1989, political parties were banned in Jordan; activists in underground political organizations were detained without charge, often for long periods, or arrested and charged with political offenses in the Martial Law Court. As part of Jordan's democratization process, numerous new political groups have been organized and former illegal or banned organizations now operate openly; dozens of these groups plan to seek status as legal political parties, once the 1955 political-parties law is revised. The government has indicated that political parties will be denied legal registration if they are politically or financially tied to foreign states or political parties, such as the Ba'ath Party in Iraq or factions of the PLO based in Syria or Iraq. A senior Jordanian government official said in August: "We don't intend to allow such parties to function if they don't reform to become local parties and break their leadership links with other parties outside Jordan."

It is not clear if the government plans to support amendment of the political parties law by striking the current provision that the legal authorization of a political party requires a decision from the Minister of Interior and the Council of Ministers. Under the existing law, this decision is final and cannot be appealed. Similarly, the existing law grants broad powers to the Minister of Interior and the Council of Ministers to dissolve political parties, without recourse to an appeal procedure.

Human Rights Monitoring

As with Egypt and Israel, Jordanian authorities allow international human-rights organizations access to the country and meet with their representatives. The Jordan branch of the regionwide Arab Organization for Human Rights was legally registered with the authorities in 1991, unlike its counterpart in Cairo, which continues to be denied legal status by the Egyptian authorities.

LEBANON

The Joint Responsibility of the Syrian and Lebanese Governments

The Lebanese government headed by President Elias Hrawi was installed in November 1989. Until October 1990, however, it was forced to co-exist with the rival administration of General Michel Aoun, the Maronite army leader appointed prime minister by former President Amin Gemayel in the dying hours of his administration. The rivalry between the two feeble governments in West and East Beirut marked the nadir of the long Lebanese descent into near anarchy that began with the outbreak of civil war in April 1975.

The fifteen-year civil war wreaked dreadful havoc on the once flourishing Lebanese civil society, destroying what had once been the cultural center of the Arab world, a haven of coexistence between different ethnic and religious groups, and of free speech. Human rights values were a chief victim of the internecine fighting epitomized by spats of hostage-taking first between the rival Lebanese factions and later from among the Western expatriate community.

Lebanese Government Responsibility

The Lebanese government has yet to re-establish effective control outside the perimeter of Beirut. It has however sanctioned Syria's close involvement in Lebanese affairs through three major documents: the October 1989 Ta'if Accord, the May 1991 Lebanese-Syrian Brotherhood, Cooperation and Coordination Treaty and the September 1991 Lebanese-Syrian Security Agreement. On October 16, the Security Agreement was endorsed by the newly formed Lebanese-Syrian Higher Council headed by the presidents of the two countries, which held its first meeting that day. Despite the obvious disparities in power between the two governments, the Lebanese government must bear responsibility for observance of human rights, just as the Syrian government is responsible for the actions and omissions of its forces stationed in Lebanon. In implementing the Ta'if Accord, the bulk of Syrian forces are scheduled to be redeployed outside Greater Beirut before the end of 1991. Since most of Lebanon's population is concentrated in the Greater Beirut area, the Lebanese government will have the primary responsibility for security in Lebanon, and consequently for ensuring respect for human rights. Although Syria will very likely continue to exercise enormous influence on such matters in Lebanon, it will do so indirectly through its recently concluded accords with the Lebanese government.

Syria's Responsibility

Syrian forces have effectively controlled most of Lebanese territory since 1976. Their human rights record in Lebanon mirrors their government record in Syria itself. Indeed, it can be argued that in recent years the gross violations that have taken place in Syrian-controlled Lebanon have been worse than those in Syria itself. Thousands of Lebanese and Palestinian opponents have been arbitrarily arrested and held without trial. Many were transferred to Syrian prisons, in violation of international norms prohibiting their transfer outside occupied territory. Syrian forces were also implicated in the murder of a number of Lebanese leaders and journalists who dared to challenge Syria's policies. One result of this terror campaign by Syrian forces has been that the Lebanese press, once the most unrestrained in the Arab World, was cowed into submission to Syria's will, forced to leave Syrian-controlled Lebanon, or prevented from functioning.

In October 1990, Syrian forces and their Maronite militia allies took joint action against the rebel general Michel Aoun. In retaliation for alleged unwarranted killings by Aoun's forces of Syrian troops

involved in the re-taking of Aoun's last stronghold, scores of his supporters were executed on the spot and others left to die. Both the Syrian and Lebanese governments have refused to investigate the circumstances of these killings and have stymied family efforts at independent verification of causes of death of the majority of casualties in that confrontation.

Detention and Torture

Since the ouster of General Michel Aoun, his suspected supporters have been regularly rounded up by Lebanese security forces, reportedly aided by Syrian intelligence officers. There have also been credible reports of torture of those detained. Families have also complained of denial of visitation and of legal counsel to those accused of wrongdoing. Syria still detains close to two thousand Lebanese and Palestinian residents of Lebanon, but the Lebanese government has failed to publicly press for either their release or trial under Lebanese law.

Middle East Watch is gravely concerned by the implication of the provision in the recent bilateral security agreement between Syria and Lebanon permitting the detention in Lebanon of persons wanted in Syria. In effect, this clause means that Lebanon can no longer be a place of refuge for Syrian political exiles or other critics of the Asad government.

Freedom of Expression and Association

The Lebanese government is exerting great pressure on the press to refrain from criticizing Syria. In May 1991, the Ministry of Justice recalled Lebanese newspaper and magazine editors to inform them that it was re-activating a pre-civil war regulation banning "the critical discussion of the president of the republic or of presidents of friendly governments, where such discussion may endanger the welfare of the country." The Ministry also served notice to the editors that it intended to vigorously prosecute violators. It was widely understood by the journalists that the main objective of this directive was to stop criticism of Syrian policies in Lebanon.

The recently signed, but still-secret, Lebanese-Syrian Security Agreement reportedly stipulates a ban on "all military, security, political and media activity that might harm" either country. It also requires both countries to "refuse to give refuge to, facilitate the passage of, or provide protection to persons and organizations that work against the other state's security."

Political Participation

Lebanon's last parliamentary elections were held in 1972, and new elections are planned for 1992. The conduct of these elections will be an important indicator of Lebanon's and Syria's commitment to democracy in Lebanon. Stateless residents of Lebanon -- the Wadi Khaled Arabs, al-Maslakh Arabs and long-term Kurdish residents -- are all deprived of political participation. They are also denied Lebanese citizenship and the rights and privileges deriving directly from citizenship, such as free access to employment and freedom of travel. Successive Lebanese governments promised to resolve the legal limbo of the stateless in Lebanon but without results.

Palestinians

Although most Palestinians in Lebanon came as refugees displaced by the creation of Israel in 1948, prior to the Lebanese civil war they were treated as foreign residents in employment and other aspects of their lives. Their movement was restricted and they were subjected to arbitrary arrest and intimidation by Lebanese security forces. As the Lebanese government prepares to reassert its control over all of Lebanon, the Palestinian community is justifiably concerned about a return to pre-civil war practices. Despite a promise by the Lebanese government to improve Palestinians' access to employment and the formation of a Lebanese-Palestinian committee to study other civil rights, Palestinians in Lebanon are apprehensive about the future, especially considering the heavy-handed manner in which the Lebanese army wrested control of Palestinian-dominated areas of Southern Lebanon.

PALESTINIAN LEADERS

Palestinians have repeatedly engaged in acts of violence against unarmed Palestinian and Israeli civilians. From the start of the uprising in December 1987 until September 30, 457 Palestinians in the Israeli-occupied West Bank and Gaza Strip have been killed by other Palestinians for their alleged collaboration with the Israeli authorities, according to the tally kept by the Associated Press. Palestinians have also killed 33 Israeli civilians and four tourists inside the Green Line.

It is the duty of the Israeli government, as the *de facto* power in the occupied territories, to arrest, charge, and prosecute those who commit such offenses. Indeed, many Palestinians have been given long prison sentences for killing collaborators.

There is of course no Palestinian state apparatus with the capacity to perform these law-enforcement and judicial functions. Nor is there a Palestinian government to hold responsible for the killings. However, the Tunis-based Palestine Liberation Organization and the pro-PLO Unified National Leadership of the Uprising (UNLU) inside the occupied territories, as the political entities that wield the most influence over Palestinians, have a duty not only to refrain from such acts but also to use their influence to curtail them through unequivocal public condemnation and repudiation. Middle East Watch deplors the failure of both entities to do so.

This survey focuses on the killings of suspected collaborators, since they constitute by far the largest number of civilian victims of Palestinian attacks.

The number of suspected collaborators killed by other Palestinians has increased in each of the last four years. During the first nine months of 1991 alone, there were 133 such killings, according to the Associated Press. The data is inevitably imprecise. The basis for the charge of collaboration is rarely made public in any detail; some of the killings appear to have had other motives. Moreover, it is often difficult to assign responsibility for individual attacks on civilians; some appear to have been carried out by individuals acting independently or on behalf of groups outside the PLO umbrella, such as break-away PLO factions and Islamic groups.

Some Palestinians defend the killing of suspected collaborators as necessary to protect the population from informants who aid Israeli security forces by identifying intifada activists and facilitating arrests and ambushes, thereby putting activists at risk of arrest or physical injury. Some Palestinian collaborators carry arms issued by the Israeli military authorities and have reportedly been responsible for killing 12 other Palestinians from the beginning of the intifada until September 30, 1991, according to B'Tselem, the Israeli human rights organization. They have also caused injuries and property damage in many instances.

Yet even if one were to accept the contention that some collaborators are combatants and therefore legitimate military targets, clearly those executed while in the custody of the perpetrators were entitled to protection as being *hors de combat*, according to principles of humanitarian law set forth in the 1949 Geneva Conventions.

Palestinians contend that some of the executed "collaborators" had received warnings and an opportunity to respond to the accusations during some form of trial. These steps, they say, represent a significant effort to provide some rights to the accused, considering that those involved in administering "revolutionary justice" risk long prison sentences or other severe punishment if seized by the Israeli authorities.

Such warnings and "trials," however, fall far short of guaranteeing accused collaborators due-process rights. There is no independent tribunal, the right to be represented by counsel is routinely violated, and torture is reportedly employed in at least some cases to secure confessions. These violations of due process are all the more disturbing in light of the extreme punishment meted out. Such violations of fundamental rights cannot be excused by the gravity of the accusations against any individual, or on the grounds that the situation of Israeli military occupation prevents the establishment of a formal Palestinian-run judiciary and penal system.

International law is clear in this regard, even though there is some debate over which body of law applies. Common Article 3 of the 1949 Geneva Conventions prohibits, in situations of armed conflict, "the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all of the judicial guarantees which are recognized as indispensable by civilized peoples." An equally stringent standard is set forth in the Minimum Humanitarian Standards (governing situations of internal strife), an official UN working document currently pending before the Sub-commission on Prevention of Discrimination and Protection of Minorities. The prohibition found in both instruments applies to governmental and nongovernmental parties to a conflict. Israel is a party to the Geneva Conventions, and the PLO, by its formal request in 1989 to become a signatory, has indicated a willingness to abide by its provisions.

The public positions of Palestinian leaders on these killings have improved during the uprising, but have generally fallen short of a clear and absolute prohibition of the killings. In 1988 and 1989, the UNLU played a central role in approving the punishment of some of the suspected collaborators, according to press reports. In leaflets and statements, both the PLO and the UNLU condoned the killings under certain circumstances and at the very least failed to condemn them publicly at a time when they were becoming an almost-daily phenomenon.

Since late 1989, however, the Palestinian leadership has grown more critical in its public statements. In late December 1990, the UNLU issued orders forbidding activists from killing suspected collaborators unless a decision is taken at the highest level. Thus, the UNLU continued to approve of killing collaborators in principle, even if under the circumstances it was trying to bring the problem under control.

In 1991, the persistence of such killings prompted the greatest public airing of concerns to date by several Palestinian leaders in the territories. The disapproval expressed by many prominent individuals, however, has yet to have any noticeable effect on the frequency of the killings. To some extent, it appears that they lack the authority to reign in many of those responsible for these acts.

To this day, the Palestinian leadership continues to send mixed signals about attacks on those who cooperate with Israel. In its 74th and 75th leaflets, issued in September and October of 1991, the UNLU affirmed that a death sentence will be executed against anyone "who is proven to have sold, or to have contributed to selling, one inch of the [West Bank, East Jerusalem, or Gaza Strip] to Jews." Although the issue of land sales is in many respects distinct from what Palestinians term "collaboration," to declare it to be a capital offense at a time when Palestinians are executing several collaborators each month lends legitimacy to acts of violent retribution.

In 1989 and 1990, Middle East Watch contacted PLO officials in New York several times to request meetings to discuss the killing of suspected collaborators. No reply has been received to date.

Middle East Watch calls on the PLO and its supporters inside the Israeli-occupied territories to repudiate publicly and unequivocally all acts of violence against all noncombatants, including Palestinian collaborators fitting that description. We also call on the PLO and its supporters to use their considerable influence to discourage Palestinians from pursuing this repugnant practice.

SYRIA

The Asad regime has been a gross violator of human rights since it came to power in a 1970 military coup. Today, in spite of recent gestures towards liberalization, it remains one of the worst offenders in the region. Having killed at least ten thousand of its citizens in the past 21 years, the Syrian government continues its practices of extrajudicial killings, torture and large-scale detention without trial. It denies freedom of expression and association to its 12 million citizens and refuses them their right to democratic participation in government. The Syrian government has employed similar methods in its occupation of large parts of Lebanon.

State of Emergency

The State of Emergency declared in 1963 when the Baath Party first seized power and extended regularly thereafter gives Syrian security agencies free rein to arrest and detain suspected political opponents. Using a complicated web of martial law regulations, Syrian security forces detained many thousands, and kept most of them in prolonged incommunicado detention. Although the State of Emergency and martial law were relaxed in the past two years for cases of economic crimes and official corruption -- offenses that previously would have elicited the death penalty -- cases relating to "state security" are still governed by martial law proclaimed under State of Emergency regulations. State security crimes are loosely defined to include membership to an outlawed organization, such as the Muslim Brotherhood and the League of Communist Action, writing or speaking critically about the regime and expressing dissent within the ruling Baath Party. Entrusted with carrying out government policy of stamping out dissent are a dozen secret police organizations employing thousands of agents and informers throughout Syria and Lebanon.

Arbitrary Arrest and Detention

During 1991, most of the 2,500 Palestinian detainees in Syrian custody were released as part of a thaw in relations between the Syrian government and the Palestine Liberation Organization. An estimated 170 Syrian detainees are believed to have been released, but fresh arrests of political opponents continue.

No less than 6,000 political detainees are still languishing in Syrian prisons, some of whom have been held without trial for over 20 years. Dozens of long-term prisoners have not been released at the expiry of their sentences. Torture is routinely used in these prisons not only to extract confessions but as a form of extrajudicial punishment that is applied throughout a detainee's incarceration. There have been numerous cases of death in custody or soon after a prisoner's release from injuries sustained while in prison, including cases as recent as this summer. No independent body has ever been allowed to visit Syrian prisons, but reports from released prisoners describe filthy, overcrowded and unsanitary dungeons with substandard food and bedding. Family notification of imprisonment takes months and even years for some political prisoners. Family visits are denied for many, especially for those in military prisons. The largest and most notorious military prison is at Tadmur, where its 2,500 inmates are rarely, if ever, allowed family visits.

Collective Punishment:

Detention is only one way of dealing with opposition in Syria. In 1981 and 1982, the Syrian government took drastic retaliatory measures in response to terrorist attacks by Muslim Brotherhood elements against government and party officials. During the spring of 1981, security forces swept through the city of Hama, a stronghold of the Brotherhood, and killed hundreds of suspected opponents. When that did not pacify the Brotherhood's opposition, the Syrian army laid siege to the city in January and February of 1982, then shelled its residential neighborhoods. The historic downtown area was flattened and other areas were similarly savaged. Close to ten thousand residents were killed and many more were made homeless.

Kidnapping and Assassination

The Syrian government also used kidnapping and assassination to silence critics abroad -- with considerable success. A dozen highly publicized assassinations of prominent politicians, journalists and scholars who spoke critically of the Asad regime between 1972 and 1989 served as powerful reminders that the Syrian government will go to considerable lengths to stifle criticism of its policies. In May 1989, Subhi al-Saleh, a widely respected and independent Muslim scholar in his seventies, was killed by what is believed to be Syrian agents for allegedly promoting Lebanon's reunification independently from Syria. In Lebanon, virtually all opposition to President Asad and his policies has been silenced by a campaign of intimidation aimed at once lively local media.

Political Participation

Political life in Syria is highly restricted, with the Baath Party dominating virtually all institutions, including the country's tame parliament. In May 1990, in the most recent elections for the People's Assembly, nine thousand candidates ran for office. But opposition parties were not allowed to field candidates and more than 40 independent candidates were forced by the government to withdraw. Only the Baath Party, which is headed by President Asad, and its junior partners in the National Progressive Front were allowed to hold campaign rallies. With the exception of the parties that make up the National Progressive Front, political organizations are not allowed to operate in Syria. Of the known twelve opposition parties only two minor parties are tolerated: the Arab Socialist Union and the Workers' Revolutionary Party. The Syrian media, which are controlled by the government or the Baath Party, gave campaign space only to Front candidates. The turnout was poor -- 40 percent according to official figures -- and actual balloting was fraught with irregularities, with one Baath Party candidate winning more votes in his district than the number of actually registered votes. Of the contested 250 seats, the Front won 166, including 134 for the Baath Party alone, guaranteeing that the People's Assembly will continue to be a rubber stamp for President Asad's policies.

Freedom of Association

Freedom of association is severely limited in Syria, as the government exercises tight control on the granting of operating permits for any organization. Professional groups, such as the lawyers and medical associations, have been terrorized by the security apparatus when they voice the mildest criticism of the regime.

Freedom of Expression

The Ministry of Information owns and runs most of the media outlets in Syria, including all radio, television and most of the newspapers. All media are strictly censored and their dissemination is closely monitored. Syrian intellectuals inside the country -- most of whom are on the government payroll -- are kept in

line through a combination of threats and rewards. Foreign reporters' access to Syria is extremely limited and when allowed, is tightly controlled. Books and films, whether published in Syria or abroad, are heavily censored. Censorship through intimidation of the foreign press has been achieved by the assassination of a number of leading Arab journalists by Syrian agents, and the harassment of other foreign reporters. Syrian agents are believed behind the 1980 assassination of Riyad Taha, president of the Lebanese Journalists Association, the 1981 killing of Selim al-Lawzi, editor-in-chief of a widely circulated Lebanese weekly, and the 1985 murder of Michel al-Nimri, a Palestinian editor of a magazine published in Greece. All three were vocal critics of the Asad regime. Syria was also assumed to have been behind the 1985 abduction in Lebanon, and the subsequent death in captivity, of the French writer Michel Seurat.

During the 1991 Gulf war, a group of writers critical of Syria's participation in the alliance against Iraq were briefly detained and questioned. The government's reaction was remarkable only in that it was milder than its reactions to similar protests in the past, especially whenever sympathy to the rival Iraqi Baathist regime was suspected. In a further indication of President Asad's awareness of the need to placate public opinion over the Gulf war -- sections of which were strongly opposed to the United States stance -- the Syrian leader toured the country to defend his policies at public rallies.

Minorities

The Syrian government and military are dominated by members of the Alawi sect, an offshoot of Islam close to the Shi'a sect and constitutes only 12 percent of the Syrian population. Most Syrians belong to the mainstream Sunni branch of Islam, with sizable Christian and Druze communities. There is also a Kurdish minority estimated at about 950,000-strong. The Jewish community which has shrunk today to less than 4,000 is subject to close surveillance and its political activity and freedom of emigration are tightly restricted. Most Syrians feel, with some justification, that Alawis, who had for centuries been an underclass, now enjoy undue influence and the fruits of a deliberate government policy of favoritism. As the largest ethnic minority, the Kurds of Syria have borne the brunt of the government's policies of "Arabization." Thousands were arbitrarily deprived of their Syrian citizenship in the 1960s; many others were forcibly resettled in the 1970s to provide for an "Arab belt" near Syria's northern border. Cultural expression by Kurds is limited to their villages. Political expression is tolerated only for Kurds opposed to the Iraqi and Turkish governments, some of whom have sheltered under Damascus' wing for many years. In the 1990 elections, however, a significant number of Kurdish politicians were elected to the People's Assembly, for the first time in a generation.

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Middle East Watch was founded in 1989 as the fifth regional component of the independent monitoring organization Human Rights Watch. Based in New York, Middle East Watch reports on civil and political rights conditions in the countries between Morocco and Iran.

Like its sister organizations Americas Watch, Africa Watch, Asia Watch, the Fund for Free Expression and Helsinki Watch, Middle East Watch seeks to improve governments' compliance with internationally recognized human rights instruments, as well as to press the U.S. government to make the even-handed promotion of human rights an integral part of its foreign policy.

Human Rights Watch is funded by private foundations and individuals. It does not seek or accept any financial support from any government or government-funded agency.