February 10, 1991

MIDDLE EAST WATCH CONDEMNS GREAT BRITAIN FOR HOLDING 35 IRAQI RESIDENTS AS PRISONERS OF WAR AND DETAINING DOZENS OF ARABS FOR DEPORTATION

Concerned that the rights of Arab residents of the UK are being violated as a byproduct of the Gulf crisis, Middle East Watch today called on British authorities to:

- refrain from seizing as prisoners of war Iraqis resident in the UK, a measure that cannot be justified under the terms of the Geneva Conventions; and cancel that designation for the 35 Iraqis already interned as POWs;

- release all Iraqi nationals and Palestinians detained and issued with deportation orders on security grounds, unless they are afforded basic due-process rights to contest the accusations against them, including the right as required by international law to have a lawyer at a hearing on the accusations before a judicial tribunal, and an opportunity to be confronted with the charges against them;

- comply with international law by insuring that no one is deported to a country where he faces a risk of political persecution, inhuman or degrading treatment, or to a country where his family might face inordinate hardship if they were to follow him there.

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Citing the need to prevent terrorism inspired by the conflict in the Gulf, British authorities since January 17 have detained 47 Iraqis and seven Palestinians without specific charges, and ordered them deported. Another 35 Iraqis studying in the United Kingdom have been seized and declared prisoners of war.

The release of five of the Arabs on February 6 and 7 came as a welcome move, but also suggested the arbitrariness of the detention procedure. Among those released was the best-known of the detainees, Palestinian writer and academic Abbas Cheblak, a UK resident for 16 years who is known to colleagues as a political moderate, promoter of Jewish-Arab dialogue and critic of Iraq's invasion of Kuwait (see profile below). Cheblak's detention suggested that authorities were acting indiscriminately rather than on the basis of sound information.

The round-up of scores of Arabs residing in Britain did not begin with the outbreak of hostilities on the morning of January 17. Since Iraq invaded Kuwait on August 2, the Home Office has issued notices of intention-to-deport to a total of 167 Iraqis, Palestinians, Lebanese, and Yemenis. Of these, 78 have already been deported, mostly to Jordan, or left voluntarily after being detained.

There is growing concern that the civil liberties of Arabs in Britain may be further abridged as the war in the Gulf continues. Immigration rules issued since January 17 bar all Iraqi nationals from entering the country and all those already in the UK from renewing their residency permits. On January 27, the Home Office placed announcements in all of the London-based Arabic dailies ordering all Iraqis to register immediately at the Aliens Registration Office in London. Registrants must pay a registration fee of £36 (U.S. $72).

Members of Parliament from both the ruling Conservative and the opposition Labor parties have come to the defense of some of those detained, as have civil liberties groups in London. Labor MP David Blunkett said, "I am very worried that some people are now being detained and threatened with deportation who not only pose no threat to security, but would also be at considerable risk if they were deported."

Thirty-five Iraqis Detained as POWs

Within days of the start of the war on January 17, British authorities arrested two Iraqi nationals and declared them to be prisoners of war. Over the next week, 33 Iraqi students who were initially detained as civilians by the Home Office were transferred to the custody of the Ministry of Defense and declared POWs. The first two seized were in the UK on a military exchange program, according to Mike Price, a press officer at the British Embassy in Washington. The other 33, Price said, "had sufficient links to the Iraqi military to merit treatment as POWs." The government, despite repeated requests, has not specified exactly what these links are, nor provided any information on military status or rank.

However, a British Home Office official told Middle East Watch on January 31 that these 33 were in Britain as ordinary students, studying a variety of subjects at different universities, and had not been covertly engaged in military activities.

All 35 POWs are being held in barracks at Rollestone military camp on Salisbury Plain. They are not permitted visitors and only recently have lawyers been permitted access to them. The POWs may correspond with family and friends by mail only, through the International Committee of the Red Cross (ICRC).

There is no precedent arising out of World War II or the Falklands/Malvinas war for Britain treating enemy resident aliens as POWs, according to an official at the National Bureau for POWs in the Ministry of Defense.

In the view of Middle East Watch, Britain's treatment of these persons as POWs rather than as civilian internees violates the laws of war because they are not combatants nor were they captured assisting combatants in the field of battle. In the absence of any information from the British government that these 33 students were lawful combatants, authorized by Iraqi authorities to participate directly in hostilities or otherwise falling within the definitions of article 4 of the Third Geneva Convention Relative to the Treatment of Prisoners of War, the students presumptively should be accorded civilian status.

Article 4 of the Third Convention states that a prisoner of war is a "member of the armed forces" who has "fallen into the power of the enemy." Some noncombatants such as persons who accompany the armed forces as civilian members of military aircraft crews, members of units responsible for services for the welfare of the armed forces, supply contractors and the like who have "fallen into the power of the enemy" are also entitled to prisoner-of-war status.

International jurists reason that the element of active duty or of geographic proximity and active support to combat operations are essential elements of prisoner-of-war status. These students were detained in Britain thousands of miles from the field of battle.

An official at the National Bureau for POWs within the Ministry of Defense said that in seizing POWs, the Ministry would not differentiate between Iraqis in active service and reservists. This Defense official, who spoke to Middle East Watch on January 31 and who refused to give his name, explained that deciding whether to treat the two categories differently "is a political question -- we handle defense."

The difference between reservists and active duty members of the armed forces, however, is not a political question but a legal one. Reservists may be in active or inactive status, and inactive reservists are noncombatants until they have been called up and activated. An inactive reservist, for example, is not a legitimate military target; his status is civilian. Nor would he qualify for prisoner-of-war status.[1]

[1] Iraq, like Switzerland, Israel and some other countries, require lengthy reserve service. Iraqi men ordinarily are required to be members of the reserves until age 45.

Even if the British authorities were to claim that these students were reservists, which to Middle East Watch's knowledge they have not done, the students have not been activated. Iraqi President Saddam Hussein's apparent urging of all Arabs to wage a Holy War everywhere against Iraq's adversaries[2] cannot be considered the legal equivalent of a call-up that activates previously inactive Iraqi reservists. Saddam's rhetoric was clearly aimed at recruiting those not already under Iraqi military jurisdiction.[3]

These 35 Iraqis qualify as protected persons, that is, persons of enemy nationality living in the territory of a belligerent (see article 4 of the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War). As such, they are entitled to have legal ambiguities construed in a way that offers them the greatest protection. If there is doubt about their military status, and if Britain deems it "absolutely necessary for security reasons" (article 42 of the Fourth Convention), they may be classified as civilian internees[4] rather than POWs. Treating the Iraqis as civilian internees would not prejudice Britain's legitimate security interests, as these persons would remain in custody and would be unable to engage in combat.

As civilian internees, these Iraqis would benefit from the relative advantages of the Fourth Convention. For example, the Fourth Convention requires that civilian internees be released as soon as the reasons for internment no longer exist (article 132), while the Third Convention permits the holding of POWs for the duration of the hostilities (article 118). While both POWs and civilian internees can ask to have their status reconsidered by a court or an administrative board, the Fourth Convention gives the internees the right to have their case reconsidered "periodically, at least twice yearly" (article 43). They are also entitled to more facilities to pursue their studies than are POWs (compare article 38 of the Third Convention with article 94 of the Fourth Convention).

However, it should be pointed out that those Iraqis seized by the British authorities who prefer to be held as prisoners of war rather than as internees should be granted their wish. Since they are entitled to have legal ambiguities construed in a way that offers them the greatest protection, their preference in the matter, if it is for a status that provides fewer protections, should be respected.

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[2] In a speech broadcast on Baghdad radio on January 20, he said, "It remains for us to tell all Arabs, all the faithful strugglers, and all good supporters wherever they are: you have a duty to carry out holy war and struggle in order to target the assembly of evil, treason, and corruption everywhere. You must also target their interests everywhere." *New York Times,* January 21, 1991.

[3] The UK is not the only country to misuse the POW designation during the present conflict. President Saddam Hussein's implication that "faithful strugglers" who target the interests of Iraq's adversaries will have prisoner-of-war status if apprehended is incorrect as a matter of law, unless such persons meet several other criteria set forth in article 4 of the Third Geneva Convention. In his January 20 speech, the Iraqi president said, "If the opposing multitude captures you, you will be prisoners in their hands, even if they refuse to admit this in their communiqu•s and statements." He also seemed to imply that such prisoners would have POW status when he promised that they would be released at the end of hostilities.

[4] See the official ICRC commentary to the Fourth Geneva Convention, ed. Jean S. Pictet (Geneva: International Committee of the Red Cross, 1958) 232, 236.

The official reached at the POW Bureau at the Defense Ministry told Middle East Watch that the POWs are satisfied with their status, as it protects them from being sent to Iraq. However, the Defense Ministry has acknowledged that at least two are contesting this status. According to the Joint Council for the Welfare of Immigrants, a London-based immigrant rights organization, at least four were able to express displeasure about acquiring POW status before they were transferred to the custody of the Ministry of Defense.

In the last week of January, the Ministry of Defense ordered that a military tribunal, composed of three officers, be established to hear the applications of POWs wishing to challenge their status. The tribunal, set up according to the 1956 Manual of Army Rules, has yet to be convened.

Lack of Due Process for Those Facing Deportation

The detentions and deportations to date have been carried out under Britain's Immigration Act of 1971, which empowers the Home Office to detain and deport foreigners whose presence is considered not "conducive to the public good on grounds of national security."

In most cases so far, the authorities have issued a standard notice stating that the person detained is known to have links with an organization which may take terrorist action. For example, the notice issued to Abbas Cheblak stated, according to Alison Foster, for the Crown (a lawyer representing the government), that "the Iraqi government has openly threatened unspecified Western targets" and that Cheblak had "known links with an organization which we believe might take such action."

Persons detained pending deportation on national security grounds are not formally charged with a specific offense. Under the Immigration Act, they have no statutory right of appeal. Their only recourse is a single hearing before the Home Office Advisory Panel, an administrative body that makes recommendations to Home Secretary Kenneth Baker, but has no decision-making power. The final decision rests with the Secretary.

The hearings of the three-person Panel are held in camera. The detainee is not told the accusations or the evidence against him. He has no right to legal representation, although he may consult with a lawyer prior to the hearing. He has no right to summon witnesses to testify on his behalf, although he may ask the panel to call in witnesses. The detainee may also seek the permission of the panel to have an acquaintance attend the hearing. When the panel's deliberations are over, the detainee is not informed of the recommendations that it forwards to the Home Secretary.

Andrew Puddephatt, general secretary of the National Council for Civil Liberties, said of the process, "It is very hard for the accused people to mount a proper appeal. Most worryingly, there is no due process of law." Despite these limitations, all of the persons currently detained have asked to be heard before the Advisory Panel.

The composition of the Advisory Panel raises serious questions about its impartiality. The Observer of London reported on January 27 that two of the three members of the Advisory Panel have close links with the intelligence services. Its chairman, Lord Justice Lloyd, has been a member of the Cabinet's Security Commission since 1985, and in that capacity maintained contacts with the MI5 intelligence agency. Sir Robert Andrew served in intelligence before joining the Ministry of Defense in 1963. He later became deputy secretary at the Home Office, where he was responsible for the department which administers detention and deportation orders.

The scheduling of the hearings has also drawn criticism. After the mid-January arrests, the Home Office announced that the Advisory Panel would hear the cases six to seven weeks after the arrests. On January 30, however, the detainees were informed for the first time that hearings in 30 of the cases had been scheduled for February 1, 4 and 5. Attorneys for the defendants calculated that, at this rate, the panel could have allotted no more than 20 minutes per hearing.

This schedule did not give detainees enough time to prepare their cases, according to their lawyers and civil liberties groups. Some of the detainees had not even seen a lawyer yet, due partly to the inadequate conditions for lawyer-client meetings in the prisons (see below). After protests by lawyers, Lord Justice Lloyd, the Panel's chairman, said on January 31 that he would reschedule a hearing if the detainee requested additional time to prepare his case.

Three cases were heard during the last week of January and have already been decided upon by the Home Office. In one case, the Home Office ordered the petitioner, Jad Kabhan (see below), released unconditionally, and in two others it released the detainees and gave them two weeks to leave the country. Alison Stanley, legal advisor of the Joint Council for the Welfare of Immigrants, which is providing counsel to five of the detainees, questioned how much of a threat these two defendants could be to national security if the Home Office freed them pending their departure.

Judicial Review of the Deportations is Minimal

Detainees hoping to overturn their deportation can hope for little help from Britain's courts, which have thus far elected to limit their oversight of the actions of the Home Office. On January 23, Justice Simon Brown of the High Court, Britain's court of first instance, turned down an application from Abbas Cheblak for habeas corpus, bail and leave to appeal. Justice Brown stated, according to the Observer, "This court cannot hope to reach any informed view as to the need to detain an applicant." The judiciary courts, Brown explained, are not competent in matters of national security. This ruling was upheld by a Court of Appeal on February 2.

In turning down Cheblak's application on January 23, Justice Brown said he had erred the day before in allowing an application by a Palestinian couple facing deportation to be heard before the High Court. In explaining why that application should be heard, Justice Brown had said there "was an urgent need to decide whether this is internment by the back door or a proper use of powers by the [Home Secretary]."

The couple's application -- the only one to reach the High Court thus far -- was unsuccessful. The two judges who heard the case, Lord Justice Mann and Mr. Justice Tudor Evans, ruled on January 25 that the Home Office had acted lawfully in ordering the deportation to Jordan of the couple who, for their own protection, are known only as "Mr. and Mrs. B." The judges rejected the argument that there had been insufficient evidence to show there was a security risk. (However, in the first week of February, the Home Office ordered the release of Mr. and Mrs. B., suspending their deportation order while they apply for political asylum.)

The only aspect of a deportation order that a person has a statutory right to appeal is the destination country, which may be challenged before an Immigration Appeals Adjudicator. But the deportee may not appeal on the grounds of fear of persecution; he can only seek to establish that a third country will grant him an entry visa.

The lack of due process afforded to those detained during the deportation process violates international legal principles and instruments ratified by the UK.

Many of those detained for deportation are now facing prolonged detention as they challenge their deportation. The principle that detention of any sort should be subject to judicial review is enshrined in article 9, paragraph 4 of the International Covenant on Civil and Political Rights (ICCPR), in article 5, paragraph 4 of the European Convention on Human Rights (ECHR), and in principle 4 of the United Nations Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (UN Principles).[5] Principle 4 provides that the reviewing authority should be "a judicial or other authority under the law whose status and tenure should afford the strongest guarantees of competence, impartiality and independence."

The same instruments affirm the right of any detainee to be informed of the charges against him. Article 9, paragraph 2 of the ICCPR, article 5, paragraph 2 of the ECHR, and principle 11 of the UN Principles provide that the detainee shall be informed of the reasons for the detention. According to Amnesty International, "to satisfy the elements of Principle 11, the authorities must provide specific, detailed and individualized reasons for arrest".

Quite apart from the law governing detention, international law requires that a deportee be given the opportunity to be represented by a lawyer at a hearing before the reviewing authority before deportation. For example, the ICCPR, in article 13, states that an alien should, "except where compelling reasons of national security otherwise require, be allowed to submit the reasons against his expulsion and to have his case reviewed by, and be represented for the purpose before, the competent

[5] Article 9, paragraph 4 of the ICCPR states, "Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that court may decide without delay on the lawfulness of his detention and order his release if that detention is not lawful."

authority...." The British authorities have given no compelling reason why national security would preclude disclosing evidence against prospective deportees in some fashion to enable them to contest the charges against them. While the authorities have articulated the need to protect sources, that explanation is inadequate to show why the authorities could not, without disclosing names, reveal details about the alleged activities of the deportees.

Civilian Detainees Include Many Long-time Residents of UK

Home Secretary Kenneth Baker assured the Iraqi community on January 24 that there would not be a witch-hunt against them, according to the Times of London. Moreover, the Home Office denied that it was implementing a campaign of internment, which it defines as the "indiscriminate rounding up of people en masse by reason of their nationality." A Home Office official pointed out to Middle East Watch that 7000 Iraqi nationals reside in the UK, of whom only 47 have been detained.

Nevertheless, the detentions so far raise suspicions that they have been indiscriminate at best and, at worst, motivated by political rather than national security considerations. These suspicions stem from the use of a procedure that bypasses the courts and produces no specific charges against the individuals arrested; and from the fact that several of the detainees have resided uneventfully in Britain for years.

Little is known about the identities of the Iraqis who have been detained. The lawyers representing some of them have sought to avoid publicity, for reasons of privacy and personal safety. More is known about the Palestinian detainees, some of whom have now been released. The following profiles of these individuals -- and their eventual release -- suggest indiscriminateness in the round-up.

Abbas Cheblak, a 47-year-old author and academic, was held from January 17 until February 6, when the Home Office ordered his release. Cheblak has lived in London with his wife for 16 years, and is in the process of obtaining British citizenship. They have two small children, both British citizens.

Cheblak was born in Haifa, studied law in Cairo, and earned a Ph.D in economics at Kingston Polytechnic. He has been a senior information officer and researcher for the Arab League for the last six years, and is often quoted on Arab cultural affairs by the British media.

Cheblak is a human-rights activist and backer of Arab-Jewish dialogue. He says he opposes violence. At Cheblak's hearing on February 1 before the Advisory Panel, several persons spoke on his behalf. Simon Louvish, a British-Israeli writer who guest-edits the Jewish Quarterly, a journal to which Cheblak contributed articles, called him a "consistent advocate of human rights and peace." Also testifying was Cheblak's academic mentor, Sami Zubaida, an Iraqi Jewish professor at the University of London.

A member of the Cairo-based Arab Organization for Human Rights, Cheblak served on the executive committee of its London chapter in 1989-1990. He collected signatures of academics for a letter condemning Iraq's invasion of Kuwait, and has often criticized human rights violations occurring in Arab countries. His 1986 book on Iraqi immigration to Israel, Lure of Zion: Case of the Iraqi Jews, was well reviewed in the Jerusalem Post.

Ali el-Saleh, a 39-year-old Palestinian, has lived in Britain for 21 years and obtained permanent UK residence in 1988. He has two children, both British citizens. El-Saleh, who lives in Bedford, is the marketing director of a computer firm that has refused all work connected with the Iraqi government. One of his most recent jobs was installing a computer system at Sawt al-Kuwait (The Voice of Kuwait), the daily organ of the Kuwaiti government-in-exile. In 1971 he was president of the British Union of Palestinian Students. According to his wife, he has played no active role in politics since then. His wife has also said that el-Saleh has always opposed terrorism and Saddam Hussein. Sir Trevor Skeet, a Conservative MP who has taken up el-Saleh's case, said, according to the January 23 Times of London, "I formed a good view of him, and I do not think he is a security risk at all." On February 6, the Home Ministry ordered el-Saleh's release.

"Mr. B.", a 31-year-old Palestinian computer engineer, who prefers to withhold his name for his own protection, has lived in London for 15 years. According to his lawyers, Eugene Cotran and Kevin Beach, Mr. B. faces deportation because of an "accident of birth": he is the nephew of Abu Nidal, the leader of the terrorist Fatah Revolutionary Council. In his affidavit that his

lawyer read before the High Court, Mr. B. said, "I have had no contact or links with any terrorist organization anywhere. I deplore terrorists and violence." Mr. B. denies having had any contact with his uncle since childhood.

On February 6 or 7, the Home Office ordered Mr. B's release, and suspended his deportation order while he applies for political asylum. His wife has said that Jordanian security officers warned her in 1985 that if her husband set foot in Jordan he would be killed in retaliation for the activities of Abu Nidal.

"Mrs B.", who is a computer engineer like her husband, was also detained and ordered deported, but was subsequently released when authorities learned that she was pregnant. Her deportation order has also been suspended to allow her to seek asylum.

Jad Kabhan, aged 60, a Palestinian-born U.S. citizen, is a business manager with Lloyd's insurance brokerage. Kabhan was detained for several days and then released on January 25, after the Home Office reviewed his case.

Some Detainees Fear Persecution if Deported to the Middle East

Several of the detainees have applied for political asylum in the UK, but others hesitate to do so, fearing retaliation against their relatives in the Middle East and against themselves if their application fails and they are deported. A lawyer representing some of the asylum-seekers insisted that, for the safety of his clients, the details of their cases not be published.

Members of the Iraqi community have claimed that at least one of the Iraqis may have been detained because of his contacts with supporters of Saddam Hussein. In reality, they say, he was an opponent of the regime who was gathering information for use by the Iraqi opposition.

International law prohibits a state from sending a person to a country where he may face persecution on account of race, religion, nationality, membership of a particular social group or political opinion. This principle of non-refoulement is found in the Convention Relating to the Status of Refugees (article 33, paragraph 1), to which the UK is a party, and is recognized as customary international law. However, article 33, paragraph 2 and customary international law recognizes an exemption in cases where there are reasonable grounds for regarding the person as a danger to the security of the country that is seeking to deport him.

International law also restricts the deportation of persons in cases where immediate family members would be unable to adapt to the circumstances in the country of destination. The European Court of Human Rights, in rulings on deportation cases, has developed a jurisprudence based on article 8 of the European Convention on Human Rights, which provides for the protection of family life.[6] The Court has invoked that statute to prevent the deportation of persons whose spouses or children would face great difficulties of cultural adaptation. It can be inferred that the Court would also oppose the deportation of persons to countries where family members would face the even greater hazards of war or persecution if they were to join their deported relative.

One of the detainees has a British wife and a child who suffers from severe learning difficulties. It is likely that they could build a case against deportation on the basis of the hardship they would endure if they followed him to Jordan. Article 8 could also be invoked in the recent case of an Iraqi national married to a British woman who has been unable to renew his residency permit due to the new immigration restrictions on Iraqis.

Article 3 of the European Convention may also be invoked to prevent certain deportations. The article, which allows no exemptions, states, "No one shall be subjected to torture or to inhuman or degrading treatment or punishment."

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[6] "Everyone has the right to respect for his private and family life, his home and his correspondence.
There shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights or freedoms of others."

The phrase "inhuman or degrading treatment" has been interpreted to embrace a range of experiences, including political persecution, the hazards of war, famine, and the breakdown of law and order in a country. And in the 1990 Soering case, the European Court of Human Rights affirmed that the convention applied to mistreatment even if it occurred outside the territory of the country. In that case, the Court ruled that article 3 protected the petitioner from being extradited from the UK to the US, where he was facing the death penalty in the state of Virginia.

Prison Conditions for Detainees Violate the Geneva Conventions

On January 26, the detainees facing deportation were transferred to the maximum-security Full Sutton prison in Yorkshire from the two London prisons in which they had been held. Although Full Sutton is more modern and less bleak than the London facilities, the detainees are now some 200 miles from their families and lawyers in Greater London. The cost of round-trip transportation is over £50 ($100 U.S.).

Some of the detainees have since been brought back to Pentonville prison from Full Sutton for their Advisory Panel hearings, which are held inside the prison.

Family visits are allowed at Full Sutton, but not on a daily basis. According to lawyers David Burgess and Alison Stanley, who represent some of the detainees, lawyers are given insufficient time to see their clients, and the visits take place in large rooms where groups of detainees meet with their lawyers and families at the same time. These conditions complicate the task of preparing the detainees to represent themselves before the Advisory Panel.

The two London prisons in which the detainees have been held, Pentonville and Wormwood Scrubs, are both 19th-century buildings with inadequate sanitary facilities. Detainees are locked in their cells 17-20 hours a day and are permitted one shower per week.

On January 23, an ICRC delegation visited all 61 persons detained at that time at Pentonville and Wormwood Scrubs, including those detainees who were later declared to be POWs (see above). After the visit, Francis Amar, the ICRC's deputy delegate-general for Europe and North America, said that British authorities were failing to comply with all provisions of the Fourth Geneva Convention, and urged that the detainees be moved to installations with better conditions. The ICRC stated that it considered all of these detainees to be "civilian internees" in the meaning of the Fourth Geneva Convention. British authorities have stated that the detainees would be treated in accordance with the Fourth Convention, although they insist they are detainees under British immigration law rather than civilian internees.[7]

The Fourth Convention states that internees are not to be held in prisons. Article 84 states, "Internees shall be accommodated and administered separately from prisoners of war and from persons deprived of liberty for any other reason." While British authorities have kept the detainees in separate cells from other types of inmates, this degree of separateness falls far short of the standard required by the official ICRC commentary to the Geneva Conventions. The commentary states, "Neither prisons nor penal establishments [can] be used as places of internment," a requirement reflecting the principle that

> the detention of internees is quite different in character from that of prisoners of war or common criminals. Internment is simply a precautionary measure and should not be confused with the penalty of imprisonment (p.384).

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[7] Middle East Watch phone conversation with an unnamed Home Office official, January 31, 1991.

Middle East Watch was created in 1989 to monitor human rights practices in the Middle East and North Africa and to promote respect for internationally recognized standards. The chairman of Middle East Watch is Gary Sick, the vice chairs are Lisa Anderson and Bruce Rabb, the executive director is Andrew Whitley, the research director is Eric Goldstein, and the associate director is Virginia N. Sherry.

This newsletter was written by Mary Howells, a lawyer volunteer with Middle East Watch.

Middle East Watch is a component of Human Rights Watch, a non-governmental organization which is also composed of Africa Watch, Americas Watch, Asia Watch, and Helsinki Watch. The chairman of Human Rights Watch is Robert L. Bernstein, the vice chairman is Adrian W. DeWind, the executive director is Aryeh Neier, the deputy director is Kenneth Roth, and the Washington director is Holly J. Burkhalter.

Recent newsletters of Middle East Watch include:

"Under the Toughest Curfew since 1973, West Bank and Gaza Palestinians Face Growing Hardship" (January 27, 1991)

"Middle East Watch Urges All Parties to the Conflict to Obey Rules of Law Protecting Civilians" (January 18, 1991)

"Kuwait: Deteriorating Human Rights Conditions Since the Early Occupation" (November 16, 1990)

"Egypt: Election Concerns" (November 15, 1990)

"The Conduct of Iraqi Troops in Kuwait toward Kuwaitis and Non-Westerners" (September 1990)

"Middle East Watch Condemns Iraq's Practices toward Foreigners under Its Control and Reminds Embargo Participants of Their Humanitarian Obligations" (August 29, 1990)