

Human Rights Developments

The civilian carnage in Chechnya and the further entrenchment of authoritarian governments in Central Asia dominated human rights concerns in 2000. The democratic defeat of Slobodan Milosevic, who had laid waste to democracy in Serbia and instigated the deadly Balkan wars, held out hope of a new hope for peace and rule of law in the Balkans. But the international community's selectivity in using leverage hindered efforts for positive change in human rights in the region, especially in the crises in Chechnya and Central Asia. While the victory of Vojislav Kostunica over Milosevic was strongly supported by the lifting of international sanctions, governments were reluctant to take a strong position on the need to bring Milosevic, an indicted war criminal, before the International Criminal Tribunal on the Former Yugoslavia (ICTY), as well as the broader issue of cooperation with ICTY.

The international community lacked the political will to exercise leverage with Russia to press for a halt to the massive abuses perpetrated by Russian forces in Chechnya. This stood in stunning contrast to international engagement in other crises in the world, notably East Timor, but was regrettably consistent with the international community's response to the 1994-1996 war in Chechnya. The pattern of impunity for abuse that so easily prevailed in that war persisted in the current war, as Russia clearly sensed it had nothing to lose by prosecuting the war without thought to civilian costs or to the consequences of wanton brutality.

Russian forces' violations of humanitarian law in the current war, which began in late 1999, caused some thousands of civilian casualties, the result of indiscriminate bombing. The capital of Chechnya, Grozny, was razed to the ground. At least 125 civilians were summarily executed in three massacres. Thousands of Chechens were detained arbitrarily on suspicion of rebel collaboration, and once in Russian custody guards and riot police tortured many of them systematically.

The international community often lamented that it had no significant influence over Russia, but squandered real opportunities for leverage or sanctions in favor of political expediency. During one of the war's bleakest moments the World Bank refused to withhold credit payments to the Russian general budget. The U.S. government and other member states refused even to entertain the notion of conditionality. A U.N. Commission on Human Rights resolution might have had a positive impact, but the member states who so commendably sponsored it stood idle as Russia ignored the resolution's requirements. Chief among them was that Russia establish a national commission of inquiry that would lead to prosecutions for abuse. In a more principled move, the Council of Europe's Parliamentary Assembly voted to suspend Russia's delegation.

The blatant impunity for war crimes in Chechnya cried out for accountability, but there was none. This failure quickly became obvious, but governments were unwilling to take up a more robust commitment to international justice as they had in other parts of the world. No member state of the Commission on Human Rights had the courage to insist, for example, on an international commission of inquiry, which would have necessarily invoked higher standards of rigor and impartiality than the wan Russian effort. Council of Europe member states declined to lodge an interstate complaint at the European Court of Human Rights. Unlike the Kosovo conflict, where the international community responded quickly to the needs of ethnic Albanian refugees, security concerns and a lack of international interest meant that many of the needs of displaced Chechens went unmet. Food, safe water, medical care, gas, wood supplies, and electricity were provided haphazardly and often ran out. Most children had their education disrupted, and during the early days of the war, disease and exposure claimed the lives of some displaced persons.

As corruption and grinding poverty worsened in Central Asia, fighting terrorism and "religious extremism" was an overwhelming concern both to national governments otherwise intent on maintaining their grip on power, and to the international community. This came at the expense of human rights and a long-term vision for the rule of law in the region. Uzbekistan's unrelenting crackdown against political and religious dissenters continued unabated, and authoritarianism deepened in Kyrgyzstan, Kazakhstan, and Tajikistan.

For the second time in two years, violence erupted in Kyrgyzstan and Uzbekistan. In August pitched battles erupted between armed insurgents and government troops in southeastern Uzbekistan and neighboring Kyrgyzstan. Thousands were displaced from their homes by the clashes. The group responsible, the so-called Islamic Movement of Uzbekistan, demanded that the Uzbek government release what the group claimed were an estimated 100,000 wrongfully jailed Muslim prisoners and allow for the observance of Islamic law precepts, including permission for Muslim women to wear the veil.

Some observers viewed the August violence as the self-fulfilling prophecy of the government's multi-year campaign against "religious extremism," the product of fierce and violent repression of thousands of Uzbek citizens. This year the government's campaign to stop the spread of "religious extremism" expanded and caused pervasive fear. Hundreds more independent Muslims who chose to study Islam or worship outside government-controlled religious institutions joined thousands imprisoned in previous years. Many were sentenced to long prison terms, for alleged membership in illegal religious organizations, or distributing religious leaflets not approved by the state. They were often arrested on trumped-up charges of illegal possession of narcotics, weapons, or religious literature, held incommunicado and denied legal counsel, and convicted in grossly unfair trials at which judges routinely ignored credible evidence of torture.

Symbolic of the Uzbek government's confidence that concern about terrorism trumped its human rights obligations was its decision in October not to appear to defend its initial report to the U.N. Human Rights Committee on the day it convened. The government's explanation was that officials needed to prepare for a conference on terrorism.

Governments in other parts of Central Asia continued the drift toward worsening authoritarianism by manipulating elections, harassing the media, and jailing political rivals on trumped-up charges. The government of Kyrgyzstan employed these with a vengeance this year, which sobered those who still considered that country to be Central Asia's "island of democracy." The Kyrgyz government jailed prominent opposition candidates before the October presidential elections, persistently harassed the opposition media, and drove some nongovernment organization activists into exile. The government of Kazakhstan, firmly entrenched after last year's deeply flawed elections, continued to harass opposition media and political figures. The Tajik government flagrantly manipulated the February ballot to guarantee the election of a parliament dominated by the ruling party. In November 1999, Turkmenistan, one of the most repressive countries in the world, held utterly hollow parliamentary elections, followed by an indefinite extension of the president's term in office.

Once again, the international community chose not to use available policy tools to effect change or take a principled stand. This was particularly true of the United States government, which was concerned about losing its influence in Central Asia to Russia by putting too much emphasis on human rights. Yet the U.S. and its European allies were in unique positions to deliver the economic assistance that Central Asian countries badly want, whereas Russian influence served to weaken these countries' independence. The U.S. government declined to interpret the crackdown in Uzbekistan as one targeting people for their religious convictions, and for this reason did not name Uzbekistan as a country of particular concern in the area of religious freedom under the 1999 International Religious Freedom Act. By contrast, Serbia was considered a country of particular concern. The U.S. Department of State certified Uzbekistan as eligible for U.S. security assistance, available under U.S. law only to countries committed to upholding international human rights standards.

The European Union (EU), for its part, resisted using its lucrative trade agreements with Central Asian countries to press for human rights improvements. And the Organization for Security and Cooperation in Europe (OSCE), the chief regional organization with a mandate to strengthen human rights, emphasized economic and security cooperation instead, an approach that failed to yield any progress on human rights. OSCE missions in Central Asia did not engage in regular, frank, public reporting on the human rights situation in the region; this was a glaring failure, particularly when juxtaposed against the massive and laudable public documentation and reporting effort undertaken in Kosovo.

Authoritarianism deepened in other parts of the former Soviet Union as well. Under President Alexander Lukashenka, the Belarus government continued to jail opposition figures, drive the opposition media to bankruptcy, and intimidate human rights organizations with abandon. Its October parliamentary election process was deeply biased to favor pro-government parties, which prevailed on election day thanks to falsified election results. In Azerbaijan as well, prior to the November parliamentary elections, the government attempted to exclude major opposition parties and many individual candidates from participating.

In December 1999, Russian President Boris Yeltsin unexpectedly resigned. Vladimir Putin was elected president in March, riding a tide of domestic popularity with carefully-controlled information about the war in Chechnya and promises to get tough on crime and corruption. Putin was a career KGB agent who became head of the Federal Security Service, the KGB's successor. Despite numerous public assurances of support for democratic values, Putin's conduct of the war in Chechnya and his impulse to stifle critical media coverage fuelled fears of growing authoritarianism in Russia.

Political developments in Serbia and Croatia toward the rule of law were contrasted sharply, and positively, with those in the former Soviet Union. Perhaps the most dramatic event of the year was the deposing of Yugoslav President Slobodan Milosevic and the election of Vojislav Kostunica as president. Milosevic had attempted to remain in power by staging early presidential elections on September 24. The stakes were high, as Milosevic no doubt wanted to avoid facing trial by the ICTY. For the first time facing a united opposition, the government had engaged in an unparalleled effort to ensure victory by intimidating, at times violently, opposition members and movements, and brazenly rigging the electoral process. Despite these obstacles, the opposition prevailed in the vote. When Milosevic tried to force a run-off, citizens took the streets, seizing the parliament and television station and ultimately forced Milosevic to acknowledge his defeat.

Milosevic's departure from power meant new hope for the rule of law and human rights protections in Serbia. At year's end, top concerns were Serbia's cooperation with the ICTY, including the transfer of Milosevic and other indicted war criminals hiding in Serbia to The Hague, the release of hundreds of Kosovo Albanian political prisoners, restoring the independence of the judiciary, and bringing to justice police and security forces responsible for serious abuses under Milosevic.

Following the death of Croatian President Franjo Tudjman, the opposition came to power in the presidency and parliament in early 2000. Important progress in human rights quickly followed. The new government began a policy of full cooperation with the ICTY by transferring an indictee to the Hague and allowing the ICTY access to investigate the sites of alleged 1991 war crimes against Serbs. There were positive changes in governance and minority rights as well. The government made a dramatic commitment to the right of Serb refugees to return to Croatia and backed this up with a financial commitment, legislative reform that promised equal treatment for all returnees, and the creation of a new government structure to facilitate returns.

The international community had insisted on cooperation with The Hague as a condition for loans and other important benefits to Croatia. After the fall of Milosevic, however, the international community wavered in its commitment to press for cooperation with the ICTY. While legitimately acknowledging the difficulties for the new authorities if Kostunica attempted to arrest and transfer Slobodan Milosevic to the ICTY, the international community also appeared to postpone indefinitely the whole issue of cooperation with ICTY from its agenda with Serbia, rather than insisting on deliverable interim measures such as the start of negotiations between the ICTY and the new authorities on access for ICTY investigators, discussions on the opening of an ICTY office in Belgrade, and the transfer of official documents necessary for the ICTY's investigations. The international community's apparent willingness to compromise cooperation with ICTY as a condition of upgraded relations with Belgrade made it appear as though Serbia was receiving special treatment as compared to Croatia and Bosnia.

Between October 1999 and October 2000, eight indicted war criminals were arrested by NATO forces in Bosnia and transferred to The Hague. Another indicted war criminal killed himself in the course of an October 2000 NATO arrest operation. Croatia also transferred one indictee to the tribunal in 2000. Nonetheless, at this writing, wartime Bosnian Serb leader Radovan Karadzic and Bosnian Serb General Ratko Mladic remained at large. Although most North Atlantic Treaty Organization (NATO) member government officials continued to insist that they would eventually see their day in court, some continued to resist their arrest. No longer able to argue that Karadzic and Mladic were so prominent in Bosnia that their arrest would ignite popular protest and retaliation against the international community, opponents of the arrests shifted to arguing that these figures had become so sidelined in Bosnia that their detention was no longer necessary to the peace process.

International agencies bore responsibility for guaranteeing human rights in several of the region's major postconflict zones they oversaw in Kosovo, Bosnia, and Tajikistan. In Kosovo and Tajikistan, these agencies displayed a disturbing tendency to rush the holding of elections in order to satisfy a pre-determined political schedule, even where the conditions for elections to be free, fair, and meaningful were absent, overlooking the harmful way in which serious, ongoing human rights problems undermine the prospects for long-term peace and democracy.

In Kosovo, a de facto protectorate of the international community after the 1999 war between NATO and Serbia, steady violence imperiled the lives of non-Albanians, who were for the most part confined to mono-ethnic enclaves and were unable to travel without KFOR peacekeepers as escorts. Kidnappings, drive-by shootings, fire-bombing of homes, and grenade explosions were combined with threats and harassment by Albanians to force ethnic minorities to leave the province. NATO-led KFOR forces and United Nations Civil Police, which together had full responsibility for policing and security respectively, were either unable or unwilling to confront the armed elements of the former Kosovo Liberation Army and others implicated in the violence. U.N. police often lacked the resources and cooperation adequately to investigate and arrest those responsible. While the United Nations' peace implementation mission in Kosovo (UNMIK) oversaw the administration of justice, the courts were staffed primarily by local judges whose rulings raised serious questions about the impartiality of justice.

The 1996 Bosnian example demonstrated that rushed elections in a postconflict situation could serve to legitimize further some parties and leaders which had been responsible for gross abuses, but the international community chose to overlook this important lesson. Kosovo's first postwar elections, scheduled for October 29, were by all measures premature, driven more by the desire to meet a predetermined deadline set by the Rambouillet agreement than the need to create the minimum conditions and set the framework for long-term democracy. All but a handful of Serbs and many other minorities boycotted registration, rendering them ineligible to vote. Political violence resulted in the deaths of at least nine people affiliated with the Democratic League of Kosovo or parties linked to the former KLA, and there were politically motivated attacks on journalists.

Whereas in Kosovo the international community accepted premature elections in order to speed along the province's political development, in Tajikistan the United Nations (U.N.) presided over parliamentary elections in utterly inhospitable conditions as part of its strategy to hasten the end of its own peacekeeping operation. The result for human rights was disastrous. A 1997 U.N.-brokered peace agreement ending that country's civil war envisioned the elections, held in February 2000, as the last step in the implementation of the agreement. But opposition parties were excluded from the vote, there was widespread fraud, the media was clearly biased, and the overall rights situation was extremely poor. The vote served to legitimize the current president rather than to serve U.N. goals of democratization.

In Bosnia, members of minority groups returned in significant numbers for the first time since the end of the war. In the first six months of 2000, the United Nations High Commissioner for Refugees (UNHCR) registered nearly 20,000 minority returns in Bosnia, nearly three times the number recorded for the same period in 1999, thanks in part to focused international effort. With the success, however, has come a drop in funds from donor nations, even though a sustained, longer-term level of funding is necessary for the return of Bosnia's remaining refugees. Croatia's new commitment to returns was effective in encouraging the return of ethnic Serbs: more than 10,000 returned during 2000, the highest number since the mass exodus of more than 200,000 in 1995.

In Serbia and Montenegro, about 230,000 persons were displaced from the Kosovo conflict and the postconflict persecution of minorities, and 500,000 were refugees from Croatia and Bosnia. This burden continued to strain the resources of Serbia and Montenegro.

Minority rights violations accompanied returns in Croatia and Bosnia, and were a problem elsewhere in the region. Bosniak returnees to Republika Srpska were the victims of violent attacks in March and July. Serb returnees to Croatia continued to face discrimination at the hands of local authorities, despite a raft of new antidiscrimination measures adopted by the new government in Zagreb, and Serb and Croat communities remained deeply mistrustful of one another.

Roma continued to suffer shocking levels of harassment, violent attacks, and malicious discrimination in Croatia, Hungary, Romania, the Czech Republic, Bulgaria, Serbia, Macedonia, and Slovakia, marring much of the region's record of progress on other human rights issues. Law enforcement authorities in all of these countries typically did not investigate violent attacks on Roma. Roma children often lacked access to education in Croatia, and in the Czech Republic they were disproportionately channeled into classes for the mentally disabled. Municipalities in Serbia, Croatia, Hungary, and Greece forced Roma to abandon their homes, usually citing spurious zoning laws. Roma were evicted from their homes in Athens to clear land for facilities for the 2004 Olympics. In July, a municipal bulldozer, accompanied by the mayor and police, demolished numerous Roma huts in the Athens Aspropyrgos suburb. Greek and Albanian Roma families in the settlement situated on a garbage dump were ordered to leave within three days. In Bulgaria, villagers refused to allow Roma in public places and threatened them with expulsion after an unresolved murder. Roma homes in Macedonia were burned down in suspicious circumstances in the village of Stip. Roma homes in the village were the target of earlier arson attacks in 1992. And in a Serbian town, Roma were banned from a public pool.

Torture of detainees reached crisis proportions in government arrest campaigns in Uzbekistan and Russia (Chechnya). These crises were not aberrations, however, since torture had been part and parcel of the criminal justice systems of both countries for years. Torture of detainees held in Russian custody in Chechnya followed the same methods and patterns as torture perpetrated against common suspects in Moscow or Rkutsk. Similarly, torture to coerce testimony from people arrested in the crackdown against independent Islam in Uzbekistan was systematic.

Torture remained common in Turkey and was used to coerce testimony and confessions in both common criminal cases and security-related cases. In a positive development that suggested heightened government acknowledgment of the problem, the Turkish Parliament's Human Rights Commission published nine detailed reports documenting the persistence of torture. The commission was able to find and photograph torture implements and a "torture room" described to it by victims. This was chilling testimony to the credibility of torture victims, whom governments often dismiss as unreliable or biased.

Several factors accounted for the persistence of torture, among them impunity and poor due process protections, especially in countries of the former Soviet Union. Some countries began to make progress toward reforming due process to prevent torture, but backtracking also occurred. Azerbaijan, where torture was widespread, adopted legislation that for the first time required detainees to be brought before a judge within forty-eight hours. Last year Georgia repealed important due process reforms, and took no steps this year to restore them.

The governments of nearly all Central Asia states took steps to restrict or control the Internet. In a positive move, Croatia decriminalized most aspects of libel, but criminal libel statutes were enforced in Greece and Romania. The governments of Azerbaijan, Kazakhstan, and Kyrgyzstan made liberal use of prohibitive libel suits to bankrupt critical media. In September a Turkish court acquitted Nadire Mater who had been charged with "insulting the armed forces" for writing Mehmet's book: *Soldiers Who Have Fought in the Southeast Tell Their Stories*. Unfortunately, this was not part of a broader pattern of improvements in freedom of expression. Turkish media and politicians furiously debated many issues and openly criticized the government, but those who contradicted the official line on the role of ethnicity, religion, or the military in politics continued to risk prosecution and imprisonment.

Governments made little progress this year protecting women from violence in armed conflict, domestic violence, trafficking, and discrimination. Credible information surfaced about rape of the Chechen women by Russian forces, both in detention centers and during community sweep operations. Even in postwar periods, women's human rights were not protected. Kosovar women confronted discrimination, domestic violence, rape, trafficking, and abductions following the war. Particularly in the former Soviet Union, those who trafficked women for work in the sex industry continued to operate with impunity, while governments offered thoroughly inadequate protection to women willing to come forward as witnesses to this crime. Police made no visible progress in promoting among their ranks a better response to domestic violence. In Uzbekistan, local governments compounded the problem by pressuring women to stay in abusive marriages in order to keep the divorce rate low.

Defending Human Rights

The treatment of human rights defenders varied widely in the region. In some places they were able to initiate groundbreaking work, review national legislation, and seek remedies for abuse in domestic courts and at the European Court of Human Rights. In others, governments went to great lengths to curtail their activities and undermine their credibility.

On October 16, Antonio Russo, a journalist who had documented humanitarian law violations in Chechnya, was killed near his home in Georgia.

Some human rights defenders in the region have had to operate in exceedingly hostile circumstances. The record was extremely poor in Uzbekistan, where the government had a history of jailing human rights activists and denying registration to human rights nongovernmental organizations (NGOs). This year the government failed to release two activists and continued to harass those who brought their cases to human rights defenders. It frequently denied defenders access to public trials.

In Serbia, activists, braving constant and baseless accusations of being NATO spies, defended ethnic Albanian political prisoners' right to due process. One Serbian defender, Bojan Aleksov, was tortured by police.

In Kyrgyzstan the environment for defenders dramatically deteriorated, even as local defenders gained broader exposure to the international community. The government accused some activists of "destabilizing the social order" and threatened one of the country's most active defenders with arrest, driving him into exile. Turkmenistan refused to allow human rights monitoring of any sort.

Governments employed a range of tactics to impede the work of human rights organizations. The government in Serbia subjected several human rights organizations to groundless tax inspections. The Azerbaijani government banned prominent NGOs from monitoring elections. The Belarus government evicted a legal defense group from its office and was believed to be behind the unresolved series of break-ins and raids of other groups' offices. In Kazakhstan an unexplained fire damaged the office of one of the country's most prominent groups. In Georgia, the Ministry of Internal Affairs simply shut down an NGO program that would have provided round-the-clock pro bono legal services to detainees.

Defenders faced difficulties in conflict and postconflict zones. The Russian government carefully controlled access to Chechnya, making human rights reporting directly from the conflict zone extremely difficult. Human Rights Watch was repeatedly denied access to Chechnya, and Memorial, a leading Russian group, faced many problems with its work there. A coalition of Russian NGOs urged Council of Europe member states to file an interstate complaint against Russia with the European Court of Human Rights. In Kosovo, the compounding effects of years of repression, armed conflict, and the resulting inter-ethnic animosity made local human rights reporting extremely difficult.

In Europe, defenders actively took up discrimination and violence against Roma, often among the most marginalized groups in the region. Defenders in Romania and the Czech Republic lodged cases of discrimination against Roma with the European Court of Human Rights. In Greece, human rights defenders were able in one case to halt temporarily the eviction of Roma. Hungarian Roma families from Zámoly fled to France, applied for asylum, and lodged a complaint against Hungary for failing to protect them from discrimination and violence with the European Court of Human Rights.

The Role of the International Community

United Nations

Throughout the year, various U.N. actors voiced concern about violations of human rights and humanitarian law in Chechnya, but lacking political support from key member states' U.N. representatives failed to follow through in any meaningful way on these statements.

In early 2000, U.N. High Commissioner for Human Rights Mary Robinson took the lead on Chechnya. The Russian government responded to her repeated condemnations by refusing her February request to visit Chechnya. When she was finally permitted to visit the region in late March, she acknowledged evidence of summary executions, torture, and rape committed by Russian forces, but she refused to heed calls for an international commission of inquiry, opting instead to leave the accountability effort to the Russian authorities.

The European Union-sponsored resolution adopted in April at the U.N. Commission on Human Rights followed Robinson's approach. The resolution, the first ever adopted by the commission concerning the conduct of a permanent member of the Security Council, called upon the Russian government to establish a national commission of inquiry to investigate alleged abuses in Chechnya and to permit visits to the region by a number of U.N. human rights monitoring bodies.

Other than periodic calls for implementation of this resolution, no U.N. member state or representative showed an active interest in ensuring Russian compliance with these demands, despite the high commissioner's efforts. As of this writing, the Russian government had taken no meaningful steps to investigate or prosecute cases relating to abuses in Chechnya, and it had utterly refused to establish a commission of inquiry or invite most U.N. human rights representatives who requested to visit the region. Although the conflict occasionally spilled over Russia's border with Georgia and resulted in substantial cross-border refugee flows, the Security Council failed even to discuss the issue.

The U.N. continued to struggle with its peace implementation mission in Kosovo (UNMIK), as international attention shifted to flashpoints in other parts of the world. UNMIK made some progress in convincing ethnic Albanian and Serb leaders to participate in transitional power-sharing structures, but peace efforts were marred by political and ethnic violence. Progress was also made in establishing a local police force, but international civilian police lacked personnel to police in the interim, despite repeated requests to U.N. member states. Efforts to build an independent judiciary were undermined by UNMIK's reluctance adequately to supervise the courts, although it belatedly began to appoint international judges and prosecutors to local courts to counter concerns about bias, intimidation, and bribery among local judges and court officials. UNMIK established a special U.N. police unit for the protection of Serbs and began appointing international judges and prosecutors to local judicial systems to counter evident bias and to promote the rule of law.

The International Criminal Tribunal for the Former Yugoslavia continued its important contribution to peace in the Balkans by trying alleged war criminals, including the first-ever war crimes trial based solely on allegations of rape and sexual violence. Its efforts were undermined, however, by the continued failure of the international community to apprehend the indicted masterminds of ethnic cleansing in Bosnia, wartime Bosnian Serb leader Radovan Karadžić and Bosnian Serb general Ratko Mladić. Moreover, the failure of the international community to insist that deposed Yugoslav leader Slobodan Milošević stand trial before the tribunal reinforced the perception that the worst offenders enjoy the most lenient treatment.

Organization for Security and Cooperation in Europe (OSCE)

After the Istanbul summit of its fifty-four heads of state in November 1999, with grand pronouncements about the organization's role in upholding human rights, the OSCE's contribution to human rights protection in the region depended on its willingness to withstand pressure and interference from member states. The result, for the most part, was singularly disappointing. The dogged efforts of the high commissioner on national minorities, the representative on freedom of the media, and the Office of Democratic Institutions and Human Rights (ODIHR) to condemn abuses, provide training, and convene seminars, were completely overshadowed by the failure of the OSCE to uphold its mandate to deploy a mission to Chechnya and by the organization's role in organizing and monitoring deeply flawed elections throughout the region.

The members of the OSCE Assistance Group to Chechnya sat in a Moscow office, prevented by the Russian government from redeploying to Chechnya or neighboring provinces where their monitoring and reporting could have provided protection for thousands of civilian victims of the conflict. The OSCE and its member states were unable to convince the Russian government to allow the group to operate in and around Chechnya, even though its right to do so had been clearly stipulated in its 1995 mandate and reaffirmed at the Istanbul summit by all member states, including Russia, and again by Russian Foreign Minister Igor Ivanov during April meetings with OSCE Chair-in-Office Austrian Foreign Minister Benita Ferrero-Waldner.

The OSCE's continued engagement in Central Asia, this year emphasizing economic and security cooperation, yielded no progress on human rights. For the third straight year, the government of Turkmenistan would not sign a Memorandum of Understanding with ODIHR regarding democratization activities in the country, which seriously called into question the utility of continued OSCE engagement there.

Perhaps because the OSCE did not have to contend with pressure from member states regarding its work on Kosovo, it engaged in active public human rights reporting there, which included thoughtful criticism of international institutions. This served as a positive model for what could be accomplished when political will is mustered.

In 2000, the OSCE monitored elections in Croatia, Tajikistan, Russia, Kyrgyzstan, Georgia, Albania, Macedonia, the Yugoslav Republic of Montenegro, Belarus, and Azerbaijan. Although OSCE election reports were generally accurate in identifying flaws, the decisions to send full assessment missions to Kyrgyzstan and Azerbaijan, and even the limited assessment mission it sent to Belarus, risked according legitimacy to electoral processes that were deeply, structurally flawed. OSCE officials argued that their presence during these elections was necessary to document electoral abuses and develop recommendations for improved processes. Unfortunately, 2000 saw little progress made in implementing OSCE recommendations developed in the course of monitoring past flawed votes in, for example, Kazakhstan and Uzbekistan. The OSCE also organized the October municipal elections in Kosovo, pushing ahead under international pressure to demonstrate progress in peace implementation, although political and ethnic violence and attacks on journalists indicated at the time of writing that the elections would not likely meet OSCE standards.

Having failed to use the opportunity of the 1999 Istanbul summit to obtain any lasting human rights improvements in Turkey, the OSCE and its "human dimension" mechanisms remained underutilized in that country, where, had there been the political will, they might have made a significant contribution to the Turkish government's efforts to comply with E.U. accession criteria relating to democratization, rule of law, and minority rights.

The year saw continued OSCE efforts to address women's human rights issues, with the adoption of a Gender Action Plan in June and a special "human dimension" seminar to identify measures to combat trafficking. The apparent downgrading of the position of the gender advisor in the Vienna secretariat did not, however, bode well for efforts to implement these plans.

Council of Europe

The Council of Europe's profile expanded significantly in 2000, as the organization engaged in new and unprecedented field activities, technical assistance missions, and election monitoring activities with mixed results for human rights conditions.

Among international organizations, the Council of Europe enjoyed the most extensive dialogue with the Russian government regarding its conduct in Chechnya. The Council's commissioner for human rights, the Council-based European Committee for the Prevention of Torture, and several delegations from the its Parliamentary Assembly visited Moscow and the North Caucasus, condemned violations committed by both sides to the conflict, and urged steps to curb abuses and bring about an end to the conflict. The secretary general invoked for the first time article 52 of the European Convention on Human Rights to request information from the Russian government regarding implementation of the convention in Chechnya and in April the Parliamentary Assembly suspended the voting rights of the Russian parliamentary delegation.

In response, the Russian government accepted deployment in Chechnya of a three-person Council of Europe team of experts to assist the office of Russian President Putin's Special Representative for Human Rights in Chechnya, Vladimir Kalamanov. This team, the only international personnel with a human rights mandate permitted to operate in Chechnya, surely made a positive contribution to the work of Kalamanov's office. At the same time, its deployment raised serious concerns that the Russian government was "forum shopping," essentially looking for the weakest institution that it could engage in order to avoid a stronger international reaction.

Indeed, the Council of Europe deployment was used by representatives of the U.S., the E.U., and other governments and institutions as an argument against creating an international commission of inquiry, even though Kalamanov and the Council of Europe staff working with him had no authority to investigate or prosecute alleged atrocities. Council member states also used the deployment as an excuse to forego more robust action, such as a lawsuit against the Russian Federation before the European Court of Human Rights, or a Committee of Ministers' action to monitor Russia's conduct in Chechnya or to expel Russia from the council. The deployment also weakened the case for an OSCE presence and gave the Russian authorities an argument against compliance with the U.N. Commission on Human Rights resolution. Council of Europe officials argued that it was better for them to be in Chechnya than not. This claim ignored the impact of their presence on the overall international response to the Chechnya crisis and the danger that the much-touted "complementarity" among international institutions in the field of human rights had, at least in Chechnya, become a race to the bottom.

Similar concerns arose over Council of Europe election assistance in Azerbaijan. Although the OSCE was already engaged in a dialogue with the Azerbaijani authorities regarding conditions for their November elections, the Council of Europe accepted an April request from the Azerbaijani government that it advise them too. Necessarily complicated by political considerations relating to Azerbaijan's pending Council membership application, the team's assessment of pre-election conditions sometimes conflicted with that of the OSCE.

A more productive division of labor occurred in Kosovo, where the OSCE had the task of organizing the October municipal elections and the Council of Europe ran the independent international monitoring mission.

Concerns persisted that the Council of Europe was admitting states before they were ready to live up to its human rights standards. In June, the Parliamentary Assembly voted to recommend admission for Armenia and Azerbaijan, and in a September report, the parliamentary rapporteur for Bosnia and Herzegovina's application seemed to set aside all but one of the eight conditions previously set for that country's admission. The prospect of premature admission of these countries heightened concern over the European Court of Human Rights' ever-expanding caseload. The court also faced an increased unwillingness among states to abide by its judgments: offending states included long-term members.

The year saw further progress in the emerging practice of member states electing to publish reports of the Committee for the Prevention of Torture, although a number of states continued to publish the reports selectively. As of August 15, 2000, the following states continued to refuse to publish at least one committee report: Albania, Austria, Bulgaria, Croatia, Estonia, Greece, Hungary, Italy, Latvia, Liechtenstein, Lithuania, Moldova, Portugal, Romania, Russia, San Marino, Macedonia, Ukraine, and the United Kingdom. In the case of Turkey, no fewer than seven reports were outstanding.

North Atlantic Treaty Organization

The North Atlantic Treaty Organization continued its leadership role in the peacekeeping operations in the Balkans. In Kosovo, shortages of U.N. civilian police left the NATO-led KFOR with substantial policing responsibilities. KFOR troops conducted between 500 and 750 patrols every day, guarded more than 550 sites, and manned more than 200 vehicle checkpoints. KFOR's policing responsibilities challenged NATO troops trained for military operations, who despite some efforts to seize illegal weapons remained reluctant to detain or sanction members of the Kosovo Protection Corps or of the officially disbanded Kosovo Liberation Army implicated in political violence and attacks on Serbs, Roma, and other ethnic minorities. Although NATO claimed that half of all KFOR personnel were engaged in the protection of Serbs and other minorities, their response to violence against minorities, particularly Roma, remained inadequate. An October OSCE report on Kosovo's justice system also criticized KFOR and UNMIK for arbitrary and prolonged detentions of suspects without charge.

Most prominent among NATO arrests of indicted war criminals in Bosnia was the April detention of Momcilo Krajsnik, the wartime president of the Bosnian Serb Assembly and a postwar member of the Bosnian presidency. Krajsnik's arrest belied prior assertions by military and political leaders that arrests of high-ranking figures would result in protest and retaliatory attacks.

European Union

The European Union introduced the resolution on Chechnya at the U.N. Commission on Human Rights. Once the resolution went to a vote and passed, the E.U. was conspicuously absent from efforts to implement it. To the contrary, the late spring and summer saw European heads of government and state highly eager to meet with the new Russian President Vladimir Putin; criticism over Chechnya barely figured in these dialogues.

In the Federal Republic of Yugoslavia, the E.U. broke ranks with the U.S. to offer economic assistance to Serbia's opposition-controlled towns, and when the opposition took power in early October, the E.U. quickly lifted most country-wide sanctions. While the E.U. kept in place certain restrictions imposed on those indicted for war crimes and their allies, it failed to make a clear link between enhanced relations with the new authorities and their commitment to the international rule of law, including cooperation with the ICTY.

The year saw continued E.U. dialogue on human rights with the newly independent states in the context of Cooperation Council meetings held pursuant to the E.U.'s Partnership and Cooperation Agreements (PCAs). In a welcome development, official statements emerging from these meetings made explicit reference to the need for implementation of OSCE and Council of Europe human rights standards and recommendations.

Turkey's first year as an official candidate for membership in the E.U. produced little progress on its compliance with the human rights criteria for membership. Indeed the first few months of the year saw backtracking on positive steps taken in the run-up to the E.U.'s December decision to accord Turkey candidate status. As this report went to press, observers were awaiting publication of the E.U.'s Accession Partnership document, outlining the steps Turkey had to take to prepare itself for E.U. membership. Rights groups feared that the Accession Partnership would lack depth and specificity regarding needed reforms particularly in such areas as minority rights, which were controversial in Turkey, or the restrictions on the headscarf, which were controversial in Europe. They urged strict application of the Copenhagen criteria for Turkey's E.U. admission, in a manner consistent with the approach for other applicant states.

In October 1999, the European Commission proposed that updated agreements for candidate countries seeking to join the European Union, including Hungary and the Czech Republic, make the improvement of the situation of Roma a short and medium term priority.

United States

U.S. officials repeatedly expressed concern over alleged atrocities in Chechnya and claimed that other aspects of U.S.-Russian relations would not compromise their response to these abuses. The U.S. government's lack of action on Chechnya belied this assertion.

At the U.N. Commission on Human Rights, when negotiations over a consensus chairman's statement acceptable to the Russian government broke down, the U.S. became a late cosponsor of the resolution on Chechnya.

President Clinton's June, July, and September meetings with Russian President Vladimir Putin yielded no progress on accountability for abuses in Chechnya nor on compliance with the demands of the U.N. Commission on Human Rights and the OSCE Assistance Group.

A travel ban imposed by the U.S. embassy in Moscow kept U.S. government officials from traveling to the North Caucasus to monitor and document the atrocities first-hand. This represented a stark contrast to U.S. and E.U. practice in Kosovo, where beginning in mid-1999, military attaches in Belgrade conducted regular, coordinated missions to Kosovo to monitor the conduct of Serb security forces. U.S. government personnel apparently made no concerted effort to monitor the status of Russian investigations of the abuses, although regular communication with responsible prosecutors would certainly have sent an important signal regarding U.S. expectations for the accountability process.

In the Federal Republic of Yugoslavia, the U.S., like the E.U., welcomed the opposition's rise to power by lifting most sanctions. U.S. officials continued to promise that former Yugoslav president Slobodan Milosevic would eventually be tried by the ICTY, but they refused to make any clear link between the extent of their support for new Yugoslav leader Vojislav Kostunica and his cooperation with the tribunal.

Close political and military ties between the U.S. and Turkey continued to dominate human rights concerns in that country. When the Turkish military announced in mid-year that it had chosen a U.S. manufacturer to supply U.S. \$4 billion in attack helicopters, the U.S. government appeared to waver in its promise to condition the sale on human rights improvements to which President Clinton and then-President Mesut Yılmaz agreed in late 1997. A decision on the export license for the helicopters was not expected before early 2001.

Russian Federation

While the conduct of Russian government forces in Chechnya was among top human rights concerns in the region, the Russian government also stood to have a significant impact on human rights elsewhere. In September Russia became the 112th state to sign the Statute of the International Criminal Court, further isolating the U.S. and China as the sole remaining opponents to the court among Security Council permanent members. The extent of Russian commitment to the principles of international humanitarian law were, however, seriously called into question by its continued failure to rein in its troops in Chechnya and to prosecute soldiers responsible for abuses. The Russian government's disregard for international rule of law was also illustrated in May when it played host in Moscow to Yugoslav Minister of Defense Dragolub Ojdanic, an indicted war criminal, in what it later claimed was the result of an administrative error (the government had an obligation under Security Council resolutions to arrest Ojdanic).

International Financial Institutions

International financial institutions made some progress toward addressing human rights issues related to prospects for economic development in the region. A welcome development came in the form of decisions by the World Bank and the European Bank for Reconstruction and Development (EBRD) to suspend financing in Turkmenistan due to the autocratic regime's corruption and utter resistance to reform. Unfortunately, these decisions did not dissuade the Asian Development Bank from allowing Turkmenistan to become a member in August.

The World Bank's continued disbursement of structural adjustment loan payments to the Russian government without reference to abuses committed in Chechnya was a disappointment, standing in stark contrast to the bank's approach on abuses in West Timor. While refusing to make the link to Chechnya, both the World Bank and the EBRD demonstrated a growing appreciation of the need for institutional reform and improved governance in Russia.

Representatives of the international financial institutions repeatedly acknowledged the impact of corrupt and abusive law enforcement agencies on efforts to combat corruption and ensure the rule of law in the region, but they remained largely resistant to the idea of addressing needed criminal law reform through their own conditionality and technical assistance.

The Work of Human Rights Watch

Based on the model of the organization's work last year on Kosovo, Human Rights Watch launched an emergency response to the massive abuses in Chechnya, which together with Central Asia and postwar Kosovo, remained top priorities throughout the year.

When the war in Chechnya entered its deadly stage in late autumn 1999, Human Rights Watch deployed a rotating team of researchers to Ingushetia, where the majority of people displaced by the conflict had fled. We used this six-month research presence to document humanitarian law violations by both Russian and Chechen rebel forces, to press the international media to cover what had been an underreported conflict, and to use research results in timely advocacy with the Russian government and the international community.

Researchers interviewed more than 750 displaced people and immediately exposed abuses they experienced in a series of press releases. Three reports published in February, April, and June documented massacres of civilians by Russian forces in sweep operations: *Civilian Killings in Staropromyslovski District of Grozny*, *"No Happiness Remains": Civilian Killings, Pillage, and Rape in Alkhan-Yurt, Chechnya*, and *February 5: A Day of Slaughter in Noye Aldi*. In October, a fourth report, *"Welcome to Hell": Arbitrary Detention, Torture, and Extortion in Chechnya*, documented torture in Russian detention centers in the region. Researchers in the region worked with the international community and Russian agencies to ensure better protection to displaced persons as Russian forces attempted to pressure them to return prematurely to their homes.

THROUGHOUT THE YEAR WE URGED INTERNATIONAL INSTITUTIONS AND GOVERNMENTS TO SEND REPRESENTATIVES TO THE REGION TO BEAR WITNESS TO THE ABUSE, AND TO PRESS THE RUSSIAN GOVERNMENT TO STOP ABUSES AND TO LAUNCH A CREDIBLE ACCOUNTABILITY PROCESS. WE ENGAGED THE WORLD BANK, IN LETTERS AND MEETINGS, TO WITHHOLD INSTALLMENTS OF STRUCTURAL ADJUSTMENT LOANS AND TO LINK DISBURSEMENTS TO THE RUSSIAN GOVERNMENT WITH COMPLIANCE WITH ITS INTERNATIONAL HUMANITARIAN LAW OBLIGATIONS.

SINCE THE RUSSIAN AUTHORITIES DID NOT CONDUCT CREDIBLE INQUIRIES OR INSTITUTE CRIMINAL PROCEEDINGS IN RESPONSE TO ABUSES IN CHECHNYA, WE URGED THE INTERNATIONAL COMMUNITY TO DO SO. TO THIS END WE FORMED A COALITION OF RUSSIAN AND INTERNATIONAL HUMAN RIGHTS ORGANIZATIONS TO URGE COUNCIL OF EUROPE MEMBER STATES TO FILE AN INTERSTATE COMPLAINT AGAINST RUSSIA AT THE EUROPEAN COURT OF HUMAN RIGHTS. WE CONDUCTED ADVOCACY AT THREE SESSIONS OF THE COUNCIL OF EUROPE'S PARLIAMENTARY ASSEMBLY TO ENSURE THAT IT WOULD APPROPRIATELY CENSURE RUSSIA, AND URGED THE ASSEMBLY TO ADOPT RESOLUTIONS CALLING FOR A RIGOROUS DOMESTIC ACCOUNTABILITY PROCESS AND CALLING ON MEMBER STATES TO FILE AN INTERSTATE COMPLAINT. IN A SERIES OF EXCHANGES WITH THE OFFICE OF THE SECRETARY GENERAL AND THE DEPARTMENTS FOR POLITICAL AFFAIRS AND HUMAN RIGHTS, WE ALSO CAUTIONED THE COUNCIL ABOUT THE POTENTIAL PITFALLS OF SENDING ITS STAFF TO WORK IN THE OFFICE OF PRESIDENT VLADIMIR PUTIN'S SPECIAL REPRESENTATIVE ON HUMAN RIGHTS IN CHECHNYA.

HUMAN RIGHTS WATCH ALSO SOUGHT TO HAVE AN INTERNATIONAL COMMISSION OF INQUIRY ESTABLISHED BY THE U.N. COMMISSION ON HUMAN RIGHTS. THE ORGANIZATION URGED THE HIGH COMMISSIONER FOR HUMAN RIGHTS TO CALL FOR SUCH A COMMISSION, AND ENGAGED MEMBER STATES TO ADOPT A RESOLUTION TO THIS EFFECT AT ITS FIFTY-SIXTH SESSION. AFTER THE COMMISSION ADOPTED A RESOLUTION CALLING FOR A NATIONAL COMMISSION OF INQUIRY AND THE DEPLOYMENT OF THEMATIC MECHANISMS, HUMAN RIGHTS WATCH PUBLISHED A MEMORANDUM OUTLINING RUSSIA'S FAILURE TO COMPLY WITH THE RESOLUTION AND URGED MEMBER STATES, PARTICULARLY THE U.S. AND E.U., TO CALL RUSSIA TO ACCOUNT. IT WAS WITH THIS AIM THAT WE ENGAGED U.S. PRESIDENT BILL CLINTON IN ADVANCE OF HIS SUMMIT MEETING WITH PRESIDENT PUTIN, AND THE E.U. IN ADVANCE OF ITS SUMMIT WITH THE RUSSIAN GOVERNMENT. IN OTHER ADVOCACY, THE ORGANIZATION TESTIFIED TWICE BEFORE THE U.S. CONGRESS TO EMPHASIZE THAT MANY OF THE ABUSES IN CHECHNYA WERE EFFECTIVELY WAR CRIMES AND TWICE BEFORE THE COUNCIL OF EUROPE'S PARLIAMENTARY ASSEMBLY. THE GOALS WITH RESPECT TO CHECHNYA AT THE OSCE FOCUSED ON THE REDEPLOYMENT OF THE ASSISTANCE GROUP TO CHECHNYA. RECOMMENDATIONS ON CHECHNYA WERE REINFORCED IN OPINION ARTICLES IN THE U.S. AND EUROPEAN MEDIA.

THROUGH FIELD OFFICES IN TASHKENT AND DUSHANBE, THE ORGANIZATION CONTINUED TO DOCUMENT THE WORSENING HUMAN RIGHTS CRISIS IN CENTRAL ASIA, PARTICULARLY IN UZBEKISTAN. RESEARCHERS UNDERTOOK FACT-FINDING MISSIONS IN SEVEN REGIONS OF THE COUNTRY TO DOCUMENT AND PUBLICIZE THE ARBITRARY ARRESTS AND TORTURE OF HUNDREDS OF PEOPLE ACCUSED OF "RELIGIOUS EXTREMISM" AND TO MONITOR DOZENS OF TRIALS. THE HUMAN RIGHTS WATCH TASHKENT OFFICE REGULARLY URGED THE INTERNATIONAL COMMUNITY TO MONITOR TRIALS, BRIEFED THE DIPLOMATIC COMMUNITY ABOUT HUMAN RIGHTS DEVELOPMENTS, AND BROUGHT VICTIMS OF ABUSE TOGETHER WITH VISITING HIGH-LEVEL OFFICIALS FROM THE U.S. AND E.U. A MISSION TO THREE REGIONS OF THE COUNTRY DOCUMENTED HOW GOVERNMENT AGENCIES AT ALL LEVELS COMPOUNDED THE PROBLEM OF DOMESTIC VIOLENCE BY PRESSURING WOMEN TO REMAIN IN ABUSIVE MARRIAGES.

THE ORGANIZATION'S DUSHANBE OFFICE GATHERED INFORMATION ON CIVIL AND POLITICAL RIGHTS VIOLATIONS RELEVANT TO THE NOVEMBER 1999 PRESIDENTIAL ELECTIONS AND THE FEBRUARY 2000 PARLIAMENTARY VOTE. IN NOVEMBER 1999, A REPORT WAS PRESENTED, *FREEDOM OF EXPRESSION STILL THREATENED*, WHICH DOCUMENTED THE DRAMATIC INCREASE IN HARASSMENT OF AND RESTRICTIONS ON THE MEDIA, TO THE TAJIK GOVERNMENT IN A SERIES OF HIGH-LEVEL MEETINGS. THE ORGANIZATION LAUNCHED AN ADVOCACY INITIATIVE IN ADVANCE OF BOTH ELECTIONS, PUBLISHING BACKGROUNDEES DETAILING FLAGRANT VIOLATIONS AND ADDRESSING LETTERS TO THE GOVERNMENT URGING REDRESS. THE DUSHANBE OFFICE ALSO REGULARLY BRIEFED MEMBERS OF THE INTERNATIONAL COMMUNITY ON HUMAN RIGHTS DEVELOPMENTS IN THE COUNTRY.

THE EUROPE AND CENTRAL ASIA DIVISION strove to make the human rights crisis in Central Asia a priority issue among international actors, particularly the United Nations and the OSCE. THIS WAS ALSO RAISED WITH U.N. HIGH COMMISSIONER FOR HUMAN RIGHTS MARY ROBINSON IN FEBRUARY 2000 AND IN MEETINGS WITH STAFF MEMBERS FOR THE U.N. SPECIAL RAPPORTEUR ON TORTURE, THE WORKING GROUP ON ARBITRARY ARRESTS AND DISAPPEARANCES, AND THE COMMITTEE AGAINST TORTURE, URGING THEM TO REQUEST VISITS TO UZBEKISTAN.

HUMAN RIGHTS WATCH FOCUSED SPECIAL ATTENTION ON CENTRAL ASIA AT THE U.N. COMMISSION ON HUMAN RIGHTS IN MARCH 2000, URGING THE APPOINTMENT OF A SPECIAL RAPPORTEUR ON UZBEKISTAN. THIS FORUM WAS ALSO USED TO RELEASE *LEAVING NO WITNESSES: UZBEKISTAN'S CAMPAIGN AGAINST RIGHTS DEFENDERS*, IN ORDER TO STRENGTHEN THE CALL FOR A COMMISSION RESOLUTION ON DEFENDERS. WHEN UZBEK OFFICIALS USED U.N. HUMAN RIGHTS COMMITTEE COMPLAINT FORMS AS EVIDENCE AGAINST A DEFENDANT IN A RELIGIOUS EXTREMISM CASE, THIS WAS REPORTED TO RELEVANT U.N. AGENCIES IN DETAILED LETTERS.

U.N.-TARGETED ADVOCACY ON TAJIKISTAN AIMED TO ENSURE A STRONG HUMAN RIGHTS COMPONENT TO THE U.N.'S PRESENCE FOLLOWING THE MAY 15 WITHDRAWAL OF THE U.N. MISSION OF OBSERVERS TO TAJIKISTAN (UNMOT). A MEMORANDUM, BASED ON ONGOING RESEARCH, WAS ISSUED ON APRIL 21, CONCERNING THE GOVERNMENT'S POOR HUMAN RIGHTS PRACTICES IN THE POST-CIVIL WAR PERIOD, AND THE IMPLICATIONS THAT UNMOT'S LIMITED HUMAN RIGHTS MANDATE HAD FOR A LONG-TERM PEACE IN TAJIKISTAN. THE ORGANIZATION FORMULATED RECOMMENDATIONS FOR THE FOLLOW-ON MISSION, URGING A STRONG HUMAN RIGHTS COMPONENT TO ITS WORK. LETTERS OUTLINING CONCERNS WERE SENT TO MEMBERS OF THE SECURITY COUNCIL, AND WE CONDUCTED MEETINGS WITH SENIOR U.N. REPRESENTATIVES FROM THE DEPARTMENT OF POLITICAL AFFAIRS, THE OFFICE OF THE SECRETARY-GENERAL, AND WITH REPRESENTATIVES FROM THE MISSIONS OF MAJOR MEMBER STATES.

HUMAN RIGHTS WATCH SOUGHT TO KEEP HUMAN RIGHTS AT THE TOP OF THE AGENDA OF U.S.-UZBEKISTAN RELATIONS, AND URGED THE U.S. GOVERNMENT TO USE EXPLICIT CONDITIONALITY UNDER THE INTERNATIONAL RELIGIOUS FREEDOM ACT AND THE COOPERATIVE THREAT REDUCTION PROGRAM. THIS WAS DONE IN MEETINGS WITH THE SECRETARY OF STATE AND OTHER TOP OFFICIALS AND IN MANY LETTERS AND MEMORANDA. IN CONGRESSIONAL TESTIMONY WE REBUTTED THE CLINTON ADMINISTRATION'S ARGUMENT THAT THE CRACKDOWN IN UZBEKISTAN QUALIFIED AS POLITICAL, NOT RELIGIOUS PERSECUTION.

WITH RESPECT TO TURKMENISTAN, HUMAN RIGHTS WATCH strove to have international lending related to that countries linked strictly to human rights improvements. IT URGED THE DEPARTMENT OF STATE TO DECLARE TURKMENISTAN INELIGIBLE ON HUMAN RIGHTS GROUNDS FOR EXPORT-IMPORT BANK CREDITS AND URGED THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT TO END ALL LENDING TO THE COUNTRY. IN JANUARY, HUMAN RIGHTS WATCH ALSO PUBLISHED A PRESS RELEASE CONDEMNING THE ARREST OF NURBERDI NURMAMEDOV, PERHAPS THE LAST REMAINING DISSIDENT IN THE COUNTRY WHO PUBLICLY CRITICIZED THE DECISION TO EXTEND INDEFINITELY PRESIDENT SAPARMURAD NIAZOV'S TERM IN OFFICE.

TORTURE AND DUE PROCESS VIOLATIONS REMAINED A CHIEF CONCERN IN THE FORMER SOVIET UNION. IN NOVEMBER 1999, HUMAN RIGHTS WATCH RELEASED *CONFESSIONS AT ANY COST: POLICE TORTURE IN RUSSIA*, THE RESULT OF A TWO-YEAR, MULTIREGION RESEARCH PROJECT ON TORTURE, AT A PRESS CONFERENCE IN MOSCOW. THE ORGANIZATION HELD HIGH-LEVEL ADVOCACY MEETINGS WITH RUSSIAN GOVERNMENT OFFICIALS AND URGED THE INTERNATIONAL COMMUNITY TO SUPPORT THE CREATION OF A TORTURE REHABILITATION CENTER.

THESE SAME ISSUES WERE OF TOP CONCERN IN THE CAUCASUS. THROUGH THE HUMAN RIGHTS WATCH FIELD OFFICE IN TBILISI, GEORGIA, RESEARCH WAS CONDUCTED ON TORTURE AND ON THE SETBACK IN LEGAL REFORMS THAT COULD HAVE HELPED PREVENT TORTURE AND OTHER DUE PROCESS VIOLATIONS. IN SEPTEMBER, THE ORGANIZATION RELEASED *BACKTRACKING ON REFORM: AMENDMENTS UNDERMINE ACCESS TO JUSTICE*, AT A PRESS CONFERENCE IN TBILISI. THE REPORT DOCUMENTED THE REPEAL OF REFORMS IN GEORGIA'S CRIMINAL PROCEDURE CODE THAT WOULD HAVE GRANTED CRIMINAL SUSPECTS AND DEFENDANTS THE RIGHT TO COMPLAIN ABOUT DUE PROCESS VIOLATIONS DIRECTLY TO A COURT, PRIOR TO TRIAL. SINCE THE REPEAL OF THESE REFORMS RAN COUNTER TO GEORGIA'S COMMITMENTS UPON ADMISSION TO THE COUNCIL OF EUROPE, THIS FEATURED PROMINENTLY IN OUR MEETINGS WITH THE COUNCIL OF EUROPE'S MONITORING COMMITTEE DURING ITS MAY VISIT TO TBILISI, AND IN ADVOCACY WITH THE PARLIAMENTARY ASSEMBLY.

HUMAN RIGHTS WATCH ADVOCATED FOR THE EXPANSION OF THE WORLD BANK'S WORK IN THE AREA OF LEGAL AND JUDICIAL REFORMS SPECIFICALLY TO ADDRESS REFORM OF CERTAIN ASPECTS OF CRIMINAL LAW AND PROCEDURE. IN MEETINGS IN NOVEMBER 1999 AND IN FEBRUARY AND JULY 2000 WE ARGUED THAT GEORGIA'S SETBACK IN LEGAL REFORM SERVED TO UNDERMINE PUBLIC TRUST IN THE JUDICIARY AND HENCE BANK PROGRAMS THAT PROMOTE IT. THE ORGANIZATION URGED THE BANK TO ADOPT CRIMINAL PROCEDURE REFORM THROUGHOUT THE REGION AS A POLICY TRIGGER FOR FUTURE STRUCTURAL ADJUSTMENT LENDING IN ITS COUNTRY ASSISTANCE STRATEGY: TO EXPAND ITS CAPACITY TO CONDUCT ANALYSIS OF JUDICIAL

SYSTEMS AND CRIMINAL PROCEDURE, TO ENABLE IT TO IDENTIFY PROVISIONS IN LEGISLATION THAT ARE NOT IN COMPLIANCE WITH INTERNATIONAL HUMAN RIGHTS LAW AND STANDARDS; AND TO ASSIST IN THE FORMULATION OF LENDING TARGETS IN THESE AREAS.

IN THE RUN-UP TO AZERBAIJAN'S NOVEMBER 5 PARLIAMENTARY ELECTIONS, HUMAN RIGHTS WATCH LAUNCHED A MONTH-LONG FACT-FINDING MISSION TO RESEARCH CIVIL AND POLITICAL RIGHTS ABUSES AFFECTING THE ELECTION. RESEARCHERS INTERVIEWED JOURNALISTS FOR MEDIA OUTLETS THAT WERE CLOSED OR FINED ARBITRARILY, PARLIAMENTARY CANDIDATES WHOSE REGISTRATION WAS ARBITRARILY DENIED, AND OPPOSITION ACTIVISTS HARASSED BY LOCAL GOVERNMENTS.

HUMAN RIGHTS WATCH PRIORITIES IN THE WAKE OF THE WAR IN KOSOVO WERE TWOFOLD. THE ORGANIZATION RESPONDED TO THE COMPELLING NEED FOR AN INDEPENDENT RECORD OF THE HUMANITARIAN LAW VIOLATIONS DURING THE WAR. IT ALSO EXAMINED POSTWAR HUMAN RIGHTS ISSUES ESPECIALLY MINORITY RIGHTS, DUE PROCESS, AND FREEDOM OF MOVEMENT THAT WOULD HAVE A LASTING IMPACT ON EFFORTS TO BUILD A SUSTAINABLE PEACE IN THE PROVINCE.

THROUGHOUT THE YEAR WE ASSEMBLED INFORMATION ON HUMANITARIAN LAW VIOLATIONS IN THE 1999 CONFLICT WITH NATO. IN MARCH, THE ORGANIZATION PUBLISHED A REPORT DOCUMENTING RAPE AS A WEAPON OF "ETHNIC CLEANSING" IN KOSOVO. THE REPORT INCLUDED NINETY-SIX CASES OF RAPE OF ALBANIAN WOMEN BY SERBIAN AND YUGOSLAV FORCES IMMEDIATELY BEFORE AND DURING THE 1999 NATO BOMBING CAMPAIGN. AN APRIL HUMAN RIGHTS WATCH REPORT FOUND THAT NATO FORCES HAD VIOLATED INTERNATIONAL HUMANITARIAN LAW IN ITS BOMBING CAMPAIGN, WHICH RESULTED IN THE DEATHS OF MORE THAN 500 CIVILIANS.

THE ORGANIZATION'S STRATEGY ON POST-WAR KOSOVO WAS TO REMIND THE INTERNATIONAL COMMUNITY OF THE LESSON LEARNED FROM BOSNIA: THAT RUSHED ELECTIONS IN POSTWAR SITUATIONS, ESPECIALLY IN THE WAKE OF MASSIVE VIOLENCE AND INTER-ETHNIC HATRED, UNDERMINED LONGER-TERM PROSPECTS FOR THE RULE OF LAW. THIS MESSAGE WAS PRESENTED IN A MARCH MEETING WITH THE OSCE CHAIR-IN-OFFICE, IN FOLLOW-UP CORRESPONDENCE, AND IN A JUNE MEMORANDUM TO DIPLOMATS AND INTERNATIONAL ORGANIZATIONS, AND IN AN OCTOBER BACKGROUNDER FOR THE MEDIA AND OTHER OBSERVERS OF THE ELECTIONS. IN JUNE, WE INVESTIGATED ACCESS TO PROTECTION AND JUSTICE FOR MINORITIES IN KOSOVO, FOCUSING ON THE WORK OF UNMIK POLICE AND KFOR. DECEMBER 1999 AND JANUARY 2000 MEETINGS WITH THE E.U. AND THE U.S. GOVERNMENT RAISED FAIR-TRIAL CONCERNS REGARDING WAR CRIMES TRIALS OF SERBS BEFORE ALBANIAN-DOMINATED LOCAL COURTS IN KOSOVO.

BEFORE THE OUSTER OF SLOBODAN MILOSEVIC, HUMAN RIGHTS WATCH AIMED TO CALL INTERNATIONAL ATTENTION TO VICTIMS OF HIS GOVERNMENT'S INTENSIFIED HARASSMENT AND TO ENSURE MAXIMUM INTERNATIONAL ASSISTANCE TO CIVIL SOCIETY. THE SIGNIFICANCE OF ELECTIONS MANDATED FOR 2000 WAS ANTICIPATED, AND THROUGHOUT THE YEAR THE ORGANIZATION DETAILED THE REPRESSION OF THE GOVERNMENT'S CRITICS. A MAY REPORT FOCUSED ON MEASURES THE GOVERNMENT TOOK AGAINST CIVIL SOCIETY INSTITUTIONS WHICH IT PERCEIVED AS A THREAT, INCLUDING OPPOSITION PARTIES, THE INDEPENDENT MEDIA, STUDENT ORGANIZATIONS, INDEPENDENT TRADE UNIONS, NONGOVERNMENTAL ORGANIZATIONS (NGOs), AND CIVIC ACTIVISTS IN SERBIA. JUST PRIOR TO THE ELECTIONS, THE ORGANIZATION PUBLISHED A BACKGROUNDER DETAILING HOW THE AUTHORITIES SET ABOUT RIGGING THE ELECTIONS.

WHEN MILOSEVIC LEFT OFFICE, HUMAN RIGHTS WATCH DEPLOYED A RESEARCHER TO BELGRADE TO IDENTIFY A NEW HUMAN RIGHTS AGENDA FOR YUGOSLAVIA: RELEASE OF KOSOVO ALBANIAN POLITICAL PRISONERS, COOPERATION WITH THE ICTY AS PART OF THE GENERAL RESTORATION OF THE RULE OF LAW, RESTORING THE INDEPENDENCE OF THE JUDICIARY, AND JUSTICE FOR PAST ABUSES BY SECURITY FORCES. IN A SERIES OF LETTERS AND PRESS RELEASES, HUMAN RIGHTS WATCH CALLED FOR THE INTERNATIONAL COMMUNITY TO ADOPT A POLICY ON COOPERATION VIS A VIS SERBIA CONSISTENT WITH THAT PRACTICED THROUGHOUT THE BALKANS.

IN CROATIA, THE ORGANIZATION FOCUSED ON MINORITY RIGHTS AND OTHER BASIC CIVIC FREEDOMS IN THE TRANSITION FROM TUDJMAN PERIOD. A REPORT PUBLISHED IN DECEMBER 1999, IN ANTICIPATION OF ELECTIONS IN EARLY 2000, OUTLINED VIOLATIONS OF THE RIGHTS TO FREEDOM OF EXPRESSION AND ASSEMBLY. AFTER THE ELECTION OF PRESIDENT STJEPAN MESTI AND FORMATION OF A NEW GOVERNMENT UNDER PRIME MINISTER IVO RACAN, HUMAN RIGHTS WATCH WROTE TO BOTH LEADERS, RECOMMENDING LEGISLATIVE AND ADMINISTRATIVE MEASURES TO ENSURE EQUAL TREATMENT FOR ALL CROATIAN CITIZENS, INCLUDING MINORITIES, TO PROMOTE THE RETURN OF SERB REFUGEES AND THE REFORM THE COUNTRY'S STATE BROADCASTER. IN CROATIA, WE FOCUSED ON MINORITY RIGHTS AND OTHER BASIC CIVIC FREEDOMS IN THE TRANSITION FROM TUDJMAN PERIOD. A REPORT PUBLISHED IN DECEMBER 1999, IN ANTICIPATION OF ELECTIONS IN EARLY 2000, OUTLINED VIOLATIONS OF THE RIGHTS TO FREEDOM OF EXPRESSION AND ASSEMBLY.

RESEARCH AND ADVOCACY ON BOSNIA FOCUSED ON TWO ASPECTS OF REFUGEE RETURN: KEEPING THE DONOR COMMUNITY ENGAGED, IDENTIFYING MINORITY RETURNS AS AN ESSENTIAL ELEMENT FOR A LASTING PEACE AND THE RULE OF LAW, AND ENSURING THAT PROGRESS ON RETURNS REMAINED A CONDITION FOR COUNCIL OF EUROPE ACCESSION. IN MAY HUMAN RIGHTS WATCH PUBLISHED *UNFINISHED BUSINESS: RETURN OF DISPLACED PERSONS AND OTHER HUMAN RIGHTS ISSUES IN BIJELOVA*, WHICH DOCUMENTED HOW AUTHORITIES IN THAT CITY OBSTRUCTED THE IMPLEMENTATION OF THE DAYTON PEACE AGREEMENT BY PROVIDING NEITHER PROTECTION NOR EQUAL RIGHTS TO THE BOSNIAK COMMUNITY THERE, AND BY ACTIVELY DETERRING THE RETURN OF BOSNIAKS WHO WERE DRIVEN FROM THE CITY DURING THE WAR. WE CONTINUED WITH RESEARCH IN 2000 TO INVESTIGATE IMPEDIMENTS TO MINORITY RETURNS, INCLUDING DECREASE IN DONOR ASSISTANCE, PERSISTENT FAILURE BY LOCAL AUTHORITIES TO ENFORCE HOUSING REGULATIONS, SECURITY CONCERNS, AND LACK OF LONG-TERM PROSPECTS FOR EMPLOYMENT AND EDUCATION.

IN TURKEY RESEARCH AND ADVOCACY FOCUSED ON THE OPPORTUNITY FOR REFORM THAT EMERGED WHEN TURKEY BECAME A CANDIDATE FOR MEMBERSHIP IN THE EUROPEAN UNION IN DECEMBER 1999. A SEPTEMBER 2000 REPORT OUTLINED SPECIFIC SHORT-TERM STEPS THE TURKISH GOVERNMENT SHOULD TAKE TO BEGIN TO DEMONSTRATE ITS WILLINGNESS TO MEET THE E.U.'S MEMBERSHIP CRITERIA. RECOMMENDED STEPS ADDRESSED TORTURE, RESTRICTIONS ON FREEDOM OF EXPRESSION AND RELIGIOUS FREEDOM, VIOLATIONS OF MINORITY RIGHTS, CONTINUED INSTABILITY IN THE SOUTHEASTERN PART OF THE COUNTRY, AND THE DEATH PENALTY. HUMAN RIGHTS WATCH PRESSED THIS AGENDA THROUGHOUT THE YEAR WITH GOVERNMENTAL INTERLOCUTORS IN BOTH BRUSSELS AND ANKARA.

IN MAY, HUMAN RIGHTS WATCH STAFF TRAVELED TO ANKARA TO MEET WITH MINISTRY OF JUSTICE OFFICIALS AND RELEASED A REPORT OUTLINING OUR CONCERN THAT THEIR PROPOSED PRISON REFORM MEASURES WOULD SUBJECT DETAINEES TO AN IMPERMISSIBLE ISOLATION REGIME. A NOVEMBER HUMAN RIGHTS WATCH MEMORANDUM WELCOMED SOME IMPROVEMENTS IN THE PLANNED REFORMS AND URGED ADDITIONAL STEPS BE TAKEN TO ENSURE THAT IT WOULD COMPORT WITH INTERNATIONAL PRISON STANDARDS. RESEARCH ALSO CONTINUED ON THE HEADSCARF BAN AND FOLLOWED CLOSELY DEVELOPMENTS RELATING TO THE PENDING SALE OF U.S. \$4 BILLION WORTH OF U.S.-MANUFACTURED ATTACK HELICOPTERS TO TURKEY.

IN 2000 THE ORGANIZATION TOOK ON MIGRANT WORKER RIGHTS AS ITS STRATEGIC FOCUS IN WESTERN EUROPE. THE MULTICOUNTRY PROJECT WOULD DOCUMENT AND EXPOSE THE SERIOUS ABUSES COMMITTED AGAINST MIGRANT WORKERS IN WESTERN EUROPE, WHO WERE AMONG THE MOST VULNERABLE GROUPS IN THAT REGION, AND THE FAILURE OF STATES TO PROTECT THEIR BASIC RIGHTS. OF PARTICULAR CONCERN WERE THOSE MIGRANT WORKERS WHO WORKED IN FORCED LABOR CONDITIONS, EITHER IN CONDITIONS OF NEAR-CAPTIVITY FOR LITTLE OR NO WAGES OR IN DEBT BONDAGE, WHERE WAGES WERE IMMEDIATELY ABSORBED INTO REPAYING A "DEBT" OWED TO THE EMPLOYER. A FACT-FINDING MISSION IN OCTOBER INVESTIGATED THESE ISSUES WITH RESPECT TO GREECE.

MIGRANTS AND REFUGEES WERE PRIMARY TARGETS OF THE UPSURGE IN XENOPHOBIA AND RACIST VIOLENCE IN WESTERN EUROPE IN 2000. FOCUSING SPECIFICALLY ON THE RELATIONSHIP BETWEEN XENOPHOBIA AND MANY EUROPEAN GOVERNMENTS' INCREASINGLY RESTRICTIVE IMMIGRATION POLICIES AND PRACTICES, WE PROMOTED MIGRANTS' RIGHTS AND REFUGEE PROTECTION IN FORA RELATED TO THE U.N. WORLD CONFERENCE AGAINST RACISM. TOGETHER WITH THE EUROPEAN COUNCIL ON REFUGEES AND EVILEES (ECRE), THE ORGANIZATION RELEASED A MEMORANDUM AT THE STRASBOURG REGIONAL PREPARATORY CONFERENCE CRITIQUING THE DRAFT GENERAL CONCLUSIONS OF THE EUROPEAN CONFERENCE AGAINST RACISM. THE MEMORANDUM HIGHLIGHTED MEASURES TAKEN BY WESTERN EUROPEAN GOVERNMENTS THAT UNDERMINED PROTECTIONS FOR ASYLUM SEEKERS AND MIGRANTS, GIVING THE MEDIA, PUBLIC, AND STATE AGENCIES AN APPARENT RATIONAL FOR DISCRIMINATING AGAINST THEM. WE RECOMMENDED FULL COMPLIANCE WITH THE 1951 REFUGEE CONVENTION AND THE PROMOTION AND PROTECTION OF FUNDAMENTAL HUMAN RIGHTS.

and labor rights for all migrants as a way to stem the growing tide of anti-foreigner sentiment and violence in Europe.

Throughout the year, Human Rights Watch highlighted the need for greater coordination on human rights protection among international institutions active in the region. The organization emphasized the need for institutional and policy linkages between political institutions engaged in monitoring and promoting human rights and an international donor community that was increasingly cognizant of the role of governance and rule of law in fostering effective development. A welcome development in this regard was the emerging E.U. practice of citing Council of Europe and OSCE recommendations and commitments in statements regarding its Cooperation Council meetings with countries in the region.

In September, the organization's Europe and Central Asia Division participated in NGO meetings with World Bank and IMF officials organized in conjunction with those institutions' annual meetings in Prague. Human Rights Watch joined other nongovernmental organizations in pressing the World Bank in particular to operationalize its stated commitment to human rights. In a joint statement with the Federation Internationale des Ligues des Droits de l'Homme, the organization

RECOMMENDED THAT THE BANK INCORPORATE REFERENCE TO HUMAN RIGHTS LAW IN ITS POLICIES, CONSIDER APPROPRIATE HUMAN RIGHTS-RELATED CONDITIONALITY ON ITS LENDING, EXPAND THE BANK'S INTERNAL STAFF CAPACITY TO ASSESS HUMAN RIGHTS CONDITIONS RELEVANT TO DEVELOPMENT, AND COORDINATE CLOSELY WITH AND SUPPORT THE WORK OF INTERNATIONAL HUMAN RIGHTS BODIES.

ALBANIA

Human Rights Developments

With the rapid repatriation of over 450,000 Kosovar refugees from northern Albania to Kosovo by 2000, Albania was once again able to turn inward and focus on internal reforms. Problems remained with regard to corruption, excessive force used by the police, trafficking of women, and controls on the media. The two main political rivals in Albania—Sali Berisha, president of the opposition Democratic Party (DP), and Fatos Nano, president of the ruling Socialist Party (SP)—revived the bitter political feuding that had polarized Albanian society over the past decade and forestalled the emergence of younger, less divisive political leaders in Albania.

The bitter rivalry became notably evident in the preparations for the October local elections. Berisha had waged a relentless campaign of accusations against the SP since losing power in 1997 and accused the Central Electoral Commission (CEC) of bias. He called for the reinstatement of a bipartisan commission—rather than the intended nonpolitical body—and boycotted the CEC. In August, Berisha accused Organization for Security and Cooperation in Europe (OSCE) election observers of being partial toward the government and the SP and said he would refuse to cooperate with them during the election.

In June the Council of Europe expressed concern over the lack of progress in investigating the 1998 assassination of senior DP member Azem Hajdari. The authorities blamed key DP witnesses, who refused to cooperate with what they saw as a biased investigation. Another investigation, conducted by PricewaterhouseCoopers into the pyramid schemes that collapsed in early 1997 during Berisha's leadership, concluded in January 2000 that only U.S. \$50 million of the public's lost money was recoverable. The lack of a conviction in the Hajdari case and inability of the accounting firm to locate and repatriate the bulk of the money lost in the pyramid schemes exacerbated the deep divisions in Albanian politics.

Despite the highly partisan political atmosphere, the Albanian government made some sincere efforts to confront official corruption and to establish public order in the country. After passing the Law on the State Police in December 1999, the Ministry of Public Order began restructuring the police force, improving recruitment procedures, and training new police chiefs. The police also cracked down on armed gangs, and their number was reported to be decreasing.

Senior police officers supported by high-level politicians were still suspected of involvement in the escalation of drug trafficking in Albania, which was said to have increased corruption in the country. The police also at times utilized excessive force against suspects during arrests and in the initial period of detention. In September both government and parliamentary officials requested that the Western European Union extend its assistance program (of training, counseling, and logistical support) to the Albanian police for an additional year.

Violations of women's human rights continued unabated in Albania, as trafficking and domestic violence plagued women and girls throughout the country. Many women, lured with deceptive offers of lucrative work abroad, migrated to Western Europe only to find themselves sold as virtual slaves for approximately U.S. \$1,000 each. Traffickers also abducted women and girls, stripping them of their passports and forcing them to work in brothels in Italy and other E.U. countries. Women trapped in forced prostitution and other types of forced labor feared turning to law enforcement for assistance, terrified that their "employers" would carry out threats of harm against them and their families. Domestic violence also devastated women's lives in Albania; nongovernmental organizations compensated for a lack of state response to the abuse by opening a shelter for battered women in Tirana with Italian funding. Girls suffered from a lack of educational opportunities, as fearful parents refused to allow thousands of school-aged females to attend school amid concerns about the girls' safety and "honor."

Smuggling of human beings expanded as a highly profitable business. Foreign nationals (increasingly Turkish Kurds) and asylum seekers transiting en route to the E.U., Albanian men seeking work in the E.U., and Albanian women and girls paid exorbitant amounts of money to be smuggled across the Adriatic Sea on speed boats. Low police morale and a faltering judicial system limited Albania's ability to combat organized crime.

Following the adoption of the Law on the People's Advocate in February 1999, the Albanian parliament named the country's first ombudsman, Emir Obdani, in February 2000. Obdani's office struggled throughout 2000 to acquire premises and become operational.

The October 1 municipal elections were seen as a major test of Albania's fragile democracy. There were some violent incidents prior to the electoral campaign, as when four DP activists from the Lezhe region were pulled over and beaten by masked special police forces on a road north of Tirana in March. But the fact that the DP's Sali Berisha was able to hold a peaceful political rally in May in the southern city of Vlora—traditionally a SP stronghold—was a sign of some growing stability. Only a few violent incidents were reported, a tribute to the government's efforts, as well as to the restraint of the political parties themselves.

Despite some irregularities, including errors and omissions in the new voter register, the municipal electoral commissions generally administered the voting procedures correctly. Police conduct was deemed appropriate by international monitors, who saw "significant progress" in the elections toward meeting international standards. The SP made significant gains in the first round, and an October 15 runoff led to an overwhelming SP victory. The ruling SP won in 262 out of 398 towns and municipalities in two rounds of the local elections. International monitors considered the second round "less transparent and inclusive" due to the failure to address inaccuracies in the voter lists, invalid ballots, and election complaints. In the southern coastal town of Himara, where a Greek minority resides, serious irregularities occurred, including intimidation of election commission members, the destruction of one ballot box in a violent incident, and fraud in three other voting centers. Nationalist rhetoric during the campaign, both at the local and national level, had heightened tension in the town over a possible victory by the local ethnic Greek Human Rights Union Party.

Albania's state television was criticized by the OSCE in the first week of the campaign period in early September for strongly favoring the SP in its coverage, particularly when it violated the electoral code by transmitting a full interview with SP chairman Fatos Nano. The OSCE simultaneously criticized the DP-controlled ATN-1 station in Tirana for covering DP electoral activities for twenty-four hours. Throughout this period the smaller parties received scant attention from the media. During the October 15 runoff vote candidates received limited coverage as the media focused on the threat of a DP boycott and developments in Himara. TVSH, the public television broadcaster, was reported to have provided the SP with a disproportionate amount of coverage, though the tone of the information provided was, overall, considered to be balanced.

Private media owners were often seen as being affiliated with or supporters of the SP or the DP, and many journalists were often induced or bribed to investigate the "other" party. Journalists also continued to face security risks while conducting their work. For example, in March police forces in the town of Korca physically abused a journalist from local radio ABC. In April, two journalists from TV Klan, filming near the Foreign Ministry in Tirana, were allegedly

attacked by five members of the Republican Guard. In May, two journalists from TV ATN 1 were illegally detained by police officers and beaten while in detention. Numerous private radio and television stations had also been broadcasting throughout the country since 1997 without any legal status, and Albania's National Radio and Television Commission planned to issue licenses for them in October, after the municipal election.

Defending Human Rights

The two major nongovernmental human rights organizations functioned, largely, without interference. The Albanian Human Rights Group (AHRG) reported that when it published a report in April on police misconduct in the city of Elbasan, the director of the organization as well as the authors of the report received anonymous phone calls threatening retribution for its publication. The AHRG continued receiving complaints from citizens regarding abuses, and the Albanian Helsinki Committee (AHC) continued its long-term project of monitoring pretrial detention centers administered by the police and prisons administered by the General Directorate of Prisons through visits to places of detention in numerous municipalities throughout Albania. The AHC initiated a project in May establishing a telephone hotline to be operational twelve hours a week where citizens—including those imprisoned or detained—could call in to report human rights violations and receive pro bono legal assistance. After the Albanian parliament enacted the Law on the People's Advocate in February, the AHC entered into a contract with the new ombudsman's office establishing a joint project to support the ombudsman's activities.

The Role of the International Community

Organization for Security and Cooperation in Europe (OSCE)

The OSCE focused much of its efforts on preparations for the October 1 local elections throughout Albania. Ambassador Geert Ahrens, the head of the OSCE Mission to Albania, chaired an election working group which met with Albanian officials and political party members almost daily—starting in March—to address specific concerns regarding the electoral code and voter registration procedures. The OSCE's Warsaw-based Office of Democratic Initiatives and Human Rights, which usually is not involved in municipal elections, sent eighteen long-term observers and 239 short-term observers to monitor the vote.

Council of Europe

Albania made substantial progress in meeting its legal reform obligations to the Council of Europe. In September 1999 the government ratified the Council of Europe Framework Convention on the Protection of National Minorities, a step that could provide Albania's ethnic Greek minority (who constitute 3 percent of the population) with greater linguistic freedom, autonomy in education, recourse against discrimination, and increased access to the media. Following threats of expulsion from the Council of Europe if Albania did not end capital punishment, the Constitutional Court ruled in December 1999 that the death penalty was incompatible with the Albanian constitution. Confirming the decision in April 2000, Prime Minister Ilir Meta signed Protocol No. 6 to the European Convention on Human Rights, and the document was ratified by the Albanian government in September 2000. The Council of Europe appointed a special representative in Albania in May 2000 to increase contacts with the Albanian government and civil society.

North Atlantic Treaty Organization

Following the refugee crisis in 1999, 1,300 NATO troops remained in Albania in 2000 to provide support to NATO's neighboring Kosovo Force and to show NATO's commitment to supporting stability in Albania, a member of the alliance's Partnership for Peace program.

European Union

The E.U. provided 35 million euro (U.S. \$31.5 million) in financial assistance to support Albanian reform efforts in 2000, but remained skeptical about initiating the integration of the country into E.U. institutions due to insufficient "institutional and political reform." Relations with most E.U. member states continued to improve in light of Albania's pro-Western stance during the Kosovo crisis. Based on a series of agreements, Italy and Albania increased cooperation in fighting organized crime and cross-Adriatic smuggling and trafficking in humans.

United States

The U.S. government continued to maintain close ties with Albania in 2000, allocating an estimated U.S. \$52 million in aid to support the country's reform efforts and strongly supporting the government's participation in the Balkan Stability Pact. The U.S. also strengthened economic relations with Albania when the Senate voted in November 1999 to grant Albania normal trade relations status with the U.S.

International Financial Institutions

Citing the Albanian government's steadfast pursuit of sound macroeconomic policies and a Gross Domestic Product (GDP) growing at around 7 percent, the International Monetary Fund (IMF) gave Albania a positive economic assessment in June 2000 and continued providing financial assistance for poverty reduction and the facilitation of economic growth. The World Bank also continued to provide Albania with loans to support water supply rehabilitation, a microcredit project, as well as reform in the fields of education, the judiciary, public administration, and the banking and insurance industries. Albania also joined the World Trade Organization in September 2000.

ARMENIA

Human Rights Developments

The investigation of the 1999 murder of the prime minister, Vasken Sarkisyan, and seven others in the Armenian parliament dominated the political scene in 2000, with fierce accusations of bias. Infighting among government officials over the investigation sapped efforts to address the country's stagnating economy and poor human rights record.

The military procuracy led the investigation of the October 27, 1999, shootings in the parliament. The arrest of a member of President Robert Kocharyan's staff, Aleksan Harutunyan, prompted accusations that the military procuracy investigators, allied with associates of the former prime minister, were attempting to use the investigation to implicate and oust the president. Charges against Harutunyan were later dropped.

President Kocharyan struggled to maintain his grip on power, coopting some senior government officials who had been linked to the slain prime minister, while reshuffling others. In May, the minister of defense was replaced with a close Kocharyan associate, Serge Sarkisyan.

Some of the suspects detained during the investigation said they were ill-treated in custody. Detainees were also reportedly denied access to lawyers and family members. Nairi Hunanyan, the chief suspect in the shootings, retracted testimony he said he was coerced into signing after being physically abused, and on July 25 denounced his state-appointed lawyer. Armenian National Television Deputy Director Harutun Harutunyan also stated that he was subjected to physical abuse while in detention. Harutunyan was arrested in January after being accused of participation in the crime, but later released.

On March 22 several gunmen attempted to assassinate Arkady Ghukasian, who held the title of president of the ethnic Armenian separatist Nagorno Karabakh region in Azerbaijan. After the attempt, a number of individuals were arrested, including the enclave's former defense minister, Samuel Babayan, his brother Karen Babayan, and several of Babayan's bodyguards. Babayan and other defendants reported that they were physically abused in custody and deprived of access to lawyers. On March 29, Nagorno Karabakh authorities ordered journalist Vaghram Aghavanian to serve one year of imprisonment for libel after dubious proceedings in which Aghavanian alleged he was denied the right to call witnesses.

Although newspapers in Yerevan reprinted Aghavanian's article alleging misconduct on the part of the Nagorno Karabakh prime minister, Armenia lacked a vigorous independent press. A record of physical assaults on journalists for which the government had failed to bring perpetrators to account, as well as spurious libel suits, had fostered a climate of self-censorship among journalists. On June 6, journalist Vaghram Ghukasian said that he was summoned to the Ministry of Interior and severely beaten by Hrach Harutunyan, head of the criminal investigation department, in retaliation for a paper he wrote that was critical of Harutunyan and the investigation into the October 1999 parliamentary shootings. On July 8, local authorities reportedly removed copies of Azg newspaper from newsstands because it contained an article critical of them.

Defending Human Rights

Human rights monitoring groups functioned, but there was a lack of vigorous and open public debate about important human rights issues.

The Role of the International Community

United Nations

The U.N. Committee on the Rights of the Child said in January that there were significant gaps in the preparation of Armenia's initial report to the committee. The committee noted that cooperation with nongovernmental organizations in preparation of the report had been limited and recommended that civil society be included in all stages of implementation of the Convention of the Rights of the Child. The committee also expressed concern over a broad range of issues, including children living and working on the streets and about allegations that young children had been conscripted into the armed forces. The committee reiterated concerns previously expressed by the U.N. Human Rights Committee and the U.N. Committee on the Elimination of Discrimination against Women that the government has failed to acknowledge and address the issue of domestic violence.

The committee also expressed serious concern regarding the absence of a system of juvenile justice in Armenia, and in particular the length and conditions of pretrial detention, limited access to visitors for children detained prior to trial, the often disproportionate length of sentences in relation to the seriousness of offences, the frequent detentions of juveniles with adults, and the absence of facilities for the physical and psychological rehabilitation and social reintegration of juvenile offenders.

In May, the U.N. Committee against Torture had been set to examine Armenia's second periodic report about implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, but one month prior to the meeting, the Armenian government canceled its appearance.

Organization for Security and Cooperation in Europe (OSCE)

In July, the OSCE chairperson-in-office, Benita Ferrero-Waldner, traveled to Yerevan officially to open an OSCE office. The office had actually begun activities in February. Ferrero-Waldner stated that economic development in Armenia could only be enhanced if there was significant progress toward a political settlement of the Nagorno-Karabakh conflict. Negotiations to resolve the conflict had been ongoing, with no tangible results, for the past several years under the auspices of the OSCE Minsk Group.

The new OSCE office engaged in a number of projects, including review of legislation and administration of the electoral framework in line with recommendations made by OSCE election observers, training of prison staff, public awareness of human rights, and a round table on tolerance for ethnic and religious groups.

Council of Europe

On June 29, the Parliamentary Assembly of the Council of Europe voted favorably on Armenia's accession to the organization, but full membership as of this writing still required a favorable Committee of Ministers decision. Although the Parliamentary Assembly maintained that progress had been made, the long list of conditions that Armenia would be required to meet after accession served only to highlight just how far the country was from establishing the legal framework necessary to guarantee the rule of law and respect for human rights.

The Parliamentary Assembly's conditions included adoption of a number of new laws, including on the media, on political parties, on nongovernmental organizations, on the establishment of an ombudsman office, on the civil service, and on alternative military service. The assembly required that amendments to the current law on local authorities be made to give them greater independence. With regard to the court system, it required that independence of the judiciary be fully guaranteed, that the judicial council be reformed to ensure its independence, and that access to the Constitutional Court be granted to individuals in certain instances. It also stipulated as a condition the transfer of certain detention facilities from the responsibility of the Ministries of Internal Affairs and National Security to the Ministry of Justice.

European Union

The second annual E.U.-Armenia cooperation brought E.U. praise for human rights improvements and promises of continued E.U. assistance aimed at facilitating resolution of the Nagorno-Karabakh conflict and further improvement in democratization and human rights.

United States

In May a U.S.-Armenia Task Force on Economic Reform held its first meeting. At its initial meeting, the task force said that it would concentrate its efforts on private sector development, combating corruption, and Armenia's energy needs. The administration requested renewed foreign assistance, stated that the U.S. supported assistance to help transform Armenia into a democracy based on the rule of law with an active civil society and free markets, at peace with its neighbors and integrated in the world economy. Officials argued that Armenia would thus be less likely to engage in armed conflict with Azerbaijan or to disrupt the export of hydrocarbons from the Caspian Basin. Secure routes for oil and gas transit from the region, and through Turkey, were a key U.S. policy concern in the region.

International Financial Institutions

In September, the World Bank approved the equivalent of U.S. \$11.4 million for judicial reform in Armenia. The project, with the aim of assisting in the development of an independent, accessible, and efficient judiciary, was a welcome attempt at improving legal institutions that were woefully incapable of addressing the country's abysmal human rights practices. It included assistance in the area of court administration, infrastructure rehabilitation, training of judges and court personnel, improved enforcement of court decisions, and increased access to legal information.

AZERBAIJAN

Human Rights Developments

The succession to Azerbaijan's ailing president, Heydar Aliyev, dominated political debate in 2000. Since the speaker of parliament was next in the line of succession, obstacles to a free and fair vote for the November 5 parliamentary elections gained greater prominence. The Parliamentary Assembly of the Council of Europe (PACE) voted on June 28 to recommend Azerbaijan's accession and asked Azerbaijan "to ensure that its planned elections be free and impartial, liberate or re-free prisoners held on 'political grounds' and guarantee freedom of expression and the independence of the media." While the government in 2000 adopted several laws that aimed to strengthen civic freedoms, its human rights record remained poor, and the PACE recommendation of accession was premature.

The government tried to manipulate parliamentary elections by adopting an unfair election law, wilfully delaying the registration of opposition parties and candidates, cracking down on critical journalists and media outlets, and banning most domestic, nonpartisan nongovernmental organizations (NGOs) from monitoring the vote. Parliament enacted Azerbaijan's election law on July 5 and then amended it on July 21. As a result of these amendments, and in the words of the Organization for Security and Cooperation's Office for Democratic Institutions and Human Rights (OSCE/ODIHR), which had been providing assistance with election legislation since 1999, the "current legislation does not provide for the full participation of all main political interests in the election administration's decision-making process and is therefore a step back compared to the legislation initially adopted." Moreover, no provisions were made for domestic observers in that law.

Opposition groups protested the law on April 29. According to domestic sources, more than fifty people were injured when police armed with clubs beat demonstrators, scores of protesters were sentenced to three to fifteen days of imprisonment on misdemeanor charges, and others were fined and later released. Criminal cases were brought against eleven of the detained, including Vagif Hajibeyli, chairman of the Ahrar party, and members of the prominent opposition parties Popular Front and Musavat. Authorities subsequently rejected numerous permit applications for public demonstrations—especially those that envisaged more than fifty participants (anything larger than a picket). On June 13, President Aliyev signed into law the controversial Law on NGOs, which barred domestic NGOs from monitoring elections if they received certain levels of foreign funding. As a result, this law prevented for the sake of civil society, which had observed the 1999 and 1995 elections, from monitoring the November vote.

In September, the Central Election Commission (CEC) rejected the registration of most parties, including Musavat, and the Azerbaijani Democratic Party, among others, by declaring signature lists invalid. Individual candidates faced similar problems. Spurious reasons for disqualifications were abundant. Dubious "experts" rejected numerous signatures on opposition signature lists as false, even though many of these signatures were shown by the opposition candidates to be legitimate. By contrast, the signature lists of pro-government candidates and parties were abundant despite opposition allegations of fraud. In a controversial decision, in response to international pressure, on October 6 President Aliyev requested that the CEC reverse its rulings barring all but five of the thirteen parties that applied to contest the elections under the party list system. On October 9, the supposedly independent CEC complied by registering all parties for the proportional ballot.

As the pre-election cycle heated up, the authorities used arbitrary licensing laws, fines, and trumped-up tax charges to intimidate the opposition media. On May 9, Elmar Husseinov found the office of his weekly journal, *Monitor Weekly* (formerly *Monitor*), sealed by the Baku tax inspectorate, allegedly for printing articles critical of Aliyev. The independent newspaper, *Uch Nokta*, had battled the courts from November 1999, and faced large fines as well as closure for months prior to the elections. The editor-in-chief and founder, Khoshgadam Bakshaliyeva, claimed that state pressure was meant to serve as a warning to editors who might consider criticizing the government in the run-up to the elections. A large fine was imposed on the newspaper *Avropa* for publishing reports that Husseinov, a high-ranking government employee, was the subject of a corruption investigation in Uzbekistan. The Azerbaijan Broadcasting Agency (ABA), an independent station that does not broadcast political material, was suddenly closed from October 3 until October 13. The closure appeared related to a visit paid to the station by two opposition parties who expressed an interest in purchasing air time but were rejected. The president, Faiq Zulfugarov, believed that the closure was a threat from the government not to get involved in politics. He worried that his station would be closed again following the elections.

Yeni Musavat (New Musavat), an opposition newspaper, was a particular target. In February, their Nakhichevan offices were ransacked. On August 22, police arrested Raul Arifoglu, editor of *Yeni Musavat* and Musavat party candidate for the parliamentary elections, interrogated him for several hours without a lawyer, and searched his apartment. Authorities charged Arifoglu with serious crimes, including conspiracy to commit a terrorist act, an airplane hijacking, calling for a coup d'etat, and illegal possession of a firearm (allegedly planted on him by the police). Arifoglu was released on October 5, but charges against him remained and he was required to submit a written assurance that he would not flee the city before the trial.

According to Radio Free Europe/Radio Liberty, electricity to the independent channel, ANS, was cut for fifteen minutes on July 14 in order to censor an interview with Chechen field commander Shamil Basaev that was being aired at the time because the government felt that the interview contained terrorist propaganda. Electricity cuts by regional authorities during opposition candidates' broadcasts were a common complaint of opposition parties in the final weeks before the parliamentary vote.

Advances in religious freedom came only upon intervention of the president's office, indicating that religious tolerance was not institutionalized in Azerbaijan. After a spate of attacks, primarily on evangelical Christians toward the end of 1999, in November 1999 President Aliyev made a statement committing the country to greater religious freedom. In December 1999 the authorities registered the Jehovah's Witnesses, after intervention from the president's office. However, according to Keston News Service, at the end of 1999 the authorities deported the German pastor of a Lutheran church congregation.

In June, President Aliyev issued a decree providing amnesty to many political prisoners, and in October, dozens were released by presidential pardon. Casting serious doubt on official statements that these were the last political prisoners in Azerbaijan, however, human rights groups claimed hundreds remained in custody, chiefly those convicted on charges related to terrorism, alleged coup attempts, and abuse of office. At the end of September, prison authorities reportedly charged many of these prisoners with disciplinary offenses in what prisoners said were trumped up accusations intended to justify arbitrary confinement in punishment cells or transfers to harsher prison regimes. Significantly, under a new penal code that entered into force in September, many prisoners with good records would have been eligible for early release.

Breaking an impasse between the International Committee of the Red Cross (ICRC) and the government, an agreement was reached on June 1 allowing ICRC staff members to visit detainees. The accord granted ICRC representatives access to all places of detention and to all detainees—both sentenced and unsentenced. On June 23, ICRC staff, including a medical delegate, visited Gobustan Prison—a facility administered by the Ministry of Justice and with a history of problems.

Defending Human Rights

Domestic nongovernmental organizations remained active throughout 2000, as demonstrated by their regular criminal reporting, especially with regard to the elections, and their dissemination of information. Eldar Ismailov, head of the domestic monitoring organization, For the Sake of Civil Society, protested the Law on NGOs that was adopted in July, for it barred his organization from monitoring the November 5 elections as it had in past elections.

The authorities responded by putting economic pressure on the protesting NGOs. Local utility charges were doubled, and organizations were required to pay these bills in a timely manner or be shut down—at a time when other organizations were not under the same constraints.

The Role of the International Community

United Nations

In November 1999, the U.N. Committee against Torture reviewed Azerbaijan's initial report. The committee expressed concern that torture was not expressly criminalized and about reports of torture and the lack of accountability for it. Upon the committee's recommendation, Sir Nigel Rodley, the U.N. special rapporteur on torture, conducted a fact-finding mission to Azerbaijan in May.

Organization for Security and Cooperation in Europe (OSCE)

The OSCE officially opened an office in Baku in July designed, according to its mandate, to "promote the implementation of OSCE principles and commitments as well as the co-operation between the OSCE and the Republic of Azerbaijan in all the OSCE dimensions, including human, political, economic and environmental aspects of security and stability." Under the auspices of the Minsk Group, the OSCE made several efforts to resolve the Nagorno Karabakh conflict. Concerning electoral progress, it issued several statements, among others noting that the July 5 election law contained "serious shortcomings" and that it was "extremely concerned that seven political parties were denied registration by the ICCJ...." After Aliyev intervened, the remaining parties were registered.

Council of Europe

The Parliamentary Assembly voted on June 28 to recommend to the Committee of Ministers that Azerbaijan be admitted to the Council of Europe (COE). This move severely undermined the council's leverage with the government to foster the implementation of legal and institutional reform (including reformed courts, police, and procuracy) desperately needed to improve Azerbaijan's human rights record. At the time of this writing, the committee had yet to act on that PACE resolution.

The PACE recommendation favoring Azerbaijan's membership found that Azerbaijan is "moving towards a democratic, pluralist society in which human rights and the rule of law are respected...." However, the document's lengthy list of conditions which the country was required to meet after its accession indicated just the opposite: that the government has made very little progress. The wide-ranging post-accession requirements included ratification of a number of significant treaties, an overhaul of domestic election laws, strengthening of parliament—currently little more than a rubber stamp—relative to the executive, reform of procedures on appointment of judges, opening individual's access to the constitutional court, and registration of nongovernmental associations. The PACE also proposed adoption of a law allowing the right to an alternative to military service, a law on the media, a law on ethnic minorities, and a law on lawyers' associations. Other measures required included the release of political prisoners, prosecution of law enforcement officials responsible for torture, and improved access of humanitarian organizations to prisons. At the request of the government, the Council of Europe also deployed an election assistance group to provide advice regarding the organization of elections.

European Union

In October, the E.U. and Azerbaijan conducted their second annual Cooperation Council meeting under the Partnership and Cooperation Agreement. The council addressed human rights issues in the bilateral relationship, including Azerbaijan's obligation to implement OSCE and COE commitments. Reflecting the lack of progress over the past year, public statements following the meeting were more guarded about the relationship than after the 1999 council meeting.

United States

The U.S. State Department monitored events surrounding the parliamentary elections and issued many statements criticizing the government's campaign conduct. It condemned the Azerbaijani parliament's decision to allow the Central Election Commission to function without opposition party members present. It chastised Azerbaijan for continuing its distorted registration policy preventing certain political parties from participating. And it described the election law as "seriously flawed." Nevertheless, it supported Azerbaijan's accession to the Council of Europe.

REPUBLIC OF
BELARUS

Human Rights Developments

RESPECT FOR HUMAN RIGHTS DETERIORATED AS BELARUSIAN PRESIDENT LUKASHENKA MAINTAINED HIS GRIP ON POWER AND THE GOVERNMENT STAGED DEEPLY FLAWED PARLIAMENTARY ELECTIONS. ANOTHER WELL-KNOWN OPPOSITION FIGURE "DISAPPEARED" IN JULY, WHILE THE YEAR WITNESSED A SPATE OF POLITICAL SHOW TRIALS. IN THE RUN-UP TO PARLIAMENTARY ELECTIONS THE GOVERNMENT INTENSIFIED ITS CRACKDOWN ON THE OPPOSITION, WHICH STRUGGLED TO REMAIN UNIFIED IN CALLING FOR A BOYCOTT. DUE TO EXTENSIVE ELECTION VIOLATIONS, NO INTERGOVERNMENTAL ORGANIZATION RECOGNIZED THE ELECTION RESULTS.

ON JULY 7, RUSSIAN PUBLIC TELEVISION (ORT) CAMERAMAN DMITRI ZAVODSKY TRAVELED TO MINSK-2 AIRPORT WHERE HE WAS TO HAVE PICKED UP A COLLEAGUE, BUT ZAVODSKY NEVER ARRIVED. POLICE FOUND HIS CAR, REPORTEDLY WIPED CLEAN OF FINGERPRINTS, IN THE AIRPORT PARKING LOT. NOT ACTIVE IN POLITICS, ZAVODSKY ROSE TO PROMINENCE IN 1997, WHEN HE SPENT THREE MONTHS IN JAIL FOLLOWING ARREST WHILE FILMING AT THE BORDER IN A CONTROVERSIAL INCIDENT. ZAVODSKY'S NONAPPEARANCE WAS WIDELY ATTRIBUTED TO THE GOVERNMENT'S CAMPAIGN TO INTIMIDATE THE MEDIA PRIOR TO THE PARLIAMENTARY ELECTIONS.

IN DECEMBER 1999, TAMARA VINNIKOVA, THOUGHT TO HAVE BEEN DETAINED IN APRIL 1999, REAPPEARED IN WESTERN EUROPE. VINNIKOVA TOLD THE MEDIA SHE HAD FLED THE COUNTRY BECAUSE SHE FEARED FOR HER LIFE. THERE WAS NO NEWS AS TO THE WELFARE OR WHEREABOUTS OF THREE OTHERS—FORMER INTERIOR MINISTER YURY ZAKHARENKA, OPPOSITION ACTIVIST VIKTOR GONCHAR, AND PUBLISHER ANATOLY KRASOVSKY—who were also last seen in 1999.

AT A MARCH 25 DEMONSTRATION POLICE DETAINED OVER 200 PERSONS, INCLUDING THIRTY JOURNALISTS, THREE POLISH PARLIAMENTARY OFFICIALS, AND A U.S. EMPLOYEE OF THE LOCAL OSCE OFFICE. ALTHOUGH THE JOURNALISTS AND OFFICIALS WERE RELEASED AFTER A FEW HOURS, POLICE CONFISCATED VIDEO AND AUDIO RECORDINGS. AT OTHER DEMONSTRATIONS POLICE ARBITRARILY AND SOMETIMES VIOLENTLY ARRESTED PARTICIPANTS.

IN THE FIRST OF A SERIES OF POLITICALLY MOTIVATED TRIALS OF OPPOSITION ACTIVISTS IN 2000, THE BELARUSIAN SUPREME COURT ON JANUARY 14 SENTENCED FORMER MINISTER OF AGRICULTURE VASILY LEONOV TO A FOUR-YEAR PRISON TERM FOR "BRIBERY" AND "ABUSE OF POWER." ON MARCH 17, A MINSK COURT SENTENCED ANDREI KLIMOV, ENTREPRENEUR, LEADING GOVERNMENT CRITIC, AND MEMBER OF THE DISBANDED THIRTEENTH SUPREME SOVIET, TO SIX YEARS OF IMPRISONMENT FOR "EMBEZZLEMENT" IN A DECISION CONSIDERED POLITICALLY MOTIVATED. KLIMOV WAS ARRESTED ONE DAY AFTER HE DISTRIBUTED A LETTER DETAILING CONSTITUTIONAL VIOLATIONS COMMITTED BY THE LUKASHENKA ADMINISTRATION. KLIMOV WAS SEVERELY BEATEN BY PRISON GUARDS ON DECEMBER 13, 1999, AND APPEARED BAREFOOT IN COURT IN TORN CLOTHES. HE WAS LATER HOSPITALIZED AND DIAGNOSED AS SUFFERING FROM CONCUSSION.

ON MAY 19, A MINSK COURT SENTENCED EX-PRIME MINISTER MIKHAIL CHYGIK TO THREE YEARS OF IMPRISONMENT FOR "ABUSE OF POWER," SUSPENDED FOR TWO YEARS. CHYGIK HAD BEEN ARRESTED SHORTLY AFTER HIS ANNOUNCEMENT THAT HE WOULD RUN IN THE "ALTERNATIVE" PRESIDENTIAL ELECTIONS HELD IN MAY 1999 AND SPENT OVER SIX MONTHS IN PRETRIAL DETENTION. IN SEPTEMBER, AUTHORITIES LAUNCHED A FRESH CRIMINAL INVESTIGATION AGAINST HIM, THIS TIME FOR TAX EVASION WHILE CHYGIK WORKED FOR A GERMAN COMPANY IN MOSCOW IN 1996.

ON JUNE 19, A MINSK COURT SENTENCED VETERAN OPPOSITION ACTIVIST AND THIRTEENTH SUPREME SOVIET DEPUTY VALERY SHCHUKIN AND THE CHAIR OF THE BELARUSIAN SOCIAL DEMOCRATIC PARTY (BSDP), NIKOLAI STAFKOVICH, TO SUSPENDED JAIL TERMS FOR "ORGANIZING AND PARTICIPATING IN MASS ACTIONS THAT VIOLATED PUBLIC ORDER" DURING THE OCTOBER 17, 1999, FREEDOM MARCH THAT TURNED VIOLENT. BOTH MEN WERE ALSO BARRED FROM PARTICIPATING IN THE OCTOBER 2000 PARLIAMENTARY AND JUNE 2001 PRESIDENTIAL ELECTIONS.

INDEPENDENT TRADE UNIONS CAME UNDER INCREASING PRESSURE FROM THE GOVERNMENT. MEMBERS OF THE INDEPENDENT TRADE UNION OF BELARUS FACED CONTINUAL PRESSURE AT THEIR WORKPLACE TO JOIN STATE UNIONS OR LOSE THEIR JOBS. MEMBERS TYPICALLY SMUGGLED COPIES OF THE INDEPENDENT TRADE UNION NEWSPAPER *Рабoчiй* (THE WORKER) INTO THEIR PLACE OF WORK UNDER THEIR CLOTHING. ON DECEMBER 16, POLICE DETAINED SEVEN MEMBERS OF THE INDEPENDENT TRADE UNION OF STEEL WORKERS AND CONFISCATED 3,000 COPIES OF *Рабoчiй* OUTSIDE THE ENTRANCE TO THE MINSK AUTOMOBILE PLANT.

MONTHS OF OSCE-MEDIATED NEGOTIATIONS BETWEEN THE OPPOSITION AND THE GOVERNMENT FAILED TO ENSURE FREE OR FAIR PARLIAMENTARY ELECTIONS ON OCTOBER 15 OR BROADER MEDIA ACCESS. CENTRAL TO THE DISPUTE WAS A DEEPLY FLAWED ELECTORAL CODE, ADOPTED ON JANUARY 31, THAT IGNORED ALL OF THE OSCE-RECOMMENDED AMENDMENTS. THE CODE FAILED TO ADDRESS THE IMBALANCE OF POWER BETWEEN THE PRESIDENT AND PARLIAMENT OR TO INCLUDE OPPOSITION REPRESENTATIVES ON THE VARIOUS LOCAL ELECTION COMMISSIONS. WHILE MEDIA ACCESS FOR THE OPPOSITION WAS GUARANTEED ON PAPER, IN PRACTICE THIS WAS NOT OBSERVED. THE OPPOSITION, GROUPED UNDER THE CONGRESS OF DEMOCRATIC FORCES, ANNOUNCED A BOYCOTT OF THE ELECTIONS. OPEN CALLS TO BOYCOTT ELECTIONS ARE OUTLAWED UNDER ARTICLE 167(3) OF THE ADMINISTRATIVE CODE. THE POLICE DETAINED OVER ONE HUNDRED PEOPLE UNDER THIS ARTICLE; OTHERS WERE HARASSED AND FINED.

AT A SEPTEMBER 16 RALLY MARKING ONE YEAR SINCE THE DISAPPEARANCE OF VIKTOR GONCHAR AND ANATOLY KRASOVSKY, UNIDENTIFIED MEN TRIED TO SEIZE THREE OPPOSITION LEADERS WHOSE PARTIES ARE BOYCOTTING THE OCTOBER ELECTIONS. ON SEPTEMBER 21, FOUR MASKED INDIVIDUALS BROKE INTO AND RAIDED THE HEADQUARTERS OF THE BSDP. ON SEPTEMBER 22, THE ELECTION COMMISSION RELEASED A LIST OF THE 574 CANDIDATES REGISTERED TO RUN IN THE ELECTIONS; MOST OF THE OPPOSITION CANDIDATES WERE REFUSED REGISTRATION. BELARUSIAN AUTHORITIES DECLARED THE ELECTIONS A SUCCESS, WITH OVERALL TURNOUT 60.6 PERCENT, BUT THE OPPOSITION CLAIMED WIDESPREAD ELECTION VIOLATIONS AND AN ACTUAL TURNOUT OF 45 PERCENT, AND THUS A SUCCESSFUL OPPOSITION BOYCOTT.

ON DECEMBER 17, 1999, AUTHORITIES PASSED A LAW AMENDING THE ALREADY RESTRICTIVE LAW ON THE PRESS, FORBIDDING THE PUBLICATION OF INFORMATION ON UNREGISTERED NONGOVERNMENTAL ORGANIZATIONS, POLITICAL PARTIES, AND TRADE UNIONS. A DECEMBER 7, 1999, DECREE AMENDED THE LAW ON PUBLIC ASSOCIATIONS, BANNING NGOs AND POLITICAL PARTIES FROM USING THE WORDS "BELARUS," "REPUBLIC OF BELARUS," "NATIONAL," AND "POPULAR" IN THEIR TITLES.

AUTHORITIES CONTINUED TO THREATEN TO CLOSE INDEPENDENT NEWSPAPERS. ON MAY 29, THE STATE PRESS COMMITTEE ISSUED WARNINGS TO THE *Belaruskaya Delovaya Gazeta* (BELARUSIAN BUSINESS PAPER) AND *Narodnaya Volya* (THE PEOPLE'S WILL) FOR "ABUSING" FREEDOM OF INFORMATION.

ON SEPTEMBER 13, AUTHORITIES SEIZED THE ENTIRE PRINT RUN OF *Рабoчiй*—12,000 COPIES—and detained editor-in-chief VIKTOR IVASHKEVICH AND THREE OTHERS, INCLUDING THE DIRECTOR OF THE OFFENDING PRINTING PRESS, FOR PUBLISHING ARTICLES DETAILING THE OPPOSITION'S PLANS TO BOYCOTT THE PARLIAMENTARY ELECTIONS. ON SEPTEMBER 21, TWO INDIVIDUALS WERE DETAINED IN HOMEL FOR DISTRIBUTING THE SAME ISSUE OF *Рабoчiй*, AND 16,500 COPIES WERE CONFISCATED.

Defending Human Rights

THE GOVERNMENT CONTINUED TO HARASS HUMAN RIGHTS ACTIVISTS AND NGOs. A SERIES OF UNSOLVED BURGLARIES OF NGO OFFICES, IN WHICH UNKNOWN RAIDERS STOLE COMPUTER EQUIPMENT, RAISED SUSPICION OF STATE INVOLVEMENT.

ON DECEMBER 17, 1999, UNKNOWN PERSONS RAIDED THE MINSK OFFICES OF THE BELARUSIAN HELSINKI COMMITTEE, REMOVING THREE COMPUTERS THAT STORED THE ORGANIZATION'S DATABASE. POLICE REPORTEDLY REACTED WITH LETHARGY TO THE RAID, WHILE A PREVIOUS BREAK-IN AND ROBBERY FOUR MONTHS EARLIER REMAINED UNSOLVED.

BELARUSIAN AUTHORITIES CONTINUED TO HARASS INDEPENDENT HUMAN RIGHTS LAWYER VERA STREMKOVSKAIA, THREATENING HER WITH DISBARMENT FROM THE MINSK BAR ASSOCIATION AND INTERROGATING HER CLIENTS. ON MAY 31, UNIDENTIFIED RAIDERS BROKE IN TO THE NEWLY ESTABLISHED CENTER FOR HUMAN RIGHTS, OF WHICH SHE IS PRESIDENT, REMOVING COMPUTER EQUIPMENT AND A PHOTOCOPIER.

ON MARCH 7, OLEG VOLCHEK, HEAD OF THE MINSK-BASED PUBLIC LEGAL AID ORGANIZATION, INFORMED A PRESS CONFERENCE THAT HIS ORGANIZATION WAS BEING EVICTED FROM ITS PREMISES FOR THE FOURTH TIME IN THE PAST EIGHTEEN MONTHS. HE SAID THAT THE MINISTRY OF JUSTICE HAD A MONTH EARLIER REVOKED HIS ORGANIZATION'S LICENSE TO PROVIDE

legal aid to individuals, allowing assistance only to legal entities. The organization had initiated an independent investigation into the fate of Yury Zakharenka and the 1999 Nemica metro stampede tragedy. On May 20, raiders broke into the Public Legal Aid organization's offices, stealing computer and office equipment.

On September 5, the Belarussian Association of Journalists was forced to abandon an independent press festival in Vitebsk when authorities rescinded permission to use a local community center.

The Role of the International Community

United Nations

On January 31, the Committee on the Elimination of Discrimination against Women met in New York to consider the third periodic report on Belarus. While the report focused largely on gender inequality, especially in political life, one committee expert expressed concern about the lack of freedom of expression in general.

On June 12, the U.N. special rapporteur on the independence of the judiciary visited Belarus, meeting with relevant government officials, judges, and lawyers, along with law professors and human rights groups. The Sub-Commission on the Promotion and Protection of Human Rights met at its fifty-second session in August and, soft-peddling its criticism, stated that Belarus' human rights record was "mixed."

Organization for Security and Cooperation in Europe (OSCE)

The OSCE's Advisory and Monitoring Group (AMG) in Minsk spent much of the year in fruitless negotiations between the government and the opposition to resolve the political impasse over parliamentary elections. The OSCE issued several protests about the arrest and trial of leading opposition figures and the arbitrary detention of peaceful demonstrators. The OSCE technical assessment mission said of the October parliamentary elections, "The minimum requirements were not met for the holding of free, fair, equal, accountable and open elections." The European parliamentary troika—the OSCE Parliamentary Assembly, the European Parliament, and the Parliamentary Assembly of the Council of Europe—concurred with that statement.

Council of Europe

Though Belarus' special guest status in the Council of Europe remained suspended, on July 31 a Parliamentary Assembly delegation paid an official visit to Belarus to assess whether conditions existed for free and fair elections. The delegation concluded that the Council of Europe should not send observers to the parliamentary elections, citing "disappointment" with Belarus' lack of progress, although surprisingly, the assembly later agreed to send a limited mission.

European Union

The European Union voiced concern over the arbitrary and violent arrest of demonstrators, along with the trials of opposition activists. It cosponsored negotiations between the opposition and the government over the parliamentary elections. In November 1999, the Belarussian government gave formal approval, following slight amendments, to a 5 million euro program aimed at developing civil society.

United States

The U.S. government continued its policy of selective engagement, funding independent media outlets, supporting pro-democracy initiatives, and providing no direct aid to the government. On July 3, in recognition of labor rights violations, the U.S. stripped Belarus of its trade status, known as the Generalized System of Preferences, worth U.S.\$26.7 million in 1999 to Belarus. The State Department regularly condemned the prosecution of opposition activists and called for charges against Mikhail Chygir, among others, to be dropped. The State Department called the parliamentary elections "not free, fair, or transparent" in an October 16 statement.

BOSNIA AND HERCEGOVINA

Human Rights Developments

A breakthrough occurred in one of the most serious of Bosnia and Herzegovina human rights issues: the return of refugees and displaced persons. For the first time since the signing of the Dayton Peace Accords (DPA) refugees and displaced persons returned in relatively large numbers to areas where they would be part of an ethnic minority. In other progress in human rights, nine persons were detained who had been indicted by the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the death penalty was formally abolished in Republika Srpska (R.S.).

The progress was still not self-sustained: it required the strong involvement of the international community to ensure that Bosnia stayed its course to become a democratic state with the full protection of human rights.

The April municipal elections brought significant gains for the moderate Social Democratic Party in Bosniack areas of the federation, at the expense of the nationalist Bosniack Party of Democratic Action (SDA). However, in the Croat areas of the federation, the nationalist Croat Democratic Union (HDZ) managed to maintain its position, while the Serb Democratic Party founded by Radovan Karadzic remained in control of the vast majority of municipalities in the Republika Srpska. Parliamentary elections were scheduled for November 2000.

In July, President Alija Izetbegovic announced that he would resign from the three-person Bosnian presidency in October 2000. Because the Bosnian constitution did not specify the succession procedure, the parliamentary assembly adopted a controversial law to do so. The law gave control over appointment to the appointed members of the House of Peoples, excluding the directly elected members of the House of Representatives from the process. The international community's high representative in Bosnia, Wolfgang Petritsch, imposed an amendment to rectify this.

War Criminals

Several more indictees were transferred to the ICTY's detention unit in The Hague after being detained by the NATO-led Stabilization Force (SFOR). Among them was Momcilo Krajsnik, the wartime president of the Bosnian Serb assembly and a postwar member of the Bosnian presidency, who was the highest ranking politician arrested so far. The Krajsnik detention showed that even high-ranking figures can be detained without widespread retaliation by the civilian population. Others arrested in 2000 included Mifar Vasiljevic, Dragoljub Pracic, Dusko Sikirica, and Dragan Nikolic, the first person indicted by the ICTY. Moreover, the Croatian

authorities in March transferred Mladen Nalečević after delaying this for months for medical reasons. In January, indicted and notorious paramilitary leader Željko Ražnjačević, also known as "Arkan," was shot and killed in the lobby of a hotel in Belgrade.

Despite the increased willingness of the SFOR to detain indictees, twenty-six publicly indicted persons, including Bosnian Serb wartime leaders Radovan Karadžić and Ratko Mladić, remained at large, while an unknown number of others were the subject of sealed indictments. The Bosnian Serb authorities, despite improved cooperation with the ICTY, still had not arrested a single indictee. Therefore, the role of the international SFOR troops remained essential to the accountability process.

Return of Refugees

Members of minority groups returned in significant numbers for the first time since the end of the war. In the first six months of 2000, the UN High Commissioner for Refugees (UNHCR) registered 19,751 minority returns, as compared to 7,709 during the same period in 1999. The increased return movement, which started in late 1999, was caused by several factors. The international community had focused much more attention on return: the legislation facilitating return was finally in place, and implementation started; and displaced persons started to realize that if they did not return soon, they might not return at all. This resulted in many spontaneous returns: rather than waiting for organized return, small groups of displaced persons returned and started to clean or rebuild their homes. Returns, albeit in small numbers, also took place to areas in eastern R.S. that were previously completely closed to returnees.

The increased return was accompanied by an increasing number of return-related abuses throughout Bosnia. One of the worst abuses took place in Bratunac, where a large group of protesters attacked four buses carrying Bosniak returnees, and Janja, where a series of incidents took place in March and again in July.

Despite the increased number of returns, over one million Bosnians remain displaced, the majority of them within Bosnia and Herzegovina. A survey conducted by the UNHCR showed that 61 percent of the displaced still wish to return to their homes. However, the returns process continues to face serious problems. The implementation of the legislation enabling return was extremely slow. There was a lack of political will to enable return, in particular among the Bosnian Croat and the Bosnian Serb authorities.

Just when the returns process was finally picking up speed, many donors were decreasing their funding for reconstruction and return, or pulling out altogether. Rights groups and other observers urged the international community to remain committed to return, arguing that continued assistance could produce speedy, substantial, and sustainable results, while withdrawal could mean that hard-fought gains would be squandered and the nationalists' policy of ethnic cleansing would have succeeded.

Human Rights Institutions

A provision in the R.S. constitution described the R.S. as the "state of the Serb people," whereas the Federation constitution had a provision stating that Bosniaks and Croats were the "constituent peoples" in the Federation. In July, the Constitutional Court decided that these provisions were discriminatory and contradicted the Bosnian constitution. This decision was strongly criticized by Bosnian Serb and Bosnian Croat politicians, but Constitutional Court decisions are binding and cannot be appealed. The decision may have an enormous impact, because many Bosnian laws based on the same ethnic principles may have to be revised.

In February, the R.S. national Assembly passed a law establishing an ombudsman for the R.S. The establishment and composition of this institution had been the subject of protracted negotiations between the Office of the High Representative in Bosnia and Herzegovina (OHR), the Organization for Security and Cooperation in Europe (OSCE), and the R.S. government. Ultimately, it was decided to create a three-person, multi-ethnic institution, which was expected to be able to receive claims by the end of 2000. In July, the Federation Parliament passed a law harmonizing the laws on the ombudsman institutions in the Federation with that in the R.S., and allowing the Federation Parliament to appoint new ombudsmen in 2001.

The Human Rights Chamber, which together with the Office of the Ombudsman for Bosnia and Herzegovina forms the Human Rights Commission, continued to issue decisions on numerous issues including employment discrimination, property rights, and fair trial.

Although the human rights institutions noticed increased compliance by the authorities with its decisions and recommendations, funding for the institutions was still inadequate, and several important decisions remained unimplemented. For instance, the Human Rights Chamber's June 1999 decision ordering the municipality of Banja Luka to issue permits for the reconstruction of seven mosques was still not implemented. R.S. Prime Minister Dodik said that reconstruction might begin after the November elections but that any activities without permits would be stopped immediately.

An important step was made toward the independence of the judiciary by the adoption of laws governing the selection and dismissal of judges and prosecutors. These laws, imposed by the High Representative in the Federation and adopted but later amended in the R.S., provided for appointment and dismissal based on merit alone. The OHR, in cooperation with the United Nations Mission in Bosnia-Herzegovina (UNMIBH), in July started a comprehensive review program to evaluate all judges and prosecutors.

Media

Harassment of the media was a growing problem, and numerous abuses were recorded throughout the year. The OSCE's Free Media Helpline received more than one hundred complaints in a period of less than ten months. Željko Kopanja, the editor-in-chief of *Nezavisne Novine* who lost both legs in a car bomb explosion in October 1999, was again threatened several times. The driver of Federation Prime Minister Edhem Bičakčić attacked a journalist of the daily *Dnevni Avaz*. In June, the SDA used a tax audit to harass *Dnevni Avaz*, a daily that used to be aligned with the SDA but recently had taken a more critical approach.

R.S. Minister of Information Rajko Vasić called for criminal prosecution of a journalist for alleged false reporting, but resigned from his post after being criticized severely by journalists' associations, the OHR, and the OSCE. In August, Marko Asanin, a former Bosnian minister and current director of the R.S.-owned electricity company, beat and kicked journalist Ljubiša Lazić. Many other journalists and media outlets were attacked or received threats.

The Federation authorities in December 1999 presented a draft Law on Compensation for Damage Caused by Defamation and Libel, which was severely criticized for the excessive fines it sanctioned. As of this writing, the law had not yet been adopted. The OSCE and the OHR together presented a draft Freedom of Information Act that established the right of access to information held by government and other public bodies. The law, which would significantly enhance media freedom, had not yet been passed by Parliament.

Defending Human Rights

Local and international human rights organizations were generally able to monitor and report on the human rights situation, although some organizations and monitors occasionally experienced harassment. The Human Rights Commission and the Federation ombudsmen continued their important work to ensure respect for human rights, and the office of the R.S. ombudsmen is expected to be operational by the end of 2000.

The Role of the International Community

The international community's close involvement continued to be necessary to move the peace process along, as witnessed by the many decisions and amendments imposed by the High Representative. However, many in the international community were losing patience with the slow progress in Bosnia, and international attention was shifting to other areas.

Office of the High Representative

The OHR continued to take the lead role in coordinating the civilian aspects of the Dayton Peace Agreement. High Representative Wolfgang Petritsch maintained three objectives: strengthening Bosnian institutions and ensuring the rule of law, transforming the economy and stimulating investment, and enhancing the return of displaced persons and refugees. Although Petritsch made the idea that the responsibility for the future of Bosnia lies with the Bosnians and their leadership the basis of his tenure as High Representative, he did not shy away from taking decisive action to further these objectives. Numerous political and government figures, including ministers and governors, were dismissed for failing to implement the DPA, and Petritsch imposed many decisions on issues as diverse as the R.S. Law on the Prosecutors Office, the Privatization Law, and the Law on Presidential Succession. Bosnian politicians continued to lack the political will to take these decisions themselves, and sustained international involvement remained necessary to continue the peace process and avoid a return to the brutal nationalist policies of the recent past.

Stabilization Force

The NATO-led Stabilization Force in Bosnia and Herzegovina (SFOR) continued to play a significant role in Bosnia in, among other areas, the return process. SFOR also detained more persons indicted by the ICTY than ever before, including Momčilo Krajišnik, the highest ranking politician apprehended so far. Despite fears that high-level arrests might create civil unrest, the situation remained relatively calm throughout Bosnia.

The strength of SFOR was reduced to some 20,000 troops, down from 30,000 the previous year, although its presence in Bosnia and Herzegovina appeared necessary for years to come: the peace remained fragile, and many feared that violence would break out again if SFOR withdrew. Moreover, as the local authorities continued to refuse to arrest ICTY indictees, it remained SFOR's duty to bring those indicted for war crimes to face justice.

United Nations

The largest section of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) was the International Police Task Force (IPTF), charged with overseeing and restructuring the local police forces. Lacking exact information on who is engaged in law enforcement activities, the IPTF initiated a program to register, screen, and certify all police officers by the end of 2001, while working with the respective ministries of the Interior to recruit minority police officers. These efforts met with limited success: according to the U.N. Secretary-General's report of June 2, the Federation had around 600 minority officers of a total of about 11,500 officers; the R.S. only had fifty-seven minority officers of a total of 9,500 officers.

The Human Rights Office (HRO) continued its work in monitoring human rights abuses at the hands of the police, and other measures to improve the human rights record of the police forces, such as an audit of arrest and custody procedures and instruction on the role of police at evictions. The U.N.'s Judicial System Assessment Program continued to monitor the functioning of the judiciary and published reports about problems related to implementation of amnesty legislation, delays and detention, and trials in absentia.

The United Nations High Commissioner for Refugees (UNHCR), together with the OHR, played a leading role in stimulating return in Bosnia, both by guiding the policy and through its own programs. Unfortunately, decreases in UNHCR's budget hampered its ability to operate effectively.

During its fifty-sixth session, the U.N. Commission on Human Rights adopted a resolution on Yugoslavia, Croatia, and Bosnia in which it called upon the authorities to work on human rights issues such as the return of refugees, independence of the judiciary, the role of the police, and freedom of expression. Moreover, the commission renewed the mandate of Special Rapporteur Jiri Dienstbier, whose December 1999 report once again drew attention to those and other human rights issues in Bosnia.

On November 15, 1999, U.N. Secretary-General Kofi Annan published a report on the events in Srebrenica from the establishment of the Safe Area in 1993 through the fall of Srebrenica in July 1995, after which over 7,000 Bosniaks disappeared and were most probably killed. The report, which was surprisingly critical of the U.N.'s own role, was well received by many Bosnians, who considered it to be a recognition of what had actually happened and of the mistakes made by the international community.

International Criminal Tribunal for the Former Yugoslavia

In March, Željko Blaškić, a Bosnian Croat general, was found guilty of crimes against humanity committed in the Lasva Valley and sentenced to forty-five years in prison. The Appeals Chamber in July dismissed Anto Furundžija's appeal and confirmed his ten-year sentence. After a trial marked first by prosecutorial misconduct in withholding evidence from the accused and then by disclosures that failed to respect victim and witness privacy rights, Furundžija was convicted for aiding and abetting rape, among other charges. Željko Aleksovski saw his sentence on appeal increased to seven years, while Duško Tadić's sentence was lowered to a maximum of twenty years. Goran Jelisić was convicted on all but one count and sentenced to forty years of imprisonment. In the Ahmići case, five Bosnian Croats were convicted and sentenced to prison terms of six to twenty-five years, while one indictee was acquitted.

In 2000, the ICTY commenced trials in the Keraterm and Omarska case, the Srebrenica case, and the Foča case. Miroslav Tadić, Simo Zarić, and Milan Simić were provisionally released in May 2000, because two years after their voluntary surrender a trial date had still not been set.

The R.S. slowly improved its cooperation with the tribunal. R.S. authorities reportedly released files to the ICTY, and several high-ranking R.S. officials visited the tribunal, including Prime Minister Đodić, who promised that the R.S. would soon pass the Law on Cooperation with the ICTY.

Organization for Security and Cooperation in Europe (OSCE)

The conditions for the municipal elections organized by the OSCE were better than in the past, although candidates continued to face harassment and press freedom was limited. Despite OSCE's campaign encouraging Bosnians to "vote for change," both the Bosnian Croat and Bosnian Serb ruling nationalist parties largely managed to hold on to their positions.

The OSCE, together with OHR, drafted a new electoral code to replace the election regulations formulated in the DPA, which had been criticized for encouraging ethnic clientelism. However, the draft was criticized for a number of reasons, and subsequently some provisions were amended, while discussion of the most contentious issue, the election of the three-member presidency, was deferred to a later date. Even this amended draft could not count on parliamentary support, and it seemed unlikely to be passed without delay.

The OSCE's Human Rights Department, with officers throughout the country, continued its important work in monitoring human rights abuses in the field and working on policies to curb such abuses.

Council of Europe

In May 1999, the Council of Europe rapporteurs for Bosnia announced a list of conditions to be fulfilled for Bosnia's accession to the Council of Europe. New rapporteurs Laszlo Surjan and Anneli Jäätteenmäki, appointed in late 1999 and early 2000 respectively, like the high representative took a prudent approach, stressing that far too many of the conditions had not been met. In a worrisome development, however, Petritsch and the rapporteurs for accession seemed to have identified three "priority" conditions: the functioning of the common institutions, adoption of a new election law, and progress on some human rights issues. Emphasizing these conditions at the expense of others previously identified risked squandering the opportunity for change represented by the conditions for Council of Europe membership.

European Union

The European Union's policy was based on the idea of the eventual integration of Bosnia and Herzegovina into Europe. The Stability Pact for Southeastern Europe, which uses the prospect of integration into Europe to foster good neighborly relations and accelerate transition into stable democracies in the Balkans, was launched in mid-1999. A concrete step toward integration was taken in March when the E.U. commissioner for external relations, Chris Patten, handed the Bosnian authorities a "road map" of conditions for a feasibility study for E.U. membership, which largely overlapped with the Council of Europe's conditions for Bosnia's membership. The prospect of closer ties with the E.U. represented a possibly strong incentive for the authorities to meet these conditions as soon as possible.

The E.U. and its member states remained the biggest donors of reconstruction aid in Bosnia. At the Regional Funding Conference held in March, the E.U. and its member states pledged over one billion euro in aid, of which a substantial part was targeted for projects involving Bosnia. In 2000, the European Commission invested around 100 million euro in programs in Bosnia, mostly for return projects. However, the withdrawal of the European Commission Humanitarian Office (ECHO) strongly affected return programs, because ECHO's large budget (56 million euro in 1999) had been very flexible and able to follow developing return patterns. There was a need for other donors to fill this void: since most of this year's return was spontaneous, there was an increased need for flexible funding that would follow return movements as they developed.

United States

The United States, which forged the Dayton Peace Agreement that ended the war in Bosnia, continued its close involvement in Bosnia, although it let the E.U., and in particular High Representative Petritsch, take the lead role. Secretary of State Madeleine Albright visited Bosnia and Herzegovina in March this year to attend the official inauguration of the Statute for the Breko District, which was imposed by Petritsch. During the visit, Secretary Albright also announced U.S. \$7 million in budget support for the R.S. government of Prime Minister Dodik, the recipient of continuous political and financial backing by the United States despite his government's often disappointing record on crucial human rights issues.

United States assistance focused on four issues: private business development, democratic reform, economic transformation, and municipal infrastructure and services. The municipal infrastructure program was increasingly geared toward enhancing minority return, and its successor, the U.S. \$70 million Community Reintegration and Stabilization Program (CRSP), was designed to focus exclusively on reconstruction of public infrastructure in return areas. Continued debates in the U.S. Congress over the ongoing U.S. military presence in Bosnia raised concern that support for the peace process might be waning, just as the investment was beginning to pay off.

Relevant Human Rights Reports:

UNFINISHED BUSINESS: RETURN OF DISPLACED PERSONS AND OTHER HR ISSUES IN BIJE LJINA, 5/00

BULGARIA

Human Rights Developments

Abuses against Roma and restrictions on Islamic practitioners, and trade in arms in violation of a UN embargo offset improvement in other fields in Bulgaria, notably in freedom of expression.

Roma were victims of police brutality and violent attacks by private citizens who acted with impunity. Numerous cases of police ill-treatment include the beating of two young Roma, Marin Ivanov and Marin Gheorghiev, in the police station in Silistra, on November 19, 1999. Sixteen-year-old Tsvetalin Perov suffered third-degree burns on April 29, 2000, in police detention in Vidin, after being beaten and losing consciousness. On 5 July Traicho Libomirov, a nineteen-year-old Roma, was shot dead upon arrest on suspicion of car theft in Sofia. The authorities acquiesced in the harassment and discrimination against Roma by private citizens. Ethnic Bulgarian residents in a neighborhood of Burgas signed a petition on November 4, 1999, calling for the expulsion of Roma and the demolition of Roma houses. Villagers in Mechka refused to allow Roma in public places and threatened them with expulsion after an unresolved murder on April 4, 2000.

The Parliament failed to adopt legislation of any kind to prevent discrimination against Roma in education, health care, regional, urban planning, or other areas, although such changes were envisaged by the Framework Programme for the Integration of Roma in Bulgarian Society, adopted by the government in April 1999.

On February 29, the Constitutional Court banned the Macedonian minority-based OMO Ilinden-Pirin party, which had been registered in the winter of 1999. The Bulgarian Helsinki Committee criticized the move and rejected the court's allegation that the group was advocating the secession of Pirin.

On January 9, six Islamic preachers were expelled for preaching without a permit under articles 22 and 23 of the Denominations Act (1949), despite a 1992 ruling by the Constitutional Court that these articles were unconstitutional. On August 9, Ahmad Naim Mohammed Musa, a citizen of Jordan and permanent resident of Bulgaria, was expelled from the country for allegedly preaching "radical" Islam. The chief mufti denied that Musa carried on any religious activities, and human rights groups stated that the government's accusation was based upon claims that a foundation Musa headed had provided assistance to the chief mufti's office, helping the office obtain financial independence from the state.

On January 12, the Bulgarian Parliament abolished the penalty of imprisonment for libel or slander, but replaced it the following day with heavy fines. President Stoyanov vetoed the bill providing for the fines. On June 1, 2000, a company owned by media tycoon Rupert Murdoch was awarded a license for the first private nationwide television channel. License applications by two Bulgarian companies were pending as of September.

In a report published in March, a U.N. Security Council committee investigating violations of sanctions against Angola's UNITA rebel movement found that Bulgaria had supplied weapons and training to the rebels. Bulgaria set up a commission of inquiry into the charges; on May 9 the commission announced that it had found no evidence of a violation of the embargo. (See Arms Chapter.)

Defending Human Rights

Local nongovernmental organizations continued to report vigorously on human rights abuses in Bulgaria. The Bulgarian Helsinki Committee (BHC) covered a wide range of issues. The Human Rights Project addressed freedom of conscience and religious freedom, while the Tolerance Foundation focused on the situation of Roma. Women's human rights activists continued to press for state action to protect women from domestic violence, advocating for changes in the penal code to criminalize domestic violence. On November 9, 1999, four members of the parliament submitted a draft Denominations Act prepared by leading human rights groups. The parliament rejected the draft on February 2, 2000.

The Role of the International Community

United Nations

On December 9, 1999, the U.N. Committee on Economic, Social and Cultural Rights welcomed Bulgaria's extensive efforts to comply with its obligations under the covenant. It expressed concern, however, with continued discrimination against the Roma in education, social benefits, access to land, and other areas. The committee also criticized restrictions on the right to strike and the lack of opportunities for minorities to receive education in their own languages.

Organization for Security and Cooperation in Europe (OSCE)

OSCE High Commissioner on National Minorities Hans van der Stoep delivered a report on the situation of Roma and Sinti in the OSCE area in March 2000. The high commissioner criticized employment discrimination in Bulgaria and pointed out that fourteen Romani men reportedly died in police custody between 1992 and 1999. Although the report noted that disproportionate numbers of Romani children are sent to "special schools" for mentally disabled children, it concluded that the practice is less prevalent than in the Czech Republic, Slovakia, and Hungary.

Council of Europe

On January 26, the Council of Europe's Parliamentary Assembly ended a three-year monitoring procedure for Bulgaria, on the grounds that the country was committed to democratic reform and made major steps forward on the road to democracy. A final report by the Council of Europe rapporteurs acknowledged democratic achievement in Bulgaria but also called for improvements in the independence of the judiciary and the media, the rights of minorities, the functioning of local self-government, and for additional efforts to combat corruption and police brutality. In the case of *Velikova v. Bulgaria*, regarding the 1994 police beating and death of a Roma man, Slavcho Tsonchiev, the European Court of Human Rights ruled on May 19 that Bulgaria had violated the right to life and the right to an effective remedy.

European Union

In December 1999, the European Council opened negotiations for Bulgarian accession to the European Union. On July 5, the European Parliament recommended to the E.U. Council that Bulgaria be taken off the list of countries whose citizens need a visa to enter the E.U. border-free territory. President Stoyanov expressed concern on July 6 that Bulgaria was regarded as an outsider in the E.U. enlargement process.

United States

During a November 1999 visit, President Clinton encouraged Bulgaria to persist in building a free society and, in apparent disregard of ongoing abuses, hailed the country's tolerance toward various ethnic groups, but he also raised arms trade concerns with the Bulgarian prime minister. Prior to the visit, the United States extended a U.S. \$25 million grant to Bulgaria to mitigate the effects of the Kosovo crisis and to ease the social burden of economic reform.

CROATIA

Human Rights Developments

The election of a new government and president in Croatia at the start of 2000, following the death of President Franjo Tudjman, marked a turning point in Croatia's post-independence respect for human rights. Attempts in late 1999 by the then-ruling Croatian Democratic Union (Hrvatska Demokratska Zajednica, HDZ) to affect the outcome of the vote through control of electronic media, redistricting, and curbs on freedom of assembly led many observers to fear that President Tudjman was unwilling to relinquish power to the opposition. With the death of Tudjman on December 11, 1999, two weeks prior to the parliamentary elections, those fears remained untested, and the opposition coalition captured a large parliamentary majority in the January 3 vote. The resultant change in political culture was so swift that both candidates in the second round of voting for president on February 7 were from opposition parties.

The new government headed by Prime Minister Ivica Račan, and the incoming president Stipe Mesić, moved quickly to demonstrate their commitment to human rights and respect for Croatia's international obligations. On January 28, Foreign Minister Tonino Picula acknowledged that the International Criminal Tribunal for the former Yugoslavia (ICTY) had jurisdiction over Operation Storm, the controversial 1995 action against rebel Serbs that left several hundred thousand Croatian Serbs as refugees. On February 9, the government unveiled its legislative program, committing itself to reform state television, to uphold minority rights, and to carry out the legislative and administrative changes necessary to facilitate the return of Serb refugees. In a newspaper interview two days later, President Mesić invited all Serb refugees to return to Croatia. The new government submitted a U.S. \$55 million proposal on February 21 to facilitate the return of 16,500 Croatian Serb refugees.

The government's human rights rhetoric was soon followed by concrete actions, notably in the area of cooperation with the ICTY, previously among the thorniest issues in Croatia's relations with the international community. On March 2, the ICTY deputy prosecutor announced that Croatia had acceded to its request to provide documentation related to Operation Storm and Operation Flash (another 1995 offensive against rebel Serbs). The transfer of Bosnian Croat war crimes suspect Mladen Naletilic, alias "Tuta," followed on March 21. In April, the government permitted ICTY investigators to examine the site of an alleged 1991 massacre of

SERB CIVILIANS IN THE TOWN OF GOSPIĆ. BY JUNE, THE ICTY PROSECUTOR INDICATED THAT THE ORGANIZATION HAD "FULL ACCESS" IN CROATIA. FURTHER MOVES FOLLOWED THE AUGUST MURDER OF MILAN LEVAR, A CROATIAN VETERAN FROM GOSPIĆ PRESENT DURING THE 1991 KILLINGS WHO HAD ASSISTED THE ICTY INVESTIGATION. IN EARLY SEPTEMBER, CROATIAN POLICE ARRESTED TWO CROATIAN ARMY GENERALS AND TEN OTHERS IN CONNECTION WITH WAR CRIMES COMMITTED IN CROATIA AND BOSNIA. TEN SUSPECTS IN LEVAR'S MURDER WERE ALSO ARRESTED.

CONSIDERABLE PROGRESS WAS MADE IN LEGISLATIVE REFORM DURING THE FIRST SESSION OF THE PARLIAMENT. KEY REFORMS INCLUDED THE APRIL ANNULLMENT OF ARTICLE 19 OF THE LAW ON INTERNAL AFFAIRS, WHICH GAVE THE POLICE WIDE POWERS OF SURVEILLANCE OVER CITIZENS, NEW LAWS ON MINORITY LANGUAGES AND EDUCATION ON APRIL 27, AND THE MOSTLY POSITIVE CHANGES TO THE CONSTITUTIONAL LAW ON HUMAN RIGHTS AND THE PROTECTION OF MINORITIES ON MAY 11. THE LONG-AWAITED AMENDMENTS TO THE RECONSTRUCTION LAW ON JUNE 1 AND TO THE LAW ON AREAS OF SPECIAL STATE CONCERN ON JUNE 14, FOR THE FIRST TIME OFFERED THE PROSPECT OF EQUAL TREATMENT FOR DISPLACED AND REFUGEE SERBS SEEKING TO RETURN TO THEIR HOMES IN CROATIA. AT THE TIME OF WRITING, NECESSARY AMENDMENTS TO REFORM THE TELECOMMUNICATIONS LAW AND A NEW BILL TO REFORM THE STATE BROADCASTER WERE PENDING BEFORE THE PARLIAMENT.

DOUBTS ABOUT THE COMPOSITION OF THE NEW CONSTITUTIONAL COURT WERE ALLAYED BY THREE IMPORTANT RULINGS IN ITS FIRST MONTHS. THE COURT'S DECISIONS IN FEBRUARY AND APRIL TO STRIKE ARTICLES ON DEFAMATION AND LIBEL FROM THE LAW ON PUBLIC INFORMATION AND THE PENAL CODE GREATLY REDUCED THE STATE'S ABILITY TO SUPPRESS CRITICAL REPORTING. (AMENDMENTS TO BRING THE PENAL CODE INTO LINE WITH THE RULING PASSED THEIR FIRST PARLIAMENTARY READING ON JUNE 1). IN FEBRUARY THE COURT REVOKED FURTHER PROVISIONS OF THE LAW ON ASSOCIATION UPHOLDING THE PREVIOUS COURT'S STANCE ON THE LAW. IN A CRUCIAL RULING FOR THE RESTITUTION OF TENANCY RIGHTS, IN MAY THE COURT REVERSED A CIVIL COURT DECISION THAT STRIPPED A MONTENEGRAIN OF HIS TENANCY RIGHTS ON THE GROUNDS OF ALLEGED WAR-TIME ACTIVITIES, A JUSTIFICATION USED TO DEPRIVE CROATIAN SERBS OF THEIR TENANCY RIGHTS IN THE EARLY 1990S. MOST FORMER TENANCY RIGHT HOLDERS SEEKING RESTITUTION CONTINUED TO LACK ANY LEGAL RECOURSE, HOWEVER.

IMPROVEMENTS TO THE SITUATION OF SERBS IN CROATIA WERE NOT CONFINED TO GOVERNMENT STATEMENTS AND LEGISLATIVE REFORM. IN APRIL, THE GOVERNMENT REPLACED THE MUCH-CRITICIZED COMMISSION ON RETURN WITH A NEW HIGH-LEVEL BODY TO OVERSEE REFUGEE RETURN. ON JUNE 6, REFUGEES ASSOCIATIONS IN CROATIA AND BOSNIA'S REPUBLIKA SRPСКА AGREED TO COOPERATE ON THE TWO-WAY RETURN OF BOSNIAN CROATS AND CROATIAN SERBS. A MONTH LATER UNHCR ANNOUNCED AN SIGNIFICANT INCREASE IN RETURN REQUESTS FROM CROATIAN SERBS IN REPUBLIKA SRPСКА. BY SEPTEMBER, MORE THAN 10,000 SERBS HAD RETURNED THROUGH ORGANIZED PROGRAMS WITH SEVERAL THOUSAND MORE RETURNING UNASSISTED.

THE LEGACY OF OFFICIAL DISCRIMINATION AGAINST SERBS PROVED HARD TO ERASE, DESPITE THE COMMITMENT OF THE NEW GOVERNMENT IN ZAGREB. REPORTS FROM ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE MONITORS INDICATED THAT MANY RETURNING SERBS DID NOT REMAIN IN CROATIA. ADMINISTRATIVE DISCRIMINATION BY THE HDZ-DOMINATED LOCAL AUTHORITIES AND LOCAL COURTS AGAINST SERBS CONTINUED, WITH LITTLE PROGRESS MADE ON THE RESTITUTION OF PROPERTY TO SERB OWNERS. PROGRESS ON THE DEPOLITICIZATION OF DOMESTIC WAR CRIMES TRIALS WAS MIXED: DESPITE A RECOMMENDATION BY THE MINISTRY OF JUSTICE THAT ALL PENDING WAR CRIMES CASES BE REVIEWED BY LOCAL PROSECUTORS (AND REPEATED INTERNATIONAL REQUESTS THAT SUCH CASES BE REVIEWED FIRST BY THE ICTY), A VUKOVAR COURT CONVICTED ELEVEN SERBS OF WAR CRIMES ON MAY 22, TEN OF THEM IN ABSENTIA. IN ADDITION, MORE SERBS WERE ARRESTED ON WAR CRIMES CHARGES, INCLUDING SEVERAL WHO HAD RECENTLY RETURNED FROM SERBIA WITH CLEARANCE FROM THE CROATIAN GOVERNMENT. THE JULY DECISION BY AN OSIJEK COURT TO ACQUIT FIVE PROMINENT SERBS PREVIOUSLY CONVICTED ON DUBIOUS WAR CRIMES CHARGES WAS A MORE HOPEFUL SIGN.

THE DEPTH OF MISTRUST BETWEEN THE CROAT AND SERB COMMUNITIES WAS UNDERSCORED BY THE MURDERS IN MARCH OF A RECENTLY RETURNED SERB MAN AND AN ELDERLY SERB WOMAN BY LOCAL CROATS, ALTHOUGH THE POLICE MADE PROMPT ARRESTS IN BOTH CASES. CONFIDENCE AMONG RETURNING SERBS WAS UNDERMINED BY THE DEFACTO OF A MONUMENT TO SERBS KILLED DURING THE SECOND WORLD WAR ON MAY 17, AND A POSTER CAMPAIGN IN KARLOVAC, PETRINJA, AND SISAK LISTING LOCAL SERBS ALLEGED TO HAVE COMMITTED WAR CRIMES. THE DEMOLITION OF 300 WAR-DAMAGED SERB HOMES BY LOCAL AUTHORITIES IN GOSPIĆ ON JUNE 5 SENT A SIMILAR SIGNAL.

IMPROVEMENTS IN THE TREATMENT OF SERBS STOOD IN CONTRAST TO THE CONTINUING DIFFICULTIES FACED BY CROATIA'S ROMA POPULATION. MANY OF THE ESTIMATED 30,000 TO 40,000 ROMA IN CROATIA LACKED ACCESS TO EDUCATION AND EMPLOYMENT, FACED DISCRIMINATION IN THE PROVISION OF STATE ASSISTANCE AND HOUSING, AND HAD DIFFICULTY OBTAINING CITIZENSHIP, AS WELL AS SUFFERING RACIST ATTACKS. THE EXPERIENCE OF THE 420 ROMA IN STRMEC PRODRAVSKI ILLUSTRATED THE WIDER PROBLEMS FACING ROMA COMMUNITIES: IN MAY, LOCAL AUTHORITIES IN VARDOLIN COUNTRY ORDERED THE ROMA TO MOVE FROM THEIR SETTLEMENT IN THE VILLAGE AFTER REFUSING TO ALLOW THEM TO BUILD MORE PERMANENT DWELLINGS AND A WATER AND ELECTRICITY SUPPLY.

Defending Human Rights

THERE WERE NO REPORTS OF RESTRICTIONS ON THE FREEDOM TO MONITOR BY INTERNATIONAL OR LOCAL NONGOVERNMENTAL ORGANIZATIONS IN CROATIA. THE CONFIDENCE AND PROFESSIONALISM OF CROATIA'S LOCAL NGOs WAS EMBELLISHED BY THEIR PARTICIPATION IN THE PRESIDENTIAL AND PARLIAMENTARY ELECTIONS, INCLUDING THE VOTER REGISTRATION AND EDUCATION CAMPAIGN BY THE GLAS (VOICE) 1999/2000 COALITION AND ELECTION MONITORING BY GONG (GRADJANI ORGANIZIRANO NAČLEDARU GLASANJE CITIZENS ORGANIZED TO MONITOR ELECTIONS). THE IMPROVED SITUATION PERMITTED AN INCREASED FOCUS ON TRAINING AND DEVELOPMENT BY HUMAN RIGHTS GROUPS, INCLUDING THE CROATIAN HELSINKI COMMITTEE.

The Role of the International Community

AFTER YEARS OF CONDITIONING IMPROVED RELATIONS ON PROGRESS IN CROATIA'S HUMAN RIGHTS RECORD, THE INTERNATIONAL COMMUNITY MOVED QUICKLY TO REWARD THE NEW AUTHORITIES IN ZAGREB FOR THEIR REFORM AGENDA WITH CLOSER POLITICAL AND ECONOMIC TIES. CROATIA WAS GRANTED ADMISSION TO THE NORTH ATLANTIC TREATY ORGANIZATION'S PARTNERSHIP FOR PEACE ON MAY 25 AND TO THE WORLD TRADE ORGANIZATION ON JULY 19, AND ITS U.S. \$55 MILLION REFUGEE RETURN PROPOSAL WAS FULLY FUNDED THROUGH THE STABILITY PACT IN MARCH.

United Nations

AT ITS ANNUAL REVIEW OF HUMAN RIGHTS IN THE FORMER YUGOSLAVIA ON APRIL 19, THE U.N. COMMISSION ON HUMAN RIGHTS ADOPTED A RESOLUTION RECOMMENDING THAT CROATIA BE DROPPED FROM THE MANDATE OF ITS SPECIAL RAPPORTEUR PROVIDED THAT IT MADE CONTINUED PROGRESS BY ITS NEXT SESSION. THE U.N. HIGH COMMISSIONER FOR HUMAN RIGHTS MAINTAINED HER FIELD OFFICE IN CROATIA. THE MANDATE OF THE U.N. OBSERVER MISSION IN THE DISPUTED PREVLAKA REGION WAS RENEWED BY THE SECURITY COUNCIL UNTIL JANUARY 2001.

Organization for Security and Cooperation in Europe (OSCE)

CROATIA'S GREATLY IMPROVED RELATIONS WITH THE OSCE WERE EVIDENCED BY THE REQUEST OF ITS FOREIGN MINISTER ON MARCH 23 THAT THE MANDATE OF THE OSCE MISSION TO CROATIA BE EXTENDED UNTIL THE END OF 2000, AND BY THE POSITIVE TONE OF THE MISSION'S JULY 3 PROGRESS REPORT, AS WELL AS THE UPEAK ASSESSMENT OF THE OSCE HIGH COMMISSIONER ON NATIONAL MINORITIES DURING HIS MAY 25 VISIT. AT TIME OF THIS WRITING, THE OSCE POLICE MONITORING GROUP IN THE DANUBE REGION IN CROATIA WAS TO CEASE OPERATIONS ON OCTOBER 31.

Council of Europe

During a June 21 visit to Zagreb, Lord Russell-Johnston, president of the Parliamentary Assembly of the Council of Europe (PACE) indicated that Croatia had now met most of its outstanding membership requirements. On September 26, PACE voted to terminate the monitoring procedure for Croatia.

European Union

The European Union signaled its major support for the Croatian government's efforts in March by upgrading its office in Zagreb into a permanent delegation. Even more significant was its decision in June opening the way for negotiations on a stabilization and association agreement with Croatia in October, with a view to eventual integration into the E.U. Croatia also received 23 million euro (approximately U.S. \$23.2 million) in E.U. financial assistance, including 13.5 million euro (U.S. \$16.6 million) to support refugee return.

United States

The United States moved to strengthen its already close ties to Zagreb following the elections, supporting Croatia's admission to the Partnership for Peace (PfP) and sponsoring the resolution of the U.N. Commission on Human Rights, following visits to Croatia by U.S. Secretary of State Madeleine Albright in January and February. In a long awaited move, U.S. President Bill Clinton invited the Croatian president and prime minister to Washington on August 9, announcing U.S. \$30 million of support, including U.S.\$5 million pledged earlier to support return.

Relevant Human Rights Watch Reports:

Croatia's Democracy Deficit: A Pre-Electoral Assessment, 12/99

CZECH REPUBLIC

Human Rights Developments

The Czech government announced the formation of a Human Rights Council in January to prepare legislative proposals and advise the government on human rights issues. The council submitted proposals to counter discrimination in education, housing, and employment in May. Despite these positive steps, increasing racial violence against the ethnic Roma minority demonstrated an alarming pattern of neglect on the part of police and legal authorities in failing to investigate and prosecute hate crime. This pattern included lenient sentences for perpetrators of hate crimes, incompetent and protracted investigations, and little recourse for victims who in many cases feared reprisals.

On February 5, "skinhead" thugs allegedly physically attacked and shouted racist insults at five Roma and one non-Roma in the town of Nachod. The victims identified some of the attackers to the police but later said the police had neither made arrests or even taken down the suspects' names. Local officials claimed that there was no evidence indicating a racially motivated attack. As of August 1, the investigation remained open.

In a July ruling, a Czech soldier who attacked an American teacher in November 1999 in Hodinín was found guilty of "hooliganism and assault" and sentenced to a suspended two-year prison term. The victim was beaten after defending a group of Roma, whom the soldier had insulted; nevertheless, the judge ruled out any racial motivation.

On April 19, the parents of eighteen Romani children from the city of Ostrava lodged an application with the European Court of Human Rights (ECtHR) in Strasbourg accusing the Czech state of practicing "discrimination" and "segregation" by channeling disproportionate numbers of Romani children into special schools designed for children with mental disabilities. Although Romani children represent less than 5 percent of primary school students in Ostrava, they constitute over 50 percent of the special school population. Nationwide, 75 percent of Romani children attend special schools, comprising over half of the population of all special schools. Last October, the Czech Constitutional Court dismissed the case, arguing that it lacks the authority to rule on societal discrimination as a whole and can consider "only particular circumstances of the individual cases." In January, the Parliament eliminated a 1994 Schools Law provision that had barred students attending special schools from enrolling in secondary schools. The applicants charge that this amendment only served "to remove the formal—but not the practical—prohibition against admission to non-vocational [secondary] schools" and failed to address de facto discriminatory policies.

In January, the Ministry of the Interior responded to E.U. accession demands to tighten border controls by setting new restrictions on asylum and procedures for foreigners to establish legal residence, introducing visa requirements for certain visitors and requiring them to show proof of secured accommodation, financial resources, and health insurance. The new policy came under attack from human rights organizations for making unreasonable demands on asylum applicants by forcing them to apply for visas in their home country rather than upon arrival in the Czech Republic. The Czech Helsinki Committee (CHC) observed that the law singles out people from so-called problem countries—among them, all of South America, Africa, and the Ukraine—for especially tight restrictions. An amendment to the January law that relieves some of these restrictions was approved by the cabinet in July and sent to the Parliament; critics of the earlier law argue that the proposed changes fail to address several key issues.

The Czech Republic's position as a country of origin, transit, and destination for trafficking in women drew attention from the press and international bodies. In January, Ukrainian and Czech police successfully broke a gang trafficking women into forced prostitution in the Czech Republic. Unfortunately, law enforcement's efforts to curb trafficking tended to disregard the legitimate fears of retaliation and needs expressed by trafficking victims. Similarly, legislators failed to adopt legal protections to facilitate victims' cooperation as witnesses in cases against traffickers. La Strada, a local NGO, struggled to provide protection for victims and educate women on the dangers of trafficking.

Attention focused on Czech police conduct in September when Prague hosted the annual IMF and World Bank meetings, along with an estimated 9,000 protestors. On September 26, protestors clashed violently with police, leading to some six hundred injuries and more than eight hundred arrests. Following the meetings, the Czech Helsinki Committee undertook an investigation into accusations of police brutality and abuse of power against detained protestors. Its initial investigation had found that many detainees were denied access to the telephone, legal assistance, interpreters, and food or water for many hours after their

arrest, and some complained of physical abuse by the police. The Interior Ministry announced that it would conduct an internal investigation into police actions; the police denied the charges of systematic abuse while refusing to rule out misconduct by individual officers.

Defending Human Rights

Human rights groups operated relatively freely, despite efforts by Prime Minister Miloš Zeman's government to deflect media criticism. The Counseling Center for Citizenship/Civil and Human Rights (CCC/CHR) issued recommendations on reducing discrimination. The Czech Helsinki Committee released reports on the protection of children, the police and prison system, and the new asylum and foreigners legislation. A coalition of gay and lesbian activists organized "Aprilfest," a series of discussions and events on gay and lesbian issues. With the support of Commissioner for Human Rights Petr Uhl and the Human Rights Council, the festival urged legislators to support a new bill authorizing partnership registration, although the Parliament had rejected a similar bill in December 1999.

The Role of the International Community

United Nations

In its August concluding observations, the Committee on the Elimination of Racial Discrimination (CERD) praised the Tolerance Project, a public awareness campaign to curb racial discrimination. However, the report voiced concern over the continued subjection of Roma to discrimination and violence and urged the government to implement existing hate crime legislation and eradicate racial segregation in education and housing.

European Union

The Czech Republic remained in the forefront among states in line for accession to the E.U. In its September review of the Czech Republic's preparation for accession, the E.U.-Czech Republic Association Council noted that while the Czech Republic continued to fulfill the Copenhagen political criteria, progress was still needed in reforming the judiciary and improving the human rights situation of Roma. Although the E.U. accession process proved a positive incentive on most human rights issues, it pressured Czech authorities to introduce worrisome restrictions on asylum.

Council of Europe

The European Commission on Racism and Intolerance's (ECRI) "Second Annual Report on the Czech Republic" expressed concern about the continuation of racist violence directed toward Roma. The report recommended that Czech authorities take further actions to combat racism and intolerance by enacting anti-racist legislation in education and employment.

United States

At a June hearing before the United States Commission on Security and Cooperation in Europe (CSCE), witnesses testified that current laws to protect Roma fall short of their intended goals. These concerns were echoed in the State Department's annual report on human rights practices.

Organization for Security and Cooperation in Europe (OSCE)

The High Commissioner on National Minorities' March report on the situation of Roma and Sinti in the OSCE area criticized the Czech government for failing to enforce laws proscribing racially motivated violence, despite having the largest number of skinhead attacks reported in the region. It called on the government to adopt affirmative action measures in employment and to address the persistent negative stereotyping of Roma in the media and in statements.

GEORGIA

Human Rights Developments

President Eduard Shevardnadze won reelection on April 9, 2000, to a second five-year term. The elections were marred by irregularities. Georgia's already poor human rights record deteriorated, as economic and social conditions worsened. Legal reforms unraveled and the government failed to take steps to reign in widespread corruption among senior government officials closely linked to President Shevardnadze.

An OSCE international election monitoring mission concluded in its final report that "considerable progress is necessary for Georgia to fully meet its commitments as a participating state of the OSCE" and that "steps should be taken to restore the confidence of opposition parties and voters in future elections."

Nontraditional religious minorities were harassed, attacked, and subjected to baseless charges during the run up to the election. The police and other authorities actively participated in some of the attacks, while in other instances they failed to investigate and to bring to justice the violent adherents of a nationalist group led by a deposed Georgian Orthodox priest known as Father Basili. Lower courts failed to rule inadmissible a suit filed by Guram Sharadze, an extreme nationalist member of Parliament, which sought to annul the registration of the Jehovah's Witness church. A lower court's favorable ruling to annul the registration was on appeal to the Supreme Court.

Violent attacks on nontraditional religious groups escalated in the months following the elections. On August 16, several journalists were beaten by members of Father Basili's organization as they were covering a trial involving adherents to the Jehovah's Witness faith at Guldani District Court. Two defendants on trial had been victims of a previous assault in October 1999, yet had themselves been charged for the attack by the authorities. On August 17, about forty members of Father Basili's organization assaulted human rights defenders and a journalist as they left the trial and court security officers failed to intervene. On August 20, Ipaneti District police destroyed a meeting place of the Baptist Evangelical Church and briefly detained and threatened its pastor. On September 9, masked police officers wielding clubs forcibly dispersed a Jehovah's Witness gathering in Zugdidi. Almost seven hundred members of the Jehovah's Witnesses were forced to flee, and several were beaten by police. On September 17, Father Basili and a large group of his followers, accompanied by police from Marnveli District, looted a meeting site built for a gathering of Jehovah's Witnesses. Several Jehovah's Witnesses were dragged off buses and beaten, while others were robbed of their personal belongings. On September 29, police officers from Guldani and Nardzalanadzevi arrived without a warrant at an ashram belonging to followers of the Hare Krishna organization, and attempted to confiscate literature from the group.

Georgian nongovernmental organizations said that the attacks were intended to distract public attention from the government's failure to meet its social obligations, including months-long arrears in the payment of wages and pensions.

Prisoners in the Republican Prison Hospital, and at Ortachal and other corrective labor colonies, went on hunger strikes in February and March to demand the release of political prisoners and a government reevaluation of the ouster of former President Zviad Gamsakhurdia. In late September, twelve prisoners escaped from the hospital, among them Lofi Kobalya and Guram Absandze. Absandze had been one of the defendants in the highly publicized ongoing trial of fourteen individuals accused of participation in the February 1999 assassination attempt on President Shevardnadze. Human Rights Watch monitored the trial, noting numerous complaints from defendants regarding lack of access to lawyers and other irregularities in the pretrial period.

President Shevardnadze was quoted on national television as stating that the escapes indicated that Georgia had acted prematurely when it transferred some of its detention and postconviction prison facilities from the Ministry of Internal Affairs to the Ministry of Justice. The transfer was an important commitment made to the Council of Europe as a condition of Georgia's accession in April 1999. Some detention facilities, notably lockups located inside police stations, remained under the interior ministry, and reports of torture and abuse in these facilities continued unabated, including reports of the use of electric shock torture in the Tbilisi main police department. Reports of deaths in custody included that of Tbilisi resident Davit Vashakmadze, who died after being severely beaten by members of a Tbilisi-based police unit. He and a companion were brutally beaten shortly after being stopped for a traffic violation on the evening of November 13, 1999.

In May 1999, the U.N. Human Rights Committee, after a thorough investigation, found that four individuals, supporters of former President Gamsakhurdia, had been tortured and denied fair trials, and ruled that they were entitled to an effective remedy, including their release. For the second year running, Georgia flouted the committee's recommendation, and at the time of this writing, two of the defendants whose release was recommended, Petre Gelbakhiani and Irakli Dokuvadze, remained imprisoned. Repeal of legal reforms in May and July 1999 underscored the government's lack of commitment to due process guarantees. This was especially troubling as it undermined the long term development of legal institutions capable of peacefully resolving grievances involving Georgia's multiethnic and diverse religious communities, while eroding democratic control and accountability for the actions of the police and other security forces.

The minister of justice resigned in early October, shortly after the high profile prison escapes, and a new minister, Mikhael Saakashvili, assumed office. Saakashvili stated that he would put renewed focus on reform of the court system and of the procuracy. Freedom of the press suffered several blows, as the government attempted to stifle increasing public criticism of widespread corruption and police brutality. For over a year, Akaki Gogichaishvili, investigative reporter and producer of "60 Minutes," was subjected to threats and harassment by unknown individuals. The Sunday evening television program, which was among the highest rated in the nation, systematically investigated corruption among senior government officials. The harassment campaign came to a head in May, after Gogichaishvili reported receiving death threats from the deputy prosecutor general. Meanwhile, the only independent television station in the autonomous region of Abkhaz, TV-25, located in Batumi, was subject to a forced sale in mid-February after it began to increase its local news coverage. Owners claimed that the forced sale came at the behest of individuals linked to strongman Aslan Abashidze, who held the title of president of the Abjar Supreme Soviet and ruled the region.

Defending Human Rights

An innovative project adopted in 1999 by the Tbilisi City Council, the City Lawyer program, was shut down in March by the Ministry of Internal Affairs. The project, designed and administered in cooperation with nongovernmental organizations, had stationed lawyers hired by the city in police stations to provide twenty-four-hour-a-day legal consultations free of charge to those detained in police lockups in the metropolitan area.

The Role of the International Community

United Nations

In July, the U.N. Security Council extended the mandate of the U.N. Observer Mission in Georgia (UNOMIG) until January 31, 2001. The U.N.-led peace process, intended to achieve a negotiated political solution to the festering conflict in the breakaway region of Abkhazia, achieved no tangible solution. In July, UNOMIG reported an increase in violent incidents related to the activities of organized crime on both sides, which it said limited the activities of humanitarian organizations. It urged the parties to demonstrate the political will to engage in intensified negotiations on the issues of Abkhazia's status, the right of return of refugees, and on security and economic rehabilitation.

In August, a prominent member of the Abkhaz opposition, Zurab Achba, was assassinated by unknown individuals in Sukhumi. Achba had worked as consultant to the joint human rights office maintained by UNOMIG and the OSCE. The assassination was linked by some to those opposed to the increasingly organized and vocal opposition to Abkhaz leader Vladislav Ardzinba.

Meanwhile, in June, the U.N. Committee on the Rights of the Child, reviewing Georgia's initial report, expressed concern regarding the large number of children living and working on the streets, recommended that Georgia establish a code of standards to ensure adequate care and protection for institutionalized children, and noted the absence of adequate legislation on juvenile justice.

Organization for Security and Cooperation in Europe (OSCE)

Observers from the OSCE continued to monitor portions of the Georgian border affected by the conflict in Chechnya. The international community expressed concern regarding spillover of the conflict into Georgia.

Council of Europe

In May, members of the Council of Europe monitoring committee visited Tbilisi to assess Georgia's progress in meeting conditions stipulated when it joined the organization in April 1999.

European Union

In early September, members of a visiting E.U. parliamentary delegation, much to their credit, issued an unequivocal and timely public statement urging religious tolerance and condemning violent attacks on journalists, nongovernmental organizations, and religious minorities. In early October, the Cooperation Council between the E.U. and Georgia recommended further work by the Georgian government to ensure citizens an effective and impartial judicial system that would also ensure basic individual freedoms, including religious freedom. The council also urged Georgia to pursue more actively resolution of its internal conflicts.

United States

The United States and United Kingdom embassies in Tbilisi issued a joint public statement on September 15 condemning attacks on religious minorities, but the statement was shamefully late. Despite violent incidents throughout the year that gave ample early warning of the escalation of violence, as well as calls by

Georgian nongovernmental organizations, the statement was issued only after a large scale violent attack occurred on September 9. The reluctance of the U.S. and U.K. governments to issue public statements even as human rights and economic conditions in Georgia deteriorated appeared indicative of the U.S. and European focus on securing and maintaining agreements on transportation routes through Georgia for oil and gas from the Caspian Sea region.

Relevant Human Rights Watch

Reports:

Backtracking on Reform: Amendments Undermine Access to Justice, 10/00

GREECE

Human Rights Developments

Discrimination against Roma in Greece took center stage in 2000 as Roma rights were considered in a special session at the United Nations and in European institutions. Harassment and discrimination against ethnic and religious minorities remained issues of concern as the government's plan to remove the bearer's religion from state-issued identity cards focused public attention on entrenched intolerance of religious minorities. Criminal prosecutions of journalists continued under Greece's draconian libel laws.

Greece's Policy Framework for Roma failed to meet most of its objectives, according to a 2000 implementation review by the government. Illegal evictions and police abuse against Roma continued unabated. Citing police raids on settlements near Athens, rights groups charged the government with "cleansing" Greater Athens of Roma to build sports facilities for the 2004 Olympics. In July, a municipal bulldozer, accompanied by the mayor and police, demolished numerous Roma huts in the Athens Aspropyrgos suburb. Greek and Albanian Roma families in the settlement—situated on a garbage dump—were ordered to leave within three days. The Greek ombudsman, tasked with investigating complaints of human rights abuses, contacted Aspropyrgos Municipality questioning the eviction's legality, but his communication was ignored. The eviction of Roma tent dwellers in the upper part of the dump occurred prior to the Aspropyrgos operation when the mayor of Ano Liosia offered Roma families 100,000 drachmas (U.S.\$266) to leave and then leveled their huts.

Municipal councils continued to issue orders for the eviction of Roma communities. In October 1999, the Rio council voted to evict all Roma for alleged criminality, poor hygiene, and trespassing. A December 1999 meeting spearheaded by rights groups resulted in a halt to evictions until prefecture authorities could provide satisfactory alternative housing. In May 2000, the municipal council in Nea Kios decided to evict all Roma in the area. On May 25, armed police raided local Roma settlements and ill-treated residents, including the beatings of two teenage boys and the denial of medical treatment to their ill father. The family, along with three nephews and an ailing elderly Roma woman, was accused of "stealing electricity" and detained. The detainees were not informed of their rights or permitted to make phone calls, and were denied food and blankets offered by family members. The ombudsman lodged a complaint with municipal authorities.

Human rights activists and politicians were denied access to Nea Kios on June 9 by "citizen brigades" that blocked the streets in the presence of police officers and harassed journalist Panos Lambrou of *Epochi*. Subsequently, non-Roma citizens torched a Roma hut and shot a Roma youth. Protests by rights groups led to a June 16 Ministry of Justice decision to investigate allegations of police abuse in Nea Kios. The police raided a Roma settlement by the River Gallikos in Salonica on July 6 in search of drugs, weapons, and criminal suspects. One hundred Roma were detained but no drugs or weapons were found. The prefecture of Salonica denounced the racist character of the police operation. In May and August respectively, the councils of Nea Tiryntia and Midea called for the eviction of all Roma from their municipalities.

Police continued to enjoy impunity for abuses targeting Roma. In March, a Salonica court dismissed charges against three police officers for the April 1999 killing of Angelos Celal, holding that the officers acted in legitimate self-defense. Celal was unarmed and shot from behind. Human rights groups lodged an unsuccessful appeal requesting that the prosecutor challenge the court's ruling.

In May 2000, the government decided to remove from state-issued identity cards the bearer's religion, a labeling that has facilitated the discriminatory treatment of religious minorities. Human rights groups hailed the decision as a step toward eliminating entrenched religious discrimination. In October 1999, a mob led by the mayor attempted to halt construction of a Jehovah's Witness building in Kosandra. Two journalists were beaten, and representatives of the ombudsman's office and the Jehovah's Witnesses were harassed. Subsequently, the mayor was indicted for incitement to religious hatred but was never arrested or tried. Mehmet Emin Aga, mufti of Yonithi, was convicted in May for "pretense of authority" for assuming the leadership of a minority Muslim group, despite a December 1999 European Court of Human Rights decision against Greece in a similar case (see below).

In November 1999, two journalists for *Eleftherotypia* were indicted for defamation under Greece's libel laws for allegations that the Lesvos police were associated with smugglers. An Athens court convicted Dimitris Rizos, publisher of *Adesmeftos Typos*, in December 1999, on a charge of aggravated defamation of the publisher of another newspaper with the same name. In March 2000, a renowned violinist and a composer were given prison sentences for defamation based on statements made during newspaper interviews.

Defending Human Rights

Most human rights groups operated without interference, although incidents of harassment were reported. Aysel Zeybek, a stateless woman member of Greece's Turkish minority and human rights activist associated with the Greek Helsinki Monitor, complained to the ombudsman detailing harassment she suffered at the Greek-Turkish border in December 1999 when she was the only person on her bus targeted for an intrusive search and verbally harassed about her association with rights groups. At the time, Zeybek, a resident of Greece, possessed official travel documents issued by the Greek government. The ombudsman revealed that Zeybek's "inspection" was conducted by the National Information Service (EYP), Greece's intelligence agency. A letter from the EYP stated that Zeybek's inspection was conducted within the EYP's "competence...in intelligence gathering on matters of national security." Rights groups, including the International Helsinki Federation, lodged protests with the government.

The Role of the International Community

United Nations

The Committee on the Elimination of All Forms of Racial Discrimination (CERD) held a thematic discussion on Roma in August 2000 and released a statement that included information from Greek nongovernmental organizations that Roma communities near Athens were being evicted to clear land for facilities for the 2004 Olympics.

Organization for Security and Cooperation in Europe (OSCE)

A March 2000 report by the OSCE High Commissioner on National Minorities on the situation of Roma and Sinti criticized Greece for evictions of Roma, noting that lack of political will at the highest levels of government resulted in inadequate Roma policy implementation by mid-level policy makers and at the local level.

Council of Europe

The European Commission Against Racism and Intolerance's (ECRI) "Second Report on Greece (June 2000)" stated that problems of exclusion and discrimination against Roma, immigrants, and Muslims persisted; it encouraged the government to raise public awareness of the "multicultural reality" of Greek society. Rejecting the recommendation, the government denied that Greece is a multicultural society.

In December 1999, the European Court of Human Rights found Greece in violation of religious freedom for convicting the mufti of Komotini of "pretense to authority." The court stated that punishing the religious leader of a group that willingly followed him was incompatible with the religious pluralism required by a democratic society.

The Greek government had not, as of this writing, published the European Committee on the Prevention of Torture report on its 1999 visit.

United States

The U. S. State Department's *Country Reports on Human Rights Practices for 1999* noted persistent discrimination against immigrants, religious and ethnic minorities, and Roma, but in an apparent contradiction asserted that "most" minorities are "integrated fully into society."

HUNGARY

Rampant discrimination was at the forefront of human rights concerns as a group of Hungarian Roma took grievances to the European Court of Human Rights, drawing attention to the government's failure to address discrimination against Roma as required by its European Union accession agreement. The ill-treatment and detention of refugees remained a serious concern. Progress on religious freedom suffered a setback as Hungary promulgated a tax law that threatened to marginalize further minority religious groups.

Human Rights Developments

Most of the objectives in the Hungarian government's medium term plan for Roma rights were unmet at the end of 2000, resulting in continued discrimination in employment, housing, and education and police abuse of Hungarian Roma. In July 2000, a group of Roma families from Zámoly traveled to Strasbourg seeking political asylum in France. The Roma also lodged a complaint with the European Court of Human Rights seeking compensation for human rights abuses suffered in Hungary, including persecution and discrimination. The complaint charged that families' homes had been destroyed illegally by the Zámoly municipal government. The families were evicted from temporary accommodation in the local cultural center after six months, and although new homes were built for them in 2000, the Roma said they did not occupy them because they feared racially motivated attacks. In August, Roma representatives from Ózd traveled to Strasbourg to consult with the Zámoly Roma. The Ózd Roma said that fifteen families from that region wanted to emigrate as well due to persecution suffered in Hungary. On August 9, 2000, the European Roma Rights Center (ERRC) sent a letter to Hungarian prime minister Viktor Orbán protesting a spate of discriminatory Roma evictions in Ózd. The ERRC also expressed concern that new legislation, in effect since May 2000, permitting a notary public to order evictions expands the power of local officials to remove Roma from their homes. Although judicial review of a notary's eviction order is possible, injunctive relief is not provided by the new law, leaving families homeless while they challenge evictions.

In January 2000, the government established the Office for Immigration and Naturalization (ON)—a central authority for asylum and immigration matters. The ON began drafting substantial amendments to the laws dealing with asylum and aliens in June but did not invite consultation with nongovernmental organizations. In December 1999, the UN High Commissioner for Refugees warned third countries against the indiscriminate return of asylum seekers who had previously transited Hungary, noting deficiencies in the Hungarian asylum system—in particular, poor conditions of detention for asylum seekers. Hungary continued to deny refugee status to conscientious objectors from the Federal Republic of Yugoslavia (FRY) who fled to Hungary to avoid military service in the Kosovo conflict. Many of the conscientious objectors were granted "authorization to remain" status, valid for one year and renewable annually. Refugee advocates claimed that such status created a high degree of insecurity in the group and prohibited them from full integration into Hungarian society. In a March 2000 judgment on an appeal lodged by a FRY conscientious objector whose application for asylum was rejected, the Budapest Central Court ruled that ON's decision was not "well-founded" and ordered the authority to recommence an assessment of the individual's claim. The court held that ON did not consider the evidence that the claimant could face persecution based on his political opinions and conscientious objector status if returned to FRY. In August 2000, the ON denied the claimant refugee status once again, but he was granted authorization to remain.

A May 2000 amendment to Hungary's tax laws threatened to newly marginalize minority religions. The amendment confirmed sales tax exemption only for Hungary's six "historical" churches and for nonprofit organizations, thus preventing 99 percent of registered churches (for example, Methodists, Adventists, Evangelicals, Pentecostals, and all Eastern religions) from reclaiming sales tax, although most of them sponsor charitable programs of "public utility." Human rights groups charged that the law signaled an increasing tendency in Hungary to privilege certain religions over others.

Defending Human Rights

Most human rights groups in Hungary operated without interference. Recognizing the disproportionate representation of Roma in Hungarian prisons, the Hungarian Helsinki Committee implemented a 2000 pilot project designed to assess the degree and scope of discrimination against Roma in criminal sentencing and began a prison monitoring program in association with the National Prison Administration.

The Role of the International Community

United Nations

In May, U.N. secretary-general Kofi Annan presented Hungary with the Franklin Delano Roosevelt International Disability Award for legislative work to raise awareness and promote access for the disabled "from a human rights perspective."

Organization for Security and Cooperation in Europe (OSCE)

In March 2000, the OSCE High Commissioner on National Minorities issued a report on the situation of Roma and Sinti in the OSCE area. In addition to over-representation in prisons and police abuse of Roma in Hungary, the report highlighted the high rate of Roma unemployment, overt discrimination in employment advertisements, and Hungary's failure to provide employment discrimination victims with an effective remedy.

Council of Europe

The European Commission on Racism and Intolerance's (ECRI) "Second Annual Report on Hungary (June 2000)" expressed concern over continuing discrimination and police abuse of Roma and immigrants. The report stated, among other things, that a large proportion of Roma children are tracked into "corrective" (i.e., remedial) schools, many teachers discriminate against Roma, and teaching materials are prejudiced against Roma.

European Union

In October 1999, the European Commission proposed that updated agreements for candidate countries seeking to join the European Union, including Hungary, make the improvement of the situation of Roma a short and medium term priority. A December 1999 European Union Enlargement Briefing reiterated that Roma in many candidate countries, including Hungary, continued to face deep-rooted prejudice and focused on E.U. support for candidate countries' action plans for integrating Roma into society.

Hungary was co-chair of the Southeast European Stability Pact's Working Table on Democratization and Human Rights from January-June 2000 during which time the working table focused on, among other things, projects promoting the human rights of national minorities, refugee return, and women's rights.

United States

The United States State Department's *Country Reports on Human Rights Practices for 1999* noted that Roma and foreigners in Hungary were subject to discrimination and violent police abuse. The report detailed criticisms by nongovernmental organizations that conditions of detention for asylum seekers were "inhuman."

KAZAKHSTAN

Human Rights Developments

Harassment of opposition political activists continued in 2000, after 1999 elections that were far from free and fair secured another term in office for President Nursultan Nazarbaev and a compliant Parliament. Suppression of independent and opposition-affiliated media remained routine in 2000, a year when massive corruption allegations against President Nazarbaev and other high government officials came to light.

Despite President Nazarbaev's pledge at the November 1999 Organization for Security and Cooperation in Europe (OSCE) Summit in Istanbul to implement the organization's post-election recommendations, the government has yet to publish full election results of the October 1999 primary vote or to account for the many complaints of violations submitted to electoral commissions. The Parliament in June granted Nazarbaev lifetime privileges after his second term in office ends in 2006 (though he has indicated that he may run again), including the right to address Parliament and state institutions and the public at will.

The government continued to use legal action to harass opposition figures. Mabel Ismailov, a leader of the Worker's Opposition Party who served a year in prison on charges of "offending the honor and dignity of the President," was sentenced in April to fifteen days of administrative detention for his participation in a nonviolent demonstration in January.

In February, the government charged former prime minister Akezhan Kazhegeldin—Nazarbaev's one-time rival and leader of the Republican National People's Party (RNPK) after his dismissal in 1997—with illegal weapons possession, and in April, the tax police filed new charges against him. In May, Kazhegeldin's press secretary Igor Poberzhskii was stabbed by an unknown assailant outside of his Moscow apartment. In July, just after details of the international investigation into payments allegedly made to both President Nazarbaev and his former prime minister by foreign oil companies emerged, Italian police acting on a request filed by Kazakhstan with Interpol briefly detained Kazhegeldin at a Rome airport. Kazhegeldin's former bodyguards, Satzhan Ibraev and Petr Afanasevko, were each sentenced to three and one-half years in prison on weapons charges, a move widely seen as political retribution for their connection to Kazhegeldin.

Other members of the opposition were also affected, including political scientist and RNPK member Nurbulat Masanov, who in March awoke to find that he had been sealed into his apartment in advance of a March 30 demonstration. The apartments of RNPK leader Amirzhan Kosanov and Seidakmet Kuttykadam, leader of the Orleu movement, were also sealed. On September 14, police detained Karishal Asanov, a writer, long-time dissident, and recipient of the Human Rights Watch Hellman-Hammett Prize, in his home and held him for three hours. Asanov, who had recently published an article criticizing Kazakhstan's president, was ordered to appear for questioning on September 20.

In July, the Supreme Court upheld the administrative regulations mandating, on grounds of public security, that police had the right to attend any and all meetings of nongovernmental organizations, without providing for any judicial or other review of these police actions. This ruling was sure to have a chilling effect on freedom of assembly, already restricted by Kazakh authorities, who continued to fine members of the Pensioners' Movement Pokolenie (Generation) for their monthly public demonstrations. The Almaty city government granted permission for opposition forces to hold a demonstration on March 30, although attacks on the homes of the rally's leaders suggested state-sponsored interference.

The independent print and broadcast media continued to face intense government repression. The government continued to use libel suits, confiscation of print runs and equipment, and pressure against printing houses and distribution agencies to harass media it found too critical. President Nazarbaev threatened several times over the course of the year to investigate unspecified media outlets for supposed antisocial crimes. Opposition-affiliated journalists also ran the risk of physical assault: Lira Baisetova, editor of the opposition newspaper *Respublika-2000*, was beaten by an unidentified man outside her apartment on September 15 who warned her against continuing her activities. The government blocked broadcast of Russian television programs for several days in November 1999, after one program broadcast news that Swiss bank accounts linked to President Nazarbaev had been frozen. After reporting on the sealing of opposition leaders' doors in

LATE MARCH, EDITOR-IN-CHIEF TATIANA DELTSOVA OF THE NEWS PROGRAM ON ALMATY'S PRIVATE TV. CHANNEL 31 WAS DISMISSED FROM HER JOB. IN MAY, COURT EXECUTORS ENFORCING A LIBEL JUDGMENT SEIZED THE PROPERTY OF THE NEWSPAPER *NACHNEM S PONEDEL'NIKO* (LET'S BEGIN ON MONDAY), FORCING IT TO FOLD; THE PAPERS' EDITORS BEGAN A NEW VENTURE, *DO I POSLE PONEDEL'NIKO* (BEFORE AND AFTER MONDAY). IN JUNE, UNIDENTIFIED MEN SEIZED THE ENTIRE PRINT RUN OF THAT PAPER AND FORCED ONE OF ITS EMPLOYEES TO SET IT ON FIRE. TWO NEWSPAPERS, THE *AZANAT-TIMES* (CITIZEN TIMES) AND *KARAGANDINSKIY VESTNIK* (KARAGANDA GAZETTE), WERE ALSO THE SUBJECT OF LIBEL SUITS. AFTER ITS PRINTING PRESS REFUSED UNDER GOVERNMENT PRESSURE TO PRINT THE FIFTIETH ISSUE OF THE KAZAKH-LANGUAGE OPPOSITION PAPER *SOLDAK* (THE NAME IS A PLAY ON THAT OF THE BANNED *DAK*, IN KAZAKH, "LET ME SPEAK", WHICH WAS CLOSED LAST YEAR) IN JULY, THE ISSUE WAS PRODUCED ACROSS THE BORDER IN RUSSIA, BUT THEN DETAINED AT THE BORDER FOR SEVERAL DAYS. THE STATE SECURITY COMMITTEE (KNB, FORMERLY THE KGB) HAD REPORTEDLY BEGUN INVESTIGATING THE PAPER ON CHARGES OF "IMPUGNING THE HONOR AND DIGNITY OF THE PRESIDENT" ON GROUNDS THAT IT PUBLISHED A TRANSLATION OF AN ARTICLE ON THE INVESTIGATION OF ILLEGAL PAYMENTS BY OIL COMPANIES TO HIGH GOVERNMENT OFFICIALS, INCLUDING THE PRESIDENT, FROM U.S.-BASED *FORTUNE* MAGAZINE. *VREMIA P.O.*'S PRINTING HOUSE REFUSED TO PUBLISH THE PAPER AFTER IT RAN AN ARTICLE CRITICAL OF THE PRIME MINISTER IN AUGUST. KAZAKHSTAN CONTINUED TO CENSOR THE INTERNET, BLOCKING ACCESS TO THE NEWSITE *EURASIA.RU* FROM WITHIN THE COUNTRY IN SEPTEMBER AND OCTOBER.

KAZAKH NGOs AND INTERNATIONAL ORGANIZATIONS SUCH AS THE OSCE HAVE HELPED FOCUS GOVERNMENT ATTENTION ON KAZAKHSTAN'S HORRENDOUS PRISON CONDITIONS. INMATES IN THREE SEPARATE PENAL INSTITUTIONS THIS YEAR CARRIED OUT MASS SELF-MUTILATIONS TO PROTEST CONDITIONS; THE LARGEST INCIDENT, IN KOSTANAI PROVINCE IN JUNE, INVOLVED FORTY-FOUR PRISONERS. THE GOVERNMENT MADE PUBLIC STATEMENTS DEPLORING THE WIDESPREAD USE OF TORTURE IN CRIMINAL INVESTIGATIONS AND POLICE BRUTALITY, BUT DECLINED TO TAKE ACTION AGAINST PERPETRATORS. IN A CASE DOCUMENTED BY THE KAZAKHSTAN INTERNATIONAL BUREAU FOR HUMAN RIGHTS AND THE RULE OF LAW (KIBHRRLL), DOCUMENTARY FILMMAKER DMITRII PISKUNOV WAS LEFT IN A COMA AFTER A BEATING BY A KNB OFFICER AFTER A TRAFFIC DISPUTE IN JULY; WHILE CHARGES HAVE BEEN FILED, THE INVESTIGATION HAS LANGUISHED.

GOVERNMENT INTOLERANCE FOR NON-TRADITIONAL RELIGIOUS GROUPS WAS EVIDENCED BY THE SEIZURE IN JUNE OF RELIGIOUS LITERATURE FROM A GROUP OF JEHOVAH'S WITNESSES AND THE BARRING OF A PROTESTANT MISSIONARY FROM THE UNITED STATES FROM ENTERING THE COUNTRY. TENSIONS SURFACED IN KAZAKHSTAN'S ISLAMIC COMMUNITY AS WELL, LEADING TO THE SUDDEN RESIGNATION IN JUNE OF KAZAKHSTAN'S CHIEF MUFTI, THE HEAD OF THE SPIRITUAL DIRECTORATE OF KAZAKHSTAN'S MUSLIMS. IN SEPTEMBER, KAZAKHSTAN'S FOREIGN MINISTRY REPORTEDLY ORDERED ALL YOUNG MEN FROM KAZAKHSTAN STUDYING AT RELIGIOUS INSTITUTIONS IN ISLAMIC COUNTRIES TO RETURN.

Defending Human Rights

IN NOVEMBER 1999, FIRE SWEEPED THROUGH THE OFFICES OF THE KAZAKHSTAN INTERNATIONAL BUREAU FOR HUMAN RIGHTS AND THE RULE OF LAW IN AN AS YET UNEXPLORED INCIDENT. NO INCIDENTS OF HARASSMENT OF HUMAN RIGHTS MONITORS IN KAZAKHSTAN WERE REPORTED THIS YEAR.

The Role of the International Community

Organization for Security and Cooperation in Europe (OSCE)

IN JANUARY, THE OSCE OFFICE FOR DEMOCRATIC INSTITUTIONS AND HUMAN RIGHTS ELECTION OBSERVATION MISSION ISSUED ITS FINAL REPORT ON PARLIAMENTARY ELECTIONS HELD IN OCTOBER 1999, OUTLINING SEVENTEEN RECOMMENDATIONS. THE OSCE CENTER IN ALMATY ATTEMPTED TO MONITOR WHETHER THESE RECOMMENDATIONS, INCLUDING CHANGES TO THE ELECTION LAW, HAVE BEEN IMPLEMENTED. TO THAT END, ON SEPTEMBER 2 THE CENTER SPONSORED THE FIRST IN A SERIES OF ROUND TABLE DISCUSSIONS ON THE QUESTION OF ELECTIONS, WHICH INCLUDED REPRESENTATIVES OF THE GOVERNMENT AND PRO-GOVERNMENT GROUPS AS WELL AS OPPOSITION POLITICAL PARTIES AND NONGOVERNMENTAL ORGANIZATIONS.

European Union

PRESIDENT OF THE EUROPEAN COMMISSION ROMANO PRODI AND EXTERNAL RELATIONS COMMISSIONER CHRIS PATTEN MET WITH PRESIDENT NAZARBAEV IN JUNE AND REPORTEDLY STRESSED THE NEED FOR FURTHER PROGRESS TOWARDS DEMOCRACY; A TEXTILE AGREEMENT WAS ALSO SIGNED. IN JULY, THE E.U./KAZAKHSTAN COUNCIL MET FOR THE SECOND TIME, ONE YEAR AFTER THE PARTNERSHIP AND COOPERATION AGREEMENT CAME INTO FORCE. THEIR PUBLIC STATEMENT INDICATED THAT THE COOPERATION COUNCIL DISCUSSED POLITICAL AND HUMAN RIGHTS ISSUES.

Council of Europe

THE POLITICAL AFFAIRS COMMITTEE OF THE PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE (PACE) CONTINUED TO CONSIDER KAZAKHSTAN'S APPLICATION FOR OBSERVER STATUS THIS YEAR.

United States

THE DECEMBER 1999 MEETING OF THE U.S.-KAZAKHSTAN JOINT COMMISSION, CHAIRED BY VICE PRESIDENT AL GORE, REPORTEDLY OBTAINED PRESIDENT NAZARBAEV'S COMMITMENT TO WORK CLOSELY WITH THE OSCE ON IMPLEMENTING DEMOCRATIC REFORM. VISITS TO KAZAKHSTAN BY THE HEAD OF THE CIA, THE HEAD OF THE FBI, NATO COMMANDER WESLEY CLARK, AND SECRETARY OF STATE MADELEINE ALBRICHT IN THE SPRING CAME AS THE U.S. STRUGGLED TO PRESERVE ITS INFLUENCE IN THE REGION. THE HARSHTEST U.S. CRITICISM CAME NOT ON HUMAN RIGHTS ISSUES, BUT IN RESPONSE TO THE ILLEGAL SALE OF FIGHTER AIRCRAFT TO NORTH KOREA IN 1999 INVOLVING HIGH KAZAKH GOVERNMENT OFFICIALS. THE U.S. PROFFERED U.S.\$3 MILLION IN ADDITIONAL ASSISTANCE FOR COUNTERTERRORISM, AS WELL AS A U.S. TRADE AND DEVELOPMENT AGENCY (TDA) GRANT OF U.S. \$600,000 FOR A SURVEY OF NATURAL GAS RESOURCES.

KOSOVO

Human Rights Developments

DESPITE THE EFFORTS OF THE UNITED NATIONS CIVILIAN ADMINISTRATION AND A MASSIVE NORTH ATLANTIC TREATY ORGANIZATION (NATO) PRESENCE, HUMAN RIGHTS IN KOSOVO FREQUENTLY REMAINED AN ABSTRACTION DURING 2000. ETHNIC MINORITIES WERE HARDEST HIT, WITH CONTINUING VIOLENCE AGAINST THE PROVINCE'S SERB, ROMA, MUSLIM SLAV, GORANI, AND TURKISH POPULATIONS, AND THE ALBANIAN MINORITY LIVING IN NORTHERN MITROVICA TOWN. AT THE TIME OF THIS WRITING, MUNICIPAL ELECTIONS WERE SCHEDULED FOR OCTOBER 29, DESPITE THE ABSENCE OF CONDITIONS FOR THEIR FREE AND FAIR CONDUCT AND AGAINST A BACKDROP OF RISING POLITICAL VIOLENCE AMONG ALBANIAN KOSOVAR PARTIES AND A SERB BOYCOTT. EFFORTS TO ESTABLISH RULE OF LAW AND TO END IMPUNITY WERE HAMPERED BY SHORTCOMINGS IN THE NASCENT JUSTICE SYSTEM, AND INADEQUATE AND INCOMPETENT POLICING. THE NATO-LED KOSOVO FORCE (KFOR) AND ITS MEMBER GOVERNMENTS WERE RELUCTANT TO TAKE DECISIVE ACTION AGAINST ELEMENTS OF THE FORMER KOSOVO LIBERATION ARMY (KLA) LINKED TO ATTACKS ON MINORITIES AND POLITICAL OPPONENTS. DESPITE PROGRESS IN IDENTIFYING THE FATE OF MISSING PERSONS, MORE THAN 3,000 REMAINED UNACCOUNTED FOR FROM LAST YEAR'S ARMED CONFLICT, MOST OF THEM ETHNIC ALBANIANS.

For the most part confined to mono-ethnic enclaves and unable to travel without KFOR escorts, the situation of minorities in Kosovo remained extremely precarious. Few of the more than 150,000 non-Albanians who fled from Kosovo since June 1999 attempted to return. Roma and especially Serbs continued to bear the brunt of much of the violence. Ethnic Croats, Muslim Slavs (including Torbesh), Gorani, and Turks also faced attacks, harassment, and pressure to leave their homes. Although far fewer murders and kidnappings took place in 2000 than in 1999, minorities continued to be disproportionately affected. On February 2, Jostip Vasic, a prominent doctor and moderate member of the Serb National Council, was shot dead in a Gnjilane street by unknown assailants. On April 3, Metodije Halavaska, an eighty-six-year-old ethnic Czech man, was kidnapped from his home in Pristina, beaten, and shot in the back of the head. A seventy-year-old Bosniak woman in Pec was hospitalized the same month after being beaten in the street by fifteen Albanian men. On May 15, the body of twenty-five-year-old Serb translator Petar Topoljski was found in the village of Rimanište, near Pristina. Topoljski had gone missing a week earlier from his job with the United Nations Mission in Kosovo (UNMIK), after his name and movements were published in the Kosovo daily newspaper *Dita*, together with allegations that he was a Serb paramilitary who had participated in the mass expulsions of Albanians from the province.

The weeks surrounding the first anniversary of NATO's entry into Kosovo on June 12 saw an upsurge in violence against minorities in the province. A series of grenade and landmine attacks and drive-by shootings targeting Serbs left eleven dead and more than a dozen wounded. Valentina Cukic, an editor of a Serbian-language program of the multi-ethnic Radio Kontakt, was shot and badly wounded in Pristina June 20, together with her companion, while wearing her KFOR press identification. On July 12, a Serbian Orthodox priest and two seminary students were wounded in a drive-by shooting near the village of Klokot. In a sinister development in August, minority children were targeted: on August 19, a grenade was thrown from a moving car into a group of children at a basketball court in the Serb village of Crkvena Vodica leaving ten wounded. On August 27, an Albanian man drove his car into a group of children in the same village before fleeing the scene, killing one child and wounding three. An eighty-year-old Serb farmer from the same village was shot dead later the same day. On September 14, a forty-five-year-old Serb woman was shot dead at her home in Kamenica. A sixty-year-old Serb shepherd reported missing was discovered dead near Strpce on October 4, with gunshot wounds to the body.

The international community struggled to balance free expression against curbs on speech inciting hatred and violence. The practice of publishing the names of alleged Serb war criminals in Kosovo newspapers, redolent of the notorious lists published in the Croatian region of Eastern Slavonia, drew condemnation from UNMIK and the OSCE, but international efforts against hate speech, including the appointment of a temporary media commissioner with wide powers and the temporary closure of *Dita* after it repeatedly published inflammatory allegations against Serbs, were criticized by Kosovo Albanian journalists and international press freedom groups as an attack on free speech.

The divided town of Mitrovica remained a flash-point for inter-ethnic conflict. Some of the worst violence in the town followed a February 2 rocket attack on a UNHCR bus under KFOR escort traveling to Mitrovica from the Serb village of Banja in which two elderly Serbs were killed and three wounded. The attack sparked a wave of fit-for-fat inter-ethnic violence in northern Mitrovica that left eight non-Serbs dead and led 1,700 Albanians, Turks, and Muslim Slavs to flee their homes. The prospects for a lasting solution to the town's status remained dim. Violence against Albanians was not confined to Mitrovica. The murder of two Albanians in the village of Curbeljs by a group of Serbs on June 12, the first anniversary of the end of war, echoed the persecution of Albanians a year earlier.

Much of the violence against Albanians, however, occurred at the hands of other Albanians. The murder of a politician from the Democratic League of Kosovo, the party headed by Ibrahim Rugova and known by its Albanian acronym, LDK, and the kidnapping and interrogation of another in the Drenica region in November 1999 was followed by a spate of execution-style killings of prominent KLA fighters. Although the killings were frequently attributed to rivalries among organized crime figures, some of the murders, including the killing in May of a politically moderate former KLA commander, Ekrem Rexha (known as Commander "Drini"), had a political dimension.

Political violence increased over the summer. On June 15 Alil Dresa, a senior LDK politician, was shot dead by persons wearing insignia of the former KLA. On July 7, Ramush Haradinaj, a politician and former senior KLA commander, was wounded in the village of Strepce during what appears to have been a shootout. On July 12, a close aide to Haradinaj was murdered. The burned corpse of Shaban Manaj, a senior LDK official, was discovered on August 6 in a remote village. He had been kidnapped on July 27. Attacks directed against the LDK continued in August. On August 1, an LDK activist was shot and wounded in Podujevo. The head of the LDK in Srbica was wounded in a shooting the following day. The wife of an LDK official died in an explosion at their home in Dragash on August 9. Several LDK offices were attacked during the same month. Political motives were also suspected in the September murders of Shefki Popova and Reshat Luci, two prominent Albanians with close ties to the LDK. Popova, a veteran journalist with Albanian-language daily *Pilindja* and Luci, head of Kosovo's housing and reconstruction department, were gunned down on consecutive days.

Despite the absence of "an atmosphere free of violence and intimidation" (an OSCE condition for free and fair elections), the international community pressed ahead with its plans to hold municipal elections, at the time of writing, scheduled for October 29. While most eligible Albanians registered to vote, Serbs, Muslim Slavs, and other minorities boycotted registration, citing lack of security, thus rendering them ineligible to vote. As if to confirm their reservations, a bomb exploded on August 19 in a Pristina building housing the offices of smaller Albanian, Turkish, and Bosniak political parties, as well as the Yugoslav representation in Pristina. Despite the violence and concerns that conditions were inadequate for free and fair elections, the body set up by the OSCE to enforce standards during the election was weak and lacked effective sanctions.

The International Organization for Migration in Kosovo reported that traffickers had lured dozens of women to Kosovo with offers of lucrative jobs: the women found themselves trapped in forced prostitution in brothels around the province.

Defending Human Rights

Restrictions on freedom of movement, inter-ethnic animosity, and the legacy of a decade of repression and armed conflict impaired human rights work by local nongovernmental organizations in Kosovo. The Humanitarian Law Center largely restricted its activities to monitoring the issue of missing persons and prisoners. Reports by the Council for the Defense of Human Rights and Freedoms were frequently politicized and sometimes limited to abuses against Albanians and those committed by Serbs. International human rights groups were mostly able to carry out investigations unhindered, although the highly variable security situation in Mitrovica and some minority enclaves sometimes limited or prevented access. Local organizations protested freely and often about the fate of Kosovo Albanian prisoners in Serbian jails.

The Role of the International Community

Kosovo remained a de facto international protectorate during 2000, administered by UNMIK, with security provided by NATO-led KFOR peacekeepers and United Nations police and financed primarily by the European Union and United States governments and the World Bank. Yugoslavia had little influence on events in the province outside the Serb-dominated municipalities north of Mitrovica. The international community's policies toward Kosovo pulled in contradictory directions: expected municipal elections aimed to increase local self-government for Kosovo's population, while in the area of the courts and media, international involvement

increased. Despite an ongoing security gap for minorities, political violence, and growing crime, with elements of former KLA and Kosovo Protection Corps clearly implicated, NATO and the U.N. remained unable or unwilling to confront the perpetrators in a decisive and consistent manner.

United Nations

UNMIK made some progress in establishing transitional power structures and persuading most leading Albanian politicians and some moderate Serb leaders to participate in them. Its international civilian police, tasked both with policing the province and establishing a local Kosovo Police Service, remained under-equipped and often poorly trained and faced difficulties obtaining cooperation from local communities, judges, and prosecutors, and in some cases KFOR, with most cases left unsolved or dropped before reaching the courts. A case involving a Kenyan aid worker wrongly accused of fraud highlighted concerns about due process violations by U.N. police. The establishment in August of a special U.N. police unit for the protection of Serbs was a more positive development. Evidence of bias and intimidation in the nascent local court system, and a lack of serving judges from minorities led UNMIK to acknowledge that, as with the police, a greater degree of initial international supervision would be necessary. Following the model of Mitrovica, UNMIK appointed international judges to some courts and transferred some sensitive cases involving minority or political violence to those courts. On August 14, the Polish human rights lawyer appointed by the special representative of the secretary-general in July as Kosovo's first ombudsman made his first working visit to the province. The ongoing detention of some 1,200 Kosovo Albanians in Serbia, as well as the lack of information about the fate of some 3,300 missing persons from Kosovo, including 400 Serbs and one hundred Roma, was highlighted by U.N. High Commissioner for Human Rights Mary Robinson's appointment, on September 1, of a special envoy on persons deprived of liberty. In an April resolution, the U.N. Commission on Human Rights emphasized the need for an independent judiciary and an end to inter-ethnic violence in Kosovo. The International Criminal Tribunal for the former Yugoslavia continued its investigations in Kosovo into crimes committed by government forces and the KLA.

Organization for Security and Cooperation in Europe (OSCE)

Charged with institution building, the OSCE Mission in Kosovo performed well in the area of human rights training and monitoring, producing accurate and public periodic reports with UNHCR on the difficulties faced by Kosovo's minorities. Its lead role in organizing municipal elections was less positive, with lessons from Bosnia regarding the need for basic conditions for free and fair elections and enforcement of standards seemingly ignored. The OSCE's efforts to tackle hate speech also drew criticism from press freedom groups and Kosovo Albanian journalists.

North Atlantic Treaty Organization

The NATO-led KFOR remained the most important security actor in Kosovo. Despite some improvements, including a more mobile approach to protecting minorities pioneered by the British contingent, a reduction in the murder rate, more aggressive pursuit of illegal weapons, and an acknowledgment that attacks on minorities were organized, KFOR remained reluctant to confront the armed elements responsible for many of the attacks. An uneven response to violence among KFOR's various national contingents, an inadequate response to attacks on Roma, and complaints about cooperation with U.N. police also cast a shadow on KFOR's record.

Council of Europe

The Council of Europe and particularly its Congress of Local and Regional Authorities continued its support for democratic institution building and human rights in Kosovo through the council's office in Pristina. In July, the newly established council observation mission began monitoring preparations for the municipal elections scheduled for October 29.

European Union

European Union governments generally showed a reluctance to move beyond the condemnation of violence against minorities and toward tackling its causes. While showing more equivocation on early municipal elections than the U.N. or U.S., leading E.U. states were nonetheless unwilling to call publicly for postponement. The European Union continued to finance much of the international effort in Kosovo, although there were renewed criticisms of delays in the disbursement of promised aid by the European Commission.

United States

The United States was willing to condemn violence against minorities and even in June to acknowledge that such violence was systematic, but despite organizing a June conference of Albanian and Serb leaders outside Washington, it showed far less willingness to expend the political capital or deploy its troops in KFOR in the manner necessary actually to improve security in the province. The laissez-faire approach of U.S. policy to Kosovo was most clearly manifest in its strong support for early elections in the province, its unwillingness to acknowledge publicly the involvement of KLA members in ethnic and political violence, and in the trial of the Momcilovic brothers, where the U.S. army withheld evidence that an Albanian man involved in an attack on the Momcilovic home had in fact been shot by U.S. troops and not by the Serb defendants, who spent a year in pretrial detention.

Relevant Human Rights Watch Reports:

Kosovo: Rape As A Weapon of "Ethnic Cleansing," 3/00

KYRGYZSTAN

Human Rights Developments

In 2000, President Askar Akaev's actions shattered the illusion of Kyrgyzstan as an "island of democracy" in a repressive region. Armed clashes on the country's border, manipulated polls for parliament and for the presidency, and restrictions on free speech, press and association, minority rights, and religion fostered an ongoing crisis, with dire implications for human rights.

The government of Kyrgyzstan attempted to limit access to the southern border with Tajikistan after armed clashes between fighters of the Islamic Movement of Uzbekistan (IMU) and Kyrgyz government troops resumed in August. Reports emerged of civilian deaths from mines laid by the Kyrgyz military in mountainous border areas; over one thousand civilians had been relocated from the conflict zone at the time of writing, in what was claimed to be a voluntary process. The IMU, whose

stated goal was to move into Uzbek territory from its reported redoubts in Tajikistan and Afghanistan, once again took several sets of hostages, some of whom were released and some of whom escaped. Kyrgyz warplanes launched bombing raids on border areas in Kyrgyzstan and Tajikistan; thirty Kyrgyz were officially acknowledged to have been killed.

In elections to the parliament in February and March 2000, and for president on October 29, 2000, the government blatantly violated citizens' rights. Though fifteen "parties" participated in the parliamentary vote, courts barred four, including the three most popular opposition parties—EL-BEI BECHORA (THE PEOPLE'S PARTY) AND AR-NAMYS (DIGNITY), AND LATER THE DEMOCRATIC MOVEMENT OF KYRGYZSTAN—from advancing a slate of candidates, based on two provisions of the electoral law hastily passed in 1999. The government also erected significant barriers for individual opposition candidates to register. International and domestic observers noted widespread instances of fraud.

The boldness with which the Kyrgyz government attacked Akoev's potential presidential rivals, including former vice president Gen. Felix Kulov, shocked even the most jaded observers. Kulov was tried by a closed military tribunal after being arrested in March and charged with abusing his official powers when he served as minister of national security. Although the tribunal acquitted him of any wrongdoing in August, state prosecutors appealed the verdict, and a retrial was ordered in September. A Supreme Court judge, Akyzbek Tilebaliev, who was said to have influenced the first court's decision to acquit, was allegedly forced by the government to resign.

In May, a Bishkek court convicted Daniier Usenov, then leader of the Kyrgyz People's Party (EL-BEI BECHORA), and another challenger for the presidency on a four-year-old assault charge in which the plaintiff had withdrawn his original complaint, sentencing him to two years of probation. Kyrgyz law permanently bars persons with criminal convictions from standing for election to public office.

Long-time political activist, human rights defender, and founder of Kyrgyzstan's nongovernmental Guild of Prisoners of Conscience Topchubek Turgunaliyev was convicted in August of plotting an attempt on President Akoev's life and overthrow of the state's constitutional system. Turgunaliyev and six of his eight codefendants were sentenced to from sixteen to seventeen years in prison. The seventh man charged in the case, an officer of the MNB (Ministry for National Security, formerly the KGB) and the state's lone witness, was given a suspended sentence and immediately released.

The government introduced mandatory Kyrgyz language testing for potential presidential candidates in 2000. Seven potential opposition candidates were excluded under this provision. Citizens wishing to gather signatures to support opposition candidates faced threats and harassment, including dismissal from jobs. According to local human rights groups, provincial governors appointed by the president compelled teachers and other civil servants to support Akoev.

Authorities dealt harshly with demonstrators, casting a chill over the rights to freedom of speech and association. In March, police beat demonstrators in Kulov's home base of Kara-Bura, injuring several.

Independent newspapers' vigorous reporting during the election spawned an intense government backlash. On January 13, the Supreme Court upheld a court decision finding the popular private newspaper *Res Publica* guilty of defaming a government official; under threat of closure, the paper paid the damage award, but government harassment continued. In August, the Ministry for State Security questioned three members of the editorial board of the paper *DELO NO* (CASE NUMBER) in an investigation of alleged "disclosure of state secrets," following an article on the case against Felix Kulov. KGB officials searched the homes of *DELO NO* journalists in September. A Bishkek court began to consider the libel suit brought by parliamentary deputy and former Kyrgyz Communist Party First Secretary Turdakun Usubaliyev against the independent newspaper *Asaba* (THE STANDARD) in late August. Tellingly, Usubaliyev was seeking to have publication suspended during the trial, as well as 50 million soms (approximately U.S. \$1.06 million) in damages. The paper's owner, People's Party leader Melis Eshimkanov, was challenging President Akoev in the October 29 election. Journalist Moldosaly Ibrahimov, from the southern region of Jalal-Abad, was jailed for five weeks after being charged with libel for an article he wrote about corruption during the run-up to the parliamentary elections. Media restrictions also raised minority rights questions when the government attempted to strip the private station Osh TV, which broadcasts in Uzbek, of its broadcasting license. In the face of local and international protests, the State Commission for Radio Frequencies postponed a decision until the end of the year.

The government of Kyrgyzstan also engaged in internet censorship, shutting down the independent news site "Politika KG" from late August until October 29, the date of the presidential elections.

Kyrgyzstan intensified repression against the Islamic group Hizb ut-Tahrir (Party of Liberation), mainly active in the southern Osh province, arresting tens of the group's followers and sentencing them to prison terms on charges of inciting religious and racial hatred.

Kyrgyzstan flouted its obligations as a signatory to the 1951 Refugee Convention and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in April by its forcible deportation of Jeli Turdi, an ethnic Uighur, back to the People's Republic of China, where he risked mistreatment including torture.

Defending Human Rights

In March, prosecutors formally warned NGO Coalition for Democracy leader, Toletan Ismailova, Lidia Fomova of the Association for Social Protection of the Population, and other NGO leaders that they faced arrest under Criminal Code article 233, which punishes "destabilizing the social order," for their human rights activities. In May the Ministry of Justice refused to register the nongovernmental Guild of Prisoners of Conscience, stating that the Kyrgyz constitution precluded any arrests on political grounds.

The Kyrgyz Committee for Human Rights (KCHR) and its chairman, Ramazan Dyrlyldaev, faced increasingly serious harassment, as state officials attempted to confiscate the group's property, after court decisions revoked its registration. Facing arrest on criminal charges in late July, Dyrlyldaev, his son, and one other KCHR activist fled the country, and they remained abroad as of this writing.

The Role of the International Community

United Nations

The UN Resident Coordinator Office in Bishkek monitored the situation of internally displaced persons (IDPs) in connection with the Uzbek rebel incursion in August.

Kyrgyzstan submitted several reports to United Nations treaty bodies in 1999–2000. The United Nations Committee on the Rights of the Child concluded that the government was not making the necessary effort to comply with the treaty's provisions in May. In July, the Human Rights Committee reviewed and found lacking Kyrgyz compliance with its obligations under the International Covenant on Civil and Political Rights.

Organization for Security and Cooperation in Europe (OSCE)

The OSCE announced at the end of January that it would send a full observer mission to the parliamentary elections in February, shortly before the Kyrgyz government disallowed the participation of several opposition candidates. The final report of that mission thoroughly summarized election abuses and issued a series of recommendations on improving the electoral process, but the OSCE did not insist that they be implemented as a condition to its observing the October

PRESIDENTIAL POLL. IT ANNOUNCED ON SEPTEMBER 14, THAT IT WOULD DO SO, WHILE ISSUING SEVERAL STATEMENTS CRITICAL OF THE ARREST AND HARASSMENT OF OPPOSITION FIGURES. IN THE AFTERMATH OF THE PARLIAMENTARY POLL, THE OSCE PRESSED THE GOVERNMENT TO HOLD ROUNDTABLE DISCUSSIONS WITH THE OPPOSITION, WHICH WAS LARGELY EXCLUDED FROM THE NEW PARLIAMENT, BUT THE GOVERNMENT HAS REFUSED TO DO SO. IN APRIL, THE OSCE OPENED A FIELD OFFICE IN THE SOUTHERN CITY OF OSHI.

European Union

THE EUROPEAN UNION HELD THE SECOND MEETING OF ITS COOPERATION COUNCIL WITH KYRGYZSTAN IN JULY, WHICH, THOUGH IT NOTED THE IMPORTANCE OF DEMOCRATIC REFORMS, "CONCLUDED THAT COOPERATION IN 2000/2001 SHOULD FOCUS IN PARTICULAR ON THE IMPROVEMENT OF THE BUSINESS CLIMATE." AFTER THE AUGUST INCURSION, THE E.U. DELEGATION TO THE OSCE PERMANENT COUNCIL ISSUED A STATEMENT RECOGNIZING THAT "THE STRENGTHENING OF CIVIL SOCIETIES, PROGRESS IN DEMOCRATIZATION AND THE RULE OF LAW AS WELL AS THE IMPROVEMENT OF ECONOMIC AND SOCIAL CONDITIONS ARE ESSENTIAL IN THE FIGHT AGAINST EXTREMISM AND FUNDAMENTALISM."

United States

DURING HER APRIL VISIT TO THE REGION, SECRETARY OF STATE MADELEINE ALBRIGHT CRITICIZED THE KYRGYZ RETREAT FROM DEMOCRACY AND EXTRACTED A PROMISE FROM PRESIDENT AKAEV TO FOLLOW OSCE RECOMMENDATIONS FOR IMPROVEMENTS IN ADVANCE OF OCTOBER'S PRESIDENTIAL ELECTION; ALBRIGHT THEN EXTENDED U.S.\$3 MILLION IN SUPPLEMENTARY COUNTERTERRORISM ASSISTANCE. THE ADMINISTRATION REQUESTED \$37 MILLION IN ASSISTANCE FOR KYRGYZSTAN IN 2001, AN \$9 MILLION INCREASE OVER ESTIMATED 2000 EXPENDITURES, AND PREFACED ITS JANUARY 2000 REQUEST BY STATING THAT "KYRGYZSTAN'S COMMITMENT TO DEMOCRATIZATION AND ECONOMIC REFORM STAND OUT AS AN EXAMPLE OF THE SUCCESSSES THAT CAN BE ACHIEVED IN CENTRAL ASIA." AFTER FIRST INVITING KYRGYZSTAN TO THE JUNE CONFERENCE OF DEMOCRATIC STATES IN WARSAW, IN MAY THE CONVENING STATES, INCLUDING THE UNITED STATES, SUGGESTED TO KYRGYZSTAN THAT IT WOULD BE BEST IF ITS DELEGATION DID NOT MAKE AN APPEARANCE.

MACEDONIA

Human Rights Developments

ALTHOUGH THE INTERNATIONAL COMMUNITY CONTINUED TO VIEW MACEDONIA AS A MODEL OF STABILITY AND DEMOCRACY IN THE REGION, ITS HUMAN RIGHTS RECORD REMAINED PATCHY IN 2000, WITH POLICE BRUTALITY AND THE TREATMENT OF MINORITIES CONTINUING AREAS OF CONCERN. EVENTS LEADING UP TO THE ELECTION OF MACEDONIA'S SECOND PRESIDENT AT THE END OF 1999 TYPIFIED THE COUNTRY'S MIXED RECORD: AFTER A GENERALLY WELL-CONDUCTED FIRST ROUND OF ELECTIONS ON OCTOBER 31, 1999, THE NOVEMBER 14, 1999, RUN-OFF WAS FLAWED BY SERIOUS IRREGULARITIES IN SOME DISTRICTS. WHEN THE STATE ELECTORAL COMMISSION ORDERED A NEW ROUND OF VOTING ON DECEMBER 5 IN 230 POLLING STATIONS, IRREGULARITIES WERE AGAIN REPORTED, MARRING THE VICTORY OF BORIS TRAJKOVSKI, THE CANDIDATE OF THE RULING COALITION, WHO TOOK OFFICE ON DECEMBER 15.

THE KILLING OF THREE POLICE OFFICERS OUTSIDE THE ALBANIAN VILLAGE OF ARACINOVO ON JANUARY 11, 2000, SPARKED SOME OF MOST SERIOUS CASES OF POLICE ABUSE IN MACEDONIA SINCE THE RIOTS AND SUBSEQUENT CRACKDOWN IN GOSTIVAR AND TETOVO IN 1997. DURING RIOTS ON ARACINOVO BY POLICE UNITS DURING THE THREE DAYS AFTER THE KILLING, ARACINOVO'S ETHNIC ALBANIAN RESIDENTS REPORTED WIDESPREAD BEATINGS AT THE HANDS OF POLICE, AS WELL THE DESTRUCTION OF PROPERTY AND THE USE OF TEAR GAS. ONE OF THE THREE SUSPECTS ARRESTED IN CONNECTION WITH THE MURDERS OF THE POLICE DIED IN POLICE CUSTODY, AND AT THE TIME OF THIS WRITING, THE AUTOPSY REPORT HAD YET TO BE RELEASED. NINE OTHER SUSPECTS WERE ARRESTED AND BEATEN IN CUSTODY AND SOME CLAIM TO HAVE BEEN FORCED TO SIGN CONFESSIONS. AT TIME OF THIS WRITING, THE MURDERS OF THE POLICE OFFICER REMAINED UNSOLVED.

AN INVESTIGATION BY THE OFFICE OF THE OMBUDSMAN IN MACEDONIA FOUND THAT THE POLICE HAD USED EXCESSIVE FORCE IN ARACINOVO AND RECOMMENDED AN INTERNAL INVESTIGATION. ALTHOUGH SOME FAMILIES WERE COMPENSATED FOR DAMAGE TO THEIR PROPERTY, THE GOVERNMENT DID LITTLE TO TACKLE POLICE ABUSE IN THE WAKE OF THE INCIDENT. THE SUSPICIOUS DEATH IN CUSTODY OF ANOTHER ETHNIC ALBANIAN MAN IN A SKOPJE PRISON ON MAY 14 DID LITTLE TO IMPROVE CONFIDENCE IN POLICING AMONG THE ALBANIAN COMMUNITY. IN THE THREE MONTHS FOLLOWING THE ARACINOVO KILLINGS, THREE POLICE STATIONS IN PREDOMINANTLY ETHNIC ALBANIAN AREAS WERE ATTACKED WITH EXPLOSIVES, ALTHOUGH IT WAS NOT CLEAR IF THE INCIDENTS WERE LINKED.

MACEDONIA'S ROMA COMMUNITY ALSO SUFFERED AT THE HANDS OF THE POLICE DURING 2000. ON APRIL 21, A MARRIED COUPLE OF "EGYPTIAN" ETHNICITY (MACEDONIA'S SO-CALLED EGYPTIANS CONSIDER THEMSELVES DISTINCT FROM ROMA) WAS REPORTEDLY BEATEN BY POLICE ON THE ROAD TO CHRID AFTER A TRAFFIC STOP. THE HUSBAND, A TAXI DRIVER, WAS ARRESTED FOR LACKING NECESSARY PERMITS (WHICH HE LATER CLAIMED HE HAD PRESENTED), WAS ALLEGEDLY BEATEN IN CUSTODY AND SENTENCED TO EIGHT DAYS IN JAIL. ON MAY 14, A SIXTEEN-YEAR-OLD ROMA BOY FROM NEGOTINO MUNICIPALITY WAS TAKEN TO THE POLICE STATION THERE, WHERE HE WAS REPORTEDLY BEATEN AND FORCED TO CONFESS TO VARIOUS CRIMES. A FURTHER INCIDENT OCCURRED ON MAY 26 IN THE VILLAGE OF STIP, WHEN SIX ROMA MEN ILLEGALLY REMOVING FIREWOOD FROM A FOREST IN A NEARBY VILLAGE WERE APPREHENDED BY A GROUP OF POLICE AND VILLAGE RESIDENTS. THE SIX MEN WERE BEATEN BEFORE BEING TAKEN TO A NEARBY POLICE STATION WHERE THE BEATINGS CONTINUED. THE DIFFICULTIES FACED BY ROMA IN MACEDONIA WERE FURTHER HIGHLIGHTED IN JUNE WHEN FIVE ROMA HOUSES IN THE VILLAGE OF STIP CAUGHT FIRE UNDER SUSPICIOUS CIRCUMSTANCES. ONE OF THE HOUSES WAS COMPLETELY DESTROYED AND THE OTHER FOUR BADLY DAMAGED. POLICE SUSPECTED ARSON. ROMA HOUSES IN STIP HAS BEEN THE TARGET OF ARSON ATTACKS IN 1992.

A NEW DRAFT LAW ON INFORMATION, INTRODUCED BY THE MACEDONIAN GOVERNMENT ON MAY 12, DREW CRITICISM FROM LOCAL JOURNALISTS AND INTERNATIONAL PRESS GROUPS. ALTHOUGH THERE WAS CONSENSUS ON THE NEED FOR A NEW LAW TO REPLACE EXISTING REGULATIONS FROM THE COMMUNIST ERA, FREE SPEECH ADVOCATES WERE CONCERNED THAT ETHICAL STANDARDS FOR JOURNALISTS WERE BEING TRANSFORMED INTO LEGAL PROVISIONS REGULATED BY THE GOVERNMENT. THEY WERE ALSO CONCERNED ABOUT THE REQUIREMENT THAT LOCAL JOURNALISTS OBTAIN GOVERNMENT-ISSUED PRESS ACCREDITATION. THE LAW REMAINED PENDING. FREE EXPRESSION TOOK A BLOW IN JUNE WITH REPORTS OF WIDESPREAD CONFISCATIONS OF THE TIRANA-BASED DAILY NEWSPAPER *BOJA SOF* IN THE TOWNS OF TETOVO AND GOSTIVAR, AND A FIVE-DAY SHUT-DOWN OF ITS PRODUCTION BY A LOCAL PRINTER, OSTENSIBLY ON TECHNICAL GROUNDS. *BOJA SOF* WAS GENERALLY CRITICAL OF THE GOVERNMENT.

IN JULY, THE GOVERNMENT ADOPTED LEGISLATION TO RESOLVE THE LONG-STANDING QUESTION OF TETOVO UNIVERSITY, A PRIVATE ALBANIAN-LANGUAGE INSTITUTION THAT MACEDONIAN AUTHORITIES REFUSED TO ACCREDIT AS AN EDUCATIONAL INSTITUTION. THE PASSAGE OF THE LAW ON EDUCATION ON JULY 25 ESTABLISHED A NEW MULTI-LINGUAL TERTIARY INSTITUTE OFFERING TRAINING IN BUSINESS, EDUCATION, AND PUBLIC MANAGEMENT. THE INTERNATIONALLY FUNDED INSTITUTION, INTENDED AS A REPLACEMENT TO TETOVO UNIVERSITY, WOULD ALLOW ALBANIANS TO STUDY IN THEIR OWN LANGUAGE, ALTHOUGH A PROFICIENCY TEST IN MACEDONIAN WOULD BE REQUIRED BEFORE THEIR DIPLOMAS WERE OFFICIALLY RECOGNIZED. DESPITE RECEIVING THE BACKING OF THE ALBANIAN PARTY IN THE RULING GOVERNMENT COALITION, THE NEW INSTITUTE DID NOT RECEIVE UNEQUIVOCAL SUPPORT FROM THE COUNTRY'S ETHNIC ALBANIAN POPULATION, MANY OF WHOM WANTED NOTHING LESS THAN THE RECOGNITION OF TETOVO UNIVERSITY ITSELF.

THE OVERALL STANDARD OF SEPTEMBER'S MUNICIPAL ELECTIONS IN MACEDONIA WAS LOWER THAN THAT OF THE 1999 PRESIDENTIAL ELECTIONS, WITH THE VOTE IN BOTH ROUNDS MARRIED BY IRREGULARITIES INCLUDING VIOLENCE AND INTIMIDATION IN SOME DISTRICTS. INTERNATIONAL MONITORS POINTED TO PROBLEMS WITH THE ELECTION LAW AND THE FACT THAT ADMINISTRATIVE MEASURES WERE SELECTIVELY APPLIED TO MEDIA CRITICAL OF THE GOVERNMENT. FEWER PROBLEMS WERE OBSERVED DURING THE SECOND ROUND, ALTHOUGH BALLOT BOXES WERE DESTROYED IN FOURTEEN POLLING STATIONS.

DESPITE GOVERNMENT PROMISES TO REFORM MACEDONIA'S OVERLY EXCLUSIVE 1992 CITIZENSHIP LAW IN LINE WITH COUNCIL OF EUROPE STANDARDS, THE LAW REMAINED UNCHANGED. DRAFTED AT THE TIME OF ITS INDEPENDENCE FROM THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA, MACEDONIA'S CITIZENSHIP LAW NEVER ADEQUATELY RESOLVED THE STATUS OF THE SIGNIFICANT NUMBER OF YUGOSLAV CITIZENS WHO WERE LONG-TERM RESIDENTS IN MACEDONIA BUT WHO WERE NEITHER BORN IN MACEDONIA NOR ETHNIC MACEDONIAN. LARGE NUMBERS OF ETHNIC ALBANIANS, TURKS, AND ROMA WHO KNEW NO OTHER HOME THAN MACEDONIA REMAINED EFFECTIVELY STATELESS AS A RESULT OF THE LAW.

Defending Human Rights

THERE WERE NO REPORTS OF GOVERNMENT RESTRICTIONS ON THE RIGHT TO MONITOR BY LOCAL HUMAN RIGHTS ORGANIZATIONS, SUCH AS THE HELSINKI COMMITTEE FOR HUMAN RIGHTS IN THE REPUBLIC OF MACEDONIA, OR FROM VISITING INTERNATIONAL HUMAN RIGHTS ORGANIZATIONS.

The Role of the International Community

United Nations

THE U.N. COMMITTEE ON THE RIGHTS OF THE CHILD CONSIDERED MACEDONIA'S INITIAL REPORT ON ITS COMPLIANCE WITH THE CONVENTION ON THE RIGHTS OF THE CHILD IN JANUARY. AMONG THE COMMITTEE'S RECOMMENDATIONS TO THE MACEDONIAN AUTHORITIES WAS A CALL TO FOCUS ON IMPROVING SCHOOL ENROLLMENT RATES FOR MINORITY CHILDREN, PARTICULARLY ROMA. THE DIFFICULTIES FACED BY ROMA IN MACEDONIA WERE ALSO NOTED AT A SPECIAL THREE-DAY SESSION IN AUGUST OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION.

Organization for Security and Cooperation in Europe (OSCE)

THE OSCE CONTINUED TO PAY CLOSE ATTENTION TO EVENTS IN MACEDONIA DURING 2000. IN ADDITION TO THE LONG-STANDING SPILLOVER MONITOR MISSION TO SKOPJE, SET UP IN 1992 TO MONITOR THE MACEDONIAN-YUGOSLAV BORDER, THE OSCE WAS ALSO ACTIVE IN MONITORING THE PRESIDENTIAL ELECTIONS IN OCTOBER AND NOVEMBER 1999 AND LOCAL ELECTIONS IN SEPTEMBER 2000 THROUGH ITS OFFICE FOR DEMOCRATIC INSTITUTIONS AND HUMAN RIGHTS (ODHR). ALTHOUGH THE FIRST ROUND OF PRESIDENTIAL ELECTIONS WAS DEEMED ACCEPTABLE, ODHR'S ELECTION OBSERVATION MISSION FOUND IRREGULARITIES IN THE SECOND ROUND, AND IN BOTH ROUNDS OF THE LOCAL ELECTIONS. THE RESOLUTION OF THE STATUS OF TETOVO UNIVERSITY IN JULY OWED MUCH TO EFFORTS BY THE OSCE HIGH COMMISSIONER ON MINORITIES, WHO ALSO ISSUED A COMPREHENSIVE REPORT IN MARCH ON THE DIFFICULTIES FACED BY ROMA AND SINTI IN OSCE MEMBER STATES, INCLUDING IN MACEDONIA.

Council of Europe

ON MAY 5, THE COUNCIL OF EUROPE'S PARLIAMENTARY ASSEMBLY DECIDED TO END ITS MONITORING PROCEDURE FOR MACEDONIA. THE DECISION FOLLOWED A MARCH REPORT FROM ITS MONITORING COMMITTEE COMMENDING MACEDONIA'S PROGRESS IN MEETING ITS MEMBERSHIP OBLIGATIONS AND COMMITMENTS. THE REPORT ENCOURAGED MACEDONIA TO BRING ITS CITIZENSHIP LAW INTO LINE WITH THE EUROPEAN CONVENTION ON NATIONALITY.

European Union

IN MARCH, THE WAY WAS OPENED FOR NEGOTIATIONS BETWEEN THE EUROPEAN UNION AND MACEDONIA ON AN AGREEMENT ON STABILIZATION AND ASSOCIATION, OFFERING THE PROMISE OF CLOSER ECONOMIC AND POLITICAL TIES. THE UPGRADING IN RELATIONS WAS SYMBOLIZED BY THE CHANGE OF THE E.U.'S OFFICE IN MACEDONIA TO A PERMANENT DELEGATION. DURING A JUNE VISIT, E.U. EXTERNAL RELATIONS COMMISSIONER CHRIS PATTEN NOTED MACEDONIA'S PROGRESS AND INDICATED THAT THE AGREEMENT WAS LIKELY TO BE CONCLUDED BEFORE THE END OF 2000. E.U. FINANCIAL ASSISTANCE TO MACEDONIA INCLUDED 25 MILLION EURO (APPROXIMATELY U.S. \$30.9 MILLION) THROUGH THE PHARE PROGRAM AND INFRASTRUCTURE SUPPORT THROUGH THE OBNOVA PROGRAM.

United States

U.S. POLICY CONTINUED TO SUPPORT MACEDONIA'S ROLE IN THE NATO PARTNERSHIP FOR PEACE PROGRAM AND TO EMPHASIZE ITS ROLE IN REGIONAL STABILITY. THE FOCUS ON SECURITY COOPERATION WAS UNDERSCORED BY A VISIT FROM CHAIRMAN OF THE U.S. JOINT CHIEFS OF STAFF GEN. HENRY H. SHELTON IN JULY AND VISITS BY TWO TEAMS OF U.S. MILITARY EXPERTS IN JUNE. THAT THE U.S. REMAINED RELUCTANT TO CRITICIZE HUMAN RIGHTS ABUSES IN MACEDONIA WAS REFLECTED IN THE OVERLY POSITIVE STATE DEPARTMENT REPORT ON MACEDONIA IN ITS ANNUAL REVIEW OF HUMAN RIGHTS PRACTICES AND ITS SILENCE OVER IRREGULARITIES IN THE SEPTEMBER MUNICIPAL ELECTIONS.

ROMANIA

Human Rights Developments

ROMANIA STROVE TO MEET THE REQUIREMENTS FOR ACCESSION TO THE EUROPEAN UNION, MAKING SLOW BUT STEADY PROGRESS IN HUMAN RIGHTS. HOWEVER, DISCRIMINATION AGAINST ROMA CONTINUED, AND MANY SOUGHT REFUGE OUTSIDE THE COUNTRY. POLICE BRUTALITY REMAINED A PROBLEM. FREEDOM OF PRESS AND THOUGHT AND THE RIGHT TO A FAIR TRIAL REMAINED THREATENED. FALLOUT FROM THE NATO-YUGOSLAV CONFLICT, INCLUDING RESTRICTION OF ACCESS TO SHIPPING ON THE DANUBE, CREATED ECONOMIC HARDSHIP IN ITS ALREADY SHAKY ECONOMY, DRIVING SOME ROMANIANS INTO THE HANDS OF TRAFFICKERS AND FORCED LABOR ABROAD. THE PATTERN OF BLAMING OR PROSECUTING THE VICTIMS OF CRIMES, PARTICULARLY ROMA AND TRAFFICKED WOMEN, CONTINUED. MINORITY RELIGIOUS GROUPS CONTINUED TO EXPERIENCE DISCRIMINATION WITH LIMITS PLACED ON THE LICENSING OF GROUPS AND THE BUILDING OF PLACES OF WORSHIP.

ROMANIA HOSTED THE TWENTY-SECOND ANNUAL INTERNATIONAL LESBIAN AND GAY ASSOCIATION (ILGA) EUROPEAN CONFERENCE IN OCTOBER 2000. ACCEPT, THE LOCAL ORGANIZING NGO FOR ILGA'S CONFERENCE, MONITORED PROGRESS IN LEGISLATIVE EFFORTS TO DECRIMINALIZE SAME-SEX RELATIONS. IN JUNE THE LOWER HOUSE OF PARLIAMENT, THE CHAMBER OF DEPUTIES, REPEALED ARTICLE 200, BUT ARTICLE 201, PROSCRIBING "SEXUAL PERVERSIONS," REMAINED. AT THIS WRITING, ONLY THE CHAMBER OF DEPUTIES HAS VOTED TO DECRIMINALIZE GAY SEX; THE UPPER SENATE HAS YET TO VOTE THE BILL INTO LAW. ON AUGUST 31, THE ROMANIAN GOVERNMENT PASSED AN ORDINANCE ON "PREVENTING AND PUNISHING ALL FORMS OF DISCRIMINATION," WHICH EXPLICITLY INCLUDED SEXUAL ORIENTATION AS A PROTECTED STATE OF IDENTITY, TO TAKE EFFECT WITHIN SIXTY DAYS OF PUBLICATION. LOCAL NGOs HAILED THIS DECISION AS FURTHER INCENTIVE TO THE SENATE TO MODIFY THE PENAL CODE. AFTER THE OCTOBER CONFERENCE, ILGA RELEASED A STATEMENT URGING THE REPEAL OF ARTICLE 200 AS A PRECONDITION FOR ROMANIA'S E.U. ACCESSION.

ROMA CONTINUED TO BE SUBJECTED TO ETHNIC AND RACIAL DISCRIMINATION. ON MARCH 12, 2000, THE EUROPEAN ROMA RIGHTS CENTER (ERRC) LODGED APPLICATIONS AGAINST ROMANIA WITH THE EUROPEAN COURT OF HUMAN RIGHTS REGARDING CASES OF VIOLENCE AND DESTRUCTION OF PROPERTY IN CASTINUL NOU, 1990, AND IN PLATESII DE SUS, 1991, WHICH HAD BEEN ULTIMATELY DENIED IN ROMANIAN COURTS IN PART BECAUSE THE STATUTE OF LIMITATIONS HAD EXPIRED BEFORE THEY COULD INITIATE FINAL APPEALS, DUE TO THE SLOWNESS OF THE

court system. Police in both cases failed to conduct on-site investigations, and in both cases the Romanian courts found that the offenses in which Roma were beaten and their homes destroyed had been committed "due to serious provocative acts of the victims."

The number of inmates of Romanian penitentiaries and police lockups who were in pretrial detention dropped in 2000 from one-third in 1997 to one-fifth. Amnesty International documented several cases of the use of excessive force, some of them including minors, and also reported that Romanian law currently allows police officers to use firearms in circumstances prohibited by international standards, such as allowing them to shoot when apprehending a suspect. APADOR-CH, the Romanian Helsinki Committee, received numerous complaints from individuals claiming that they had been tortured or ill-treated by the police. By law, such accusations were investigated by the Military Prosecutor's Office, which also decided whether an investigation was warranted, with the burden of proof on the victim.

Freedom of the press continued to be threatened under 1996 modifications to the penal code, which provided harsh sentences for critical reporting on state bodies or state-owned businesses. The Chamber of Deputies voted to eliminate or reduce the punishments under several articles of the penal code that restricted the freedom of expression. However, these revisions had not been passed by the Senate, and journalists continued to be harassed by the police. On May 26, Valentin Dragan of the newspaper *CUGELUL LIBER* was severely beaten while attempting to recover a colleague's camera. Since August 30, 2000, a draft of a Law on Free Access to Information of Public Interest in Romania has been circulating. Several claims arising from libel cases involving public officials were brought to the European Court of Human Rights.

The Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW) observed that while Romania made progress toward protecting and equalizing women's rights, few women held leadership positions in their field, and placed high priority on the adoption of proposed legislation on equal opportunities, domestic violence, and trafficking in women. Women who dared to press charges against their traffickers faced prosecution themselves for evading border controls and for engaging in prostitution. According to Romanian NGOs working on trafficking, police corruption only exacerbated the danger to trafficking victims and facilitated impunity for traffickers. Moreover, they were often coerced by police into becoming informers. In August, Cambodian police and U.N. human rights officers rescued seven women from Romania and Moldova who had been trafficked and forced into prostitution there.

The National Agency for Child Protection was created in order to accelerate efforts to reform the child welfare system in Romania. Romania signed the optional protocol of the Convention on the Rights of the Child, concerning the involvement of children in armed conflict.

Defending Human Rights

Human Rights Watch was not aware of any attempts to hinder the work of rights groups in 2000.

The Role of the International Community

United Nations

UNHCR reported that Romania had become a country of asylum for many refugees from around the world, and remained in the process of bringing its national refugee legislation into line with the 1951 Convention relating to the Status of Refugees, to which it acceded in 1991.

Operation for Security and Cooperation in Europe (OSCE)

Romania was to assume the year-long chairmanship of the OSCE in January 2001. In a report released in April on the situation of Roma and Sinti in the OSCE area, the High Commissioner on National Minorities emphasized the need for educational reform in Romania, particularly for ethnic minorities.

Council of Europe

In June 2000 a delegation of the Advisory Committee on the Council of Europe's Framework Convention for the Protection of National Minorities visited Bucharest. The committee expected to publish its views early in 2001.

European Union

Formal negotiations for Romania's E.U. accession began in February. Romania proposed 2007 as the date of its accession. In its October 1999 progress report, the E.U. reaffirmed that Romania met the Copenhagen political criteria for membership, but cautioned that "this position will need to be re-examined if the authorities do not continue to give priority to dealing with the crisis in their child care institutions." The report also said that "much still remains to be done in rooting out corruption, improving the working of the courts and protecting individual liberties and the rights of the Roma. Priority should also be given to reform of the public administration."

United States

The U.S. continued to cultivate close ties with Romania, including through military assistance, to prepare the country for NATO membership. In May, Secretary of State Madeline Albright and Prime Minister Mugur Isarescu pledged to continue the strategic partnership between Romania and the U.S. Romania was to receive U.S. \$14 million in assistance from U.S. Agency for International Development (USAID) for development programs.

RUSSIAN FEDERATION

Human Rights Developments

The year was dominated by Russia's brutal war in Chechnya and fears of an impending crackdown on civil and political rights. Russian soldiers and police committed war crimes and other serious violations of the rules of human rights and humanitarian law in Chechnya. Following Vladimir Putin's election as Russia's new president in March, the political climate changed as officials' public statements showed increased intolerance to criticism and a general trend toward a new information order, of which the crackdown on the media conglomerate Media Most was the most emphatic. Abuse in the criminal justice system and army continued unabated, prisons remained severely overcrowded, the situation in many orphanages remained desperate, the state continued to be indifferent to cases of domestic

violence and rape, and religious freedoms were further eroded. The government once more failed to introduce the structural reforms required to improve human rights observance in these areas.

Vladimir Putin, the acting president following Boris Yeltsin's surprise resignation on December 31, 1999, entered the March 26 presidential elections as a clear favorite and won in the first round with just over 50 percent of the vote—but not without widespread election fraud. Putin quickly moved to solidify his power by reigning in powerful regional leaders and attacking the "oligarchs," Russia's very wealthy new economic elite. He created seven administrative regions led by representatives responsible to the president alone and forced legislation through parliament to strip regional leaders of their seats in the Federal Council.

Putin's background as a KGB official sparked fears of an impending crackdown on human rights. Despite numerous public assurances of support for democratic values, Putin's reactions to critical media coverage and some of his actions fuelled these fears. The appointment of former KGB officer Vladimir Cherkosov as Putin's representative for the Northern Russia administrative region was another troubling sign; Cherkosov was known for his participation in persecuting dissidents in Soviet times and more recently in the prosecution of environmentalist Alexander Nikitin.

The war in Chechnya continued throughout the year. After taking Chechnya's capital Grozny in early February, Russian troops exercised nominal control over most of the republic's territory. Rebel forces retreated into the mountains to fight a guerrilla war, staging surprise attacks on Russian positions and convoys and murdering Chechens working in the new pro-Russian administration. Both sides showed scant respect for international law, but the far larger force of Russian troops backed by air power and artillery committed the lion's share of violations.

In an attempt to limit casualties among its soldiers, Russia relied heavily on air attacks. Villages and towns were "softened up" by prolonged aerial bombardments and shelling before Russian troops moved in. This strategy led to large numbers of casualties among civilians and destruction of civilian property on a horrific scale. In many of the aerial or artillery attacks Russian officers did not differentiate between military and civilian objects. When targeting military objects, Russian forces frequently used force that was clearly excessive compared to the military gain to be expected.

The city of Grozny, bombed for three straight months, from November 1999 to early February 2000, was essentially treated as one enormous military target. Though the vast majority of civilians had left the city before the assault started, an estimated twenty to forty thousand civilians, many too poor, sick, or infirm to leave, remained. These people were given little thought as the Russian military machine obliterated the city. The only hospital that functioned throughout these months—though heavily damaged—treated 5,600 people (including Chechen fighters) for injuries sustained from the bombing campaign; according to estimates this was only about half the total number of injured. Many thousands of civilians were believed to have died in Grozny alone.

On January 31 and February 1, rebel forces abandoned Grozny. An estimated two thousand Chechen fighters quit the city and stumbled into a minefield that claimed the lives of three field commanders and at least one hundred regular fighters; hundreds more suffered serious injury, including notorious commander Shamil Basaev. Russian artillery and aviation tracked the fighters' flight from Grozny to the mountainous south, destroying the villages through which the fighters passed with total disregard for the civilian population. One of the worst hit villages was Katyr-Yurt. On February 4, up to twenty thousand civilians desperately fled an intense bombardment there that commenced following the arrival of large numbers of fighters in the village. At least two hundred civilians died while many more were injured. Russian soldiers then systematically looted the village and destroyed civilian property. The village of Gekhi-Chu was given similar treatment on February 7. Russian forces summarily executed at least seven people. On March 4, up to a thousand Chechen fighters entered the village of Komsomolskoye, apparently seeking food and shelter. Russian forces surrounded the village and then, as civilians sought to flee, subjected the village to a withering assault, totally flattening it. At least one hundred civilians were unable to leave the village and were believed killed during the shelling. Hundreds of fighters also reportedly died in the attack. Russian forces refused to provide exit routes to civilians fleeing from fighting and attacked convoys of displaced persons on several occasions. Displaced persons recounted numerous tales of perilous escapes under constant fire and shelling along roads that had been declared safe exit routes. On October 29, 1999, Russian planes fired multiple rockets at a convoy of Chechen civilians, including five clearly marked Red Cross vehicles, on the road between Grozny and Nazran, leaving at least fifty dead. The convoy, consisting of hundreds of cars, was travelling from the Ingush border back to Grozny after Russian forces had refused to open the border to Ingushetia. The attack took place in excellent weather conditions and it appeared inconceivable that the pilots were not aware that they were targeting civilians. The Russian military claimed it destroyed two trucks with rebel fighters in the attack.

Russian forces showed scant respect for medical neutrality. Russian bombs partially or fully destroyed many of Chechnya's main health care facilities, including every single hospital in Grozny. Russian forces detained and ill-treated several medical professionals who had treated Chechen fighters. Chechen rebels threatened to kill at least one Chechen doctor for treating wounded Russian soldiers.

After moving into villages and towns left by rebel fighters, Russian forces carried out "mopping up" operations. These operations, meant to check for remaining rebels, frequently turned into rampages during which soldiers and riot police looted and torched homes, detained civilians at random, and raped women. Just three such operations, in Alkhan Yurt, and in the Novye Aldy and Staropromyslovskii districts of Grozny, resulted in the confirmed summary executions of more than 130 civilians. Human Rights Watch received over one hundred more allegations of summary executions, many of which it was unable to verify.

In Alkhan Yurt, Russian soldiers went on a two-week rampage after entering the village on December 1, 1999. After first temporarily expelling hundreds of civilians, soldiers systematically looted and burned the village and killed at least fourteen civilians. In the Staropromyslovskii district of Grozny, Russian soldiers killed at least fifty-one civilians between late December 1999 and early February 2000; some were simply shot, others were first tortured. On February 5, Russian forces summarily executed at least sixty civilians in the Novye Aldy and Chernorechie suburbs of Grozny, including a one-year-old baby and a woman who was eight months pregnant. Soldiers pillaged and deliberately torched numerous houses.

Looting was rampant throughout Chechnya. Soldiers systematically stripped bare civilian homes after taking control of villages. Soldiers took not only valuables, money, and electronic equipment but often also food, mattresses, windows, and even floorboards. Many civilians reported seeing soldiers load looted goods onto trucks that were subsequently driven out of the republic. Soldiers deliberately burned thousands of homes throughout Chechnya.

Russian soldiers were believed to have raped numerous Chechen women. Considering the great cultural stigma attached to rape in Chechnya's predominantly Muslim communities, allegations received by Human Rights Watch were believed to represent no more than a small fraction of the total. There was evidence that Russian servicemen raped three women in Alkhan Yurt and six in Novye Aldy. A woman from the village of Tängi-Chu was raped and murdered by a Russian officer.

Russian forces detained tens of thousands of Chechens, often arbitrarily, on suspicion of belonging to rebel forces or assisting them. Many of these Chechens faced beatings and torture at detention centers throughout Chechnya. Many of those detained were released only after relatives paid a "ransom" to police or prison guards.

Large scale arrests started in January 2000 after Gen. Viktor Kazantsev blamed "groundless trust" in Chechen civilians for setbacks in Russia's military campaign. He stated that "only children up to ten and men over sixty, and women, will henceforth be regarded as refugees." By late May, the Russian Ministry of Interior announced that over ten thousand people had been detained in Chechnya since the beginning of the year. At the time of writing, Russian forces continued to detain large numbers of Chechen civilians.

Large scale torture and ill-treatment took place in Chernokozovo in January and early February. Upon arrival, detainees were forced to run through a gauntlet of guards wielding rubber batons and rifle butts. Thirty-two-year-old Aindi Kovforashvili, detained on January 11, had a serious shrapnel wound to the head when he

arrived at Chernokozovo, but guards made him "run the gauntlet" anyway. He collapsed under the blows and died. Guards brutally beat detainees whenever they were taken out of their overcrowded cells for questioning and sometimes during interrogations. Several detainees described methods of torture, including injections, electric shock and beatings to the genitals, beatings on the soles of the feet, and rape of both men and women.

As Chernokozovo attracted international attention, the Russian government "cleaned up" the detention center and torture and ill-treatment continued unabated at other locations. Some of the most serious abuses then took place at the so-called internat in Urus-Martan, a former boarding school for girls. Allegations of ill-treatment also came from temporary police precincts throughout the Russian controlled territory of Chechnya.

Many of those who were released from detention were "bought" out by relatives. Extortion demands made upon prisoners' relatives were so common that in many cases it appeared that the detention itself was motivated solely as a money-making enterprise. Ransom varied from 2,000 rubles (approximately U.S. \$40) to U.S. \$5,000. Extortion was also rampant at hundreds of Russian checkpoints throughout Chechnya.

Those displaced by the conflict faced difficult conditions in refugee camps in Ingushetia and Chechnya itself. The Russian government's efforts to provide the displaced with food, medical care, and shelter were insufficient, leaving the brunt of the burden to humanitarian organizations. On various occasions, the government pressured displaced people to return to Chechnya by depriving them of food rations or simply attempting to drive the train carriages, the temporary homes of some, back into Chechnya.

Chechen rebels also showed little respect for international humanitarian law. They summarily executed at least some captured Russian soldiers and murdered numerous Chechens who worked in the new, pro-Russian administration. Chechen rebels frequently endangered civilians by placing headquarters and garrisons in densely populated areas or by firing at federal positions from such places. On several occasions, rebels reacted violently when villagers asked them to leave in order to spare their villages from bombardments. Chechen criminal groups kidnapped one Russian and one French journalist in October 1999. Both were later released. Unknown Chechens summarily executed Vladimir Yatsina, a Russian photographer, in February after kidnapping him in Ingushetia in the summer of 1999.

The Russian government did not hold those guilty of violations accountable. By September, not a single Russian soldier or police officer had been charged with or detained in connection with the massacres in Alkhan Yurt and in the Staropromyslovskii and Novye Alby districts of Grozny. In Staropromyslovskii district, prosecutors were investigating only one killing out of the fifty-one that were documented. Officially announced investigations into other incidents lacked credibility. In response to allegations of abuses, President Putin appointed Vladimir Kalamanov as his special representative for human rights in Chechnya in February. The special representative's office provided important services to Chechens but did not significantly contribute to the accountability process.

Chechens in Moscow faced very serious abuses in the aftermath of the bombings of two Moscow apartment buildings in September 1999. Federal and local authorities took a series of draconian administrative measures against non-Moscovites as a result of which many children could not go to school while adults had trouble finding work, getting married, or receiving passports. At the same time, Moscow police were given carte blanche to terrorize ethnic Chechens living in the city. Police dragged more than twenty thousand Chechens to police stations, photographing and fingerprinting many of them. According to the Russian human rights organizations Memorial and Civic Assistance, police prosecuted at least fifty Chechens after planting drugs and ammunition in their clothes or their apartments. Moscow courts found most of these Chechens guilty despite overwhelming evidence that the charges were trumped up. Members of other ethnic minorities also faced increased harassment by police.

When Moscow mayor Yuri Luzhkov spoke of a possible "Chechen connection" following another bombing in Moscow in August 2000, Chechens appeared to be in for a repeat performance. However, the dramatic sinking of a Russian submarine diverted attention from the bombing and police apparently abandoned the crackdown, though not before detaining and seriously beating at least some Chechens.

Moscow authorities used the August explosion to defend Moscow's longstanding propiska, or residency permit, system. Federal prosecutors had earlier ordered Moscow to get rid of the system to bring regional legislation in line with federal laws. At the time of writing, Moscow maintained its propiska system.

Media freedom was another casualty of the Chechnya campaign as Russia's leadership severely limited access to the war zone and became increasingly intolerant to criticism. Most Russian media voluntarily supported the government's campaign. Those which did not often faced sanctions. Andrei Bobitsky, a Radio Liberty correspondent, was reporting from Chechnya without official accreditation when he was detained by Russian forces in mid-January and taken to Chernokozovo detention center, where guards beat him several times. In early February, the Russian government announced that Bobitsky had been handed over to a group of Chechen rebels, in exchange for captured Russian soldiers. Several weeks later he resurfaced in Dagestan and was immediately arrested for carrying falsified identity papers. He was released in Moscow on February 29. A court hearing was still pending at the time of writing.

Media freedom was also under threat outside the Chechen context. On May 11, heavily armed commandos of the procuracy and federal security service raided the offices of Media Most, a media holding that owns Russia's independent television station NTV, radio Ekho Moskvy, and Segodnia newspaper, forcibly holding dozens of employees in the building a full day. The law enforcement officers eventually confiscated part of Media Most's records. Law enforcement agencies denied a political context but the heavy handedness with which the raid was carried out gave it the appearance of a warning to independent media. On June 13, Vladimir Gusinsky, president of Media Most, was arrested. He was released several days later after being charged with large-scale embezzlement. In late July, these charges were dropped when Gusinsky agreed to transfer control over Media Most to the state-owned gas giant Gazprom.

The clumsy response by officials to the sinking of a nuclear submarine in the Barents Sea, which resulted in the deaths of 118 sailors, provoked a wave of criticism in the media, directed against President Putin and other state officials. Non-state media pointed out inconsistencies in officials' accounts and questioned President Putin's decision not to interrupt his vacation. Putin responded aggressively, accusing the media of "lying" and "ruining Russia's army and fleet."

No measures were taken to combat rampant police torture or to reform the judicial system. Police continued to torture detainees in order to secure confessions, using methods like beatings, asphyxiation, electric shock, and suspension by the arms or legs, as well as psychological intimidation. Police also gave privileges to certain detainees to pressure others into confessing. Prosecutors used coerced confessions in court, often as the primary evidence of a defendant's guilt. The procuracy failed to investigate torture complaints promptly and adequately and they rarely led to formal criminal investigations. On October 11, the Moscow City Court stripped Sergei Pashin, an outspoken opponent of torture practices and a leading judge, of his status for criticizing a judgment of a colleague and giving out his work telephone number in a radio program.

On September 13, the Presidium of the Supreme Court dismissed the prosecution's appeal against the December 29, 1999, acquittal of environmentalist Alexander Nikitin. With that decision, the criminal case, in which Nikitin was accused of espionage for the Norwegian environmental organization Bellona, finally came to an end as the prosecution had no further appeal options.

Defending Human Rights

Human rights organizations working on Chechnya faced problems of access to Chechnya and to official information, and petty harassment. Despite oral assurances that Human Rights Watch would be granted access to Chechnya, this was not the case. Memorial, a leading Russian rights group, also continued to face difficulties working inside Chechnya. Human rights workers faced occasional harassment from police and the Federal Security Service (FSB). Numerous appeals by Human Rights Watch for information from the Russian authorities went unanswered.

Other human rights activists also faced occasional problems with authorities. For example, on August 28 masked police commandos stormed the office of a human rights organization, the Glasnost Foundation, without any apparent reason. The police carrying out the raid taunted Sergei Grigoriants, the head of the organization, with the knowledge that he was a former dissident who had spent time in prison for his political activities in Soviet times.

The Role of the International Community

United Nations

In December 1999, Human Rights Watch called on the Security Council to establish a commission of inquiry to investigate violations of the laws of war in Chechnya. The Security Council, however, never formally discussed Chechnya.

In late March, U.N. High Commissioner for Human Rights Mary Robinson travelled to the area after an earlier refusal of her request for a visit sparked an international outcry. Robinson became the first senior international official to acknowledge receiving evidence of summary executions, torture, and rape. Although Foreign Minister Igor Ivanov at the end of the trip told Robinson she was welcome to visit Chechnya again in a few months, a formal invitation had not yet been extended at the time of writing.

The U.N. Commission on Human Rights adopted a resolution criticizing Russia for violations of human rights in Chechnya—the first time a resolution was adopted regarding a permanent member of the Security Council. The resolution, among other things, called on the Russian government to establish “according to recognized international standards” a national commission of inquiry and mandated five special mechanisms of the Human Rights Commission to visit Chechnya and report to the commission and the General Assembly. At the time of the General Assembly session in the fall, none of the special mechanisms had been able to visit. The Russian failure to implement the resolution was raised at a one-day commission session in September but no public record of the discussion was issued.

Organization for Security and Cooperation in Europe (OSCE)

At the November 1999 Istanbul summit, OSCE member states, including Russia, confirmed the mandate of the OSCE Assistance Group to Chechnya. The Russian government, however, subsequently refused to allow the Assistance Group to function in Ingushetia and created administrative obstacles to its return to Chechnya. As a result, the Assistance Group was unable to fulfill its functions in a meaningful way.

In other OSCE developments, its Office for Democratic Institutions and Human Rights (ODIHR) provided ad hoc technical and training assistance to the staff of Kalamanov's office. The office did not respond to evidence of widespread fraud during the March presidential elections, other than to characterize the elections as “a benchmark in the ongoing evolution of the Russian Federation's emergence as a representative democracy.”

Council of Europe

A number of Council of Europe delegations visited the North Caucasus to assess the situation, including the European Commissioner for Human Rights, members of the Parliamentary Assembly of the Council of Europe, and the Committee for the Prevention of Torture.

Chechnya figured prominently on the agenda of all Parliamentary Assembly sessions in 2000. After its January recommendations went unheeded, a majority of parliamentarians voted in April to strip Russia's parliamentary delegation of its voting rights. The assembly also recommended that member states file an interstate complaint against Russia with the European Court of Human Rights and that the Committee of Ministers start proceedings to exclude Russia from the Council of Europe.

The Committee of Ministers brushed aside all of the recommendations of the Parliamentary Assembly without serious discussion and said that Russia's response to international pressure was satisfactory.

The secretary general of the Council of Europe invoked a seldom used mechanism to require Russia to explain the application of the European Convention on Human Rights with regard to the conflict. When Russia's response was unsatisfactory, the secretary general deferred further action to the Committee of Ministers, which remained silent.

The Council of Europe sent three experts to the office of Vladimir Kalamanov starting in June. Although the presence of these experts no doubt contributed to the efficiency of the office, the experts were not in a position to make a meaningful contribution to the accountability process.

European Union

In the early months of the war, the European Union (E.U.) under the Finnish presidency took a fairly tough stance on Russia, consistently criticizing its military operation and abuses and freezing some technical assistance funds. After Boris Yeltsin resigned as president and it became apparent that Vladimir Putin would become Russia's next president, the E.U. toned down its criticism and backed away from any tougher action.

To its credit, the E.U. introduced the resolution on Chechnya at the U.N. Commission on Human Rights. However, the E.U. itself undermined the importance of this step. As Russia openly defied all international criticism and refused to recognize or implement the resolution, the E.U. and its member states started a series of bilateral and multilateral summit talks to establish good relations with Russia's new president.

E.U. member states refused to take Russia to the European Court of Human Rights over abuses in Chechnya. In response to an appeal from more than thirty leading human rights and humanitarian NGOs, the E.U. claimed that such a step was unnecessary as Russia was making progress toward accountability. The E.U. also refused to use political and economic levers, such as suspending the Partnership and Cooperation Agreement or support for international lending, to convince Russia to change its conduct in Chechnya.

In sharp contrast to its conduct in Kosovo in 1999, the E.U. failed to gather information independently on abuses in Chechnya. No E.U. diplomats visited Chechnya or even Ingushetia independently to interview victims of human rights abuses, although a December 1999 declaration of the E.U. foreign ministers requested that they do so.

United States

The United States limited itself to a rhetorical response to the violations in Chechnya. It criticized Russia consistently over its actions in Chechnya but was unwilling to use any stronger political or economic levers. The United States was unwilling to suspend its support for international lending to Russia or to use bilateral economic assistance to convince Russia to change its conduct. It actively pursued good relations with Putin despite the war. At times, even the rhetoric was flawed. Testifying before Congress in May, Deputy Secretary of State Strobe Talbott went to great lengths to avoid using the words “war crimes” to describe the serious violations of humanitarian law that Russian forces have committed in Chechnya.

The United States also failed to collect first hand information independently on abuses by regularly sending diplomats to the region.

Financial Institutions

THE WORLD BANK DID NOT CONDITION DISBURSEMENT OF LOANS TO RUSSIA ON ITS ACTIONS IN CHECHNYA, RELEASING U.S. \$450 MILLION IN STRUCTURAL ADJUSTMENT LOAN PAYMENTS TO RUSSIA SINCE THE OUTBREAK OF THE CONFLICT IN 1999. LINKED TO VARIOUS INDUSTRIAL REFORMS, THESE PAYMENTS WENT DIRECTLY TO THE RUSSIAN GOVERNMENT FOR UNFETTERED GENERAL BUDGETARY SPENDING. BANK OFFICIALS STATED THAT THEY WOULD MONITOR THE IMPACT OF THE CONFLICT BUT THIS SCRUTINY WAS APPARENTLY LIMITED TO ECONOMIC CONCERNS.

INTERNATIONAL MONETARY FUND (IMF) FINANCING FOR RUSSIA REMAINED FROZEN, OFFICIALLY BECAUSE OF THE SLOW PACE OF ECONOMIC REFORMS, BUT RUSSIAN OFFICIALS CLAIMED THE IMF DECISION WAS LINKED TO THE CHECHNYA CONFLICT.

Relevant Human Rights Watch

Reports:

CIVILIAN KILLINGS IN STAROPROMYSLOVSKI DISTRICT OF GROZNY, 2/00

FEBRUARY 5: A DAY OF SLAUGHTER IN NOVYE ALDI, 6/00

"NO HAPPINESS REMAINS:" CIVILIAN KILLINGS, PILLAGE, AND RAPE IN ALKHAN-YURT, CHECHNYA, 4/00

"WELCOME TO HELL:" ARBITRARY DETENTION IN CHECHNYA, 10/00

SLOVAKIA

Human Rights Developments

Slovakia made significant progress in human rights protection, but incidents of employment discrimination, skinhead (racist youth) violence, and police brutality and weak antidiscrimination legislation and enforcement threatened the Slovak Roma minority. THE GOVERNING SLOVAK DEMOCRATIC COALITION (SDK), IN OFFICE FOR TWO YEARS, FACED CRITICISM FOR FAILURE EFFECTIVELY TO IMPLEMENT LEGISLATION SUCH AS THE SEPTEMBER 1999 RESOLUTION AND MEASURES CONCERNING THE ROMA NATIONAL MINORITY.

Slovakia continued its movement toward European Union accession, took the first step toward NATO membership by signing a joint statement calling for membership by 2002, and became a member state of the Organization for Economic Cooperation and Development (OECD).

Racially motivated attacks on Roma or foreigners are not subject to special sanctions under Slovak law, which provides no express protections against discrimination by reason of ethnic origin or nationality. DEPUTY PRIME MINISTER FOR HUMAN AND MINORITY RIGHTS PAL CSÁKY ANNOUNCED IN MAY HIS PLAN TO DRAFT AN ANTI-DISCRIMINATION LAW. IN NOVEMBER 1999 THE SLOVAK NATIONAL LABOR OFFICE DIRECTOR, DESPITE CRITICISM FROM RIGHTS GROUPS, DEFENDED HIS OFFICE'S POLICY OF MARKING FILES OF PERSONS REGARDED AS ROMA WITH THE LETTER "R"; HE SAID THE PRACTICE WAS IMPLEMENTED BECAUSE OF THE "COMPLICATED SOCIAL ADAPTABILITY" OF THE GROUP.

DURING A VIOLENT POLICE RAID IN THE ROMANI SETTLEMENT ZEHRA ON DECEMBER 2, 1999, POLICE SHOT A THIRTEEN-YEAR-OLD BOY IN THE LEG, AND OFFICERS REPORTEDLY USED ETHNIC INSULTS AND THREATENED TO RAPE ROMA WOMEN. BOTH THE CRIMINAL COMPLAINT AGAINST THE INVOLVED OFFICERS AND THE APPEAL WERE REJECTED.

ON DECEMBER 17, 1999, A SKINHEAD IN CAR ASSAULTED A TWENTY-ONE-YEAR-OLD ROMANI MAN. A POLICE SPOKESPERSON DESCRIBED THE INCIDENT AS ONE OF "YOUTHFUL IMPRUDENCE" AND RULED OUT A RACIAL MOTIVE. ON FEBRUARY 7, 2000, TWO ROMA WERE RUN DOWN AND KILLED WHILE WALKING WITH THEIR SON. RATHER THAN ARREST THE SUSPECT, A WELL-KNOWN SLOVAK, POLICE THREATENED FAMILY MEMBERS, BEATING SOME OF THEM, THE FAMILY SAID. ON FEBRUARY 20, FOUR ASSAILANTS WIELDING BASEBALL BATS ATTACKED ROMA IN A BAR IN THE TOWN OF VELKE KAPUSANY; TWO ROMA SUSTAINED SERIOUS INJURIES.

ON AUGUST 20, THREE MEN SHOUTING RACIAL EPITHETS BEAT ANASTAZIA BALAZOVA, A FIFTY-YEAR-OLD ROMA WOMAN, AND TWO OF HER DAUGHTERS. SHE DIED FROM HER INJURIES TWO DAYS LATER. DEPUTY PRIME MINISTER CSÁKY CALLED THE CRIME "DEPLORABLE," BUT THE CHIEF INVESTIGATOR SAID THAT POLICE HAD NO EVIDENCE THAT THE CRIME WAS RACIALLY MOTIVATED. ON AUGUST 24, THE SLOVAK PARLIAMENT OBSERVED A MINUTE OF SILENCE IN MEMORY OF ANASTAZIA BALAZOVA.

IN AUGUST JUSTICE MINISTER JAN ČERNOGURSKÝ ANNOUNCED HIS OPPOSITION TO THE REGISTRATION OF HOMOSEXUAL PARTNERSHIPS, WHICH SUPPORTERS FRAMED AS A POTENTIAL E.U. ACCESSION ISSUE SINCE FOUR MEMBER COUNTRIES OF THE E.U. RECOGNIZE HOMOSEXUAL PARTNERSHIPS.

Protecting Human Rights

Slovak and international NGOs monitored threats to freedom of the media. IN APRIL THE NEW YORK-BASED COMMITTEE TO PROTECT JOURNALISTS, IN A LETTER TO PRESIDENT SCHUSTER, PROTESTED DEFAMATION CHARGES BROUGHT AGAINST VLADIMIR MOHORITA, A JOURNALIST FROM THE SLOVAK FAR-RIGHT NATIONALIST WEEKLY *ZMENA*.

THE EUROPEAN ROMA RIGHTS CENTER (ERRC) CONTINUED ACTIVE MONITORING AND ADVOCACY ON BEHALF OF SLOVAK ROMA AT HOME AND ABROAD. THE ERRC PROVIDED LEGAL EXPERTISE IN A CASE OF SKINHEAD VIOLENCE; THE SECOND COURT DECISION ORDERED THE FIRST INSTANCE COURT TO WIDEN ITS INTERPRETATION OF RACE IN ACCORD WITH INTERNATIONAL STANDARDS, DECLARING THE INCIDENT A RACIALLY MOTIVATED CRIME.

Slovakia earned praise among rights advocates for ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR), WHICH CALLS FOR ABOLITION OF THE DEATH PENALTY.

The Role of the International Community

United Nations

IN AUGUST THE U.N. COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION RECEIVED SLOVAKIA'S PERIODIC REPORT ON COMBATING RACIAL BIAS AND ADOPTED ITS CONCLUDING OBSERVATIONS AND RECOMMENDATIONS. THE COMMITTEE STATED ITS CONCERN ABOUT ALLEGATIONS THAT SLOVAK POLICE AND PROSECUTORS HAVE FAILED TO INVESTIGATE ACTS OF RACIALLY-MOTIVATED VIOLENCE PROMPTLY AND EFFECTIVELY AND ABOUT THE SOCIOECONOMIC STATUS OF ROMA CITIZENS. IT NOTED SLOVAKIA'S RECOGNITION OF THE COMMITTEE'S COMPETENCE TO RECEIVE DISCRIMINATION CLAIMS FROM SLOVAK CITIZENS.

Organization for Security and Cooperation in Europe (OSCE)

THE OSCE HIGH COMMISSIONER FOR NATIONAL MINORITIES ISSUED A REPORT ON THE SITUATION OF ROMA AND SINTI IN THE OSCE AREA IN MARCH, CITING UNEMPLOYMENT RATES OF UP TO 90 PERCENT AMONG SLOVAK ROMA, THE ABSENCE OF ROMANI REPRESENTATIVES IN THE 150-MEMBER SLOVAK PARLIAMENT, AND DISADVANTAGES ROMANI CHILDREN FACE IN SCHOOLS.

Council of Europe

European Court of Human Rights President Luzius Wildhaber ranked Slovakia among the countries flooding the court with high numbers of complaints; currently there are 250 registered complaints from Slovakia, the majority of which are likely to be accepted. Almost all of the complaints filed allege unfounded delays in court proceedings. A visit to Slovakia by the European Committee to Prevent Torture in 2000 was announced, but the findings had not been released at this writing. The Advisory Committee on the Framework Convention for the Protection of National Minorities visited Slovakia in February. In June the European Commission Against Racism and Intolerance published its second report on Slovakia, acknowledging recent positive steps taken by Slovakia but recommending full adoption and implementation of anti-racist legislation and of measures to combat discrimination against the Roma community.

European Union

In February the European Union (E.U.) opened membership talks with a group of six candidate nations including Slovakia. At the sixth meeting of the E.U.-Slovakia Association Council in June, the E.U. recognized progress in the protection of minorities, particularly the 1999 adoption of the minority language law. The E.U. urged implementation of the law and particular attention to improving the situation of the Roma.

Some E.U. countries retained visa regimes, imposed in 1999 when a flood of Slovak Roma sought asylum. Belgium suspended its visa requirement on August 1. Norway lifted visa requirements for Slovak nationals on August 15.

United States

During U.S. Secretary of State Madeleine Albright's November 1999 Bratislava visit, a sign of dramatically improving relations with Slovakia, Albright called for better treatment of the Roma minority. In February 2000, the U.S. State Department, in its annual report on human rights, noted considerable improvement in Slovakia but said that the status and police treatment of the Roma remained problems.

TAJIKISTAN

Human Rights Developments

The Rakhimov government sought legitimation through flagrantly fraudulent parliamentary elections in 2000. The elections marked the last major step of the transitional process outlined in the June 1997 government-United Tajik Opposition (UTO) peace accord, but important provisions of the agreement were not implemented. Demobilization of troops and reform of government power structures remained incomplete, the 30 percent quota of government posts to be awarded to UTO representatives was never met, and national reconciliation stalled, with next to no representation of Uzbeks or Pamiris either in government or in the parliament. Instead, members of the president's Kuliabi regional group retained nearly all important government posts, and the Presidential People's Democratic Party (PDP) dominated the parliament. Human rights protections were also compromised by the government's increasingly authoritarian rule, and by disorder within law enforcement agencies and internal power struggles among government military and political leaders.

In the leadup to the February 27 parliamentary elections Human Rights Watch as well as a joint U.N.-OSCE observer mission witnessed state interference in the electoral process that included the obstruction or exclusion of opposition parties, a wholly arbitrary candidate registration process and flagrantly biased coverage by the state media. On election day there were numerous and grave irregularities in the voting. Of sixty-three seats, the ruling PDP gained thirty, and eighteen seats went to candidates who are mostly PDP members or widely acknowledged to be solidly pro-government, although they ran as independents. The Communist Party won thirteen seats and the Islamic Renaissance Party two. A joint U.N.-OSCE observer mission noted that the elections failed to meet minimum democratic standards, but calls for the vote to be annulled in some districts or for a recount of the vote went unheeded. Largely uncontested elections to the upper chamber held in March resulted in the election of an overwhelming majority of presidential party members.

Wanton violence by members of law enforcement and other security agencies contributed to overall lawlessness and a precarious personal security situation for most civilians. Human Rights Watch documented numerous cases of extortion, kidnapping, and beating of ordinary civilians by Ministry of Internal Affairs, Ministry of Defense, and Ministry of Emergency Situations personnel. Members of these units were also responsible for unlawful killings of civilians during operations to locate and confiscate illegal arms. The government made several limited attempts to improve security through these arms recovery operations and the arrest of members of the armed forces for common criminal offenses. The failure to meet two objectives of the peace accord—demobilization and reform of government power structures—continued to aggravate the security situation. One positive result was a somewhat improved security climate in Dushanbe, where by June many fewer armed persons and cars with blackened windows were visible, and where residents for the first time since 1992 dared to stay outside into the late evening hours. Nonetheless, sporadic explosions and shootings continued to occur in the capital. A May presidential decree resulted in the release of approximately 1,000 *kontraktniki* (contract servicemen) from service, but many reportedly remained in service.

Former UTO commanders, based in the Karategin valley and neither demobilized nor awarded government posts, continued to head independent armed forces, and clashes between these renegade forces and government troops in Darband in late August led to the reported burning of civilian houses and killing of livestock by government forces. Islamic insurgents who invaded Uzbekistan and Kyrgyzstan in August were accused of maintaining bases in northeastern Tajikistan, and former UTO combatants were accused of participating in the incursion.

Violence continued to characterize the political scene. In Dushanbe on February 16 a bomb exploded in a car carrying Dushanbe mayor Mahmadsaid Ubaidullaev and deputy security minister and parliamentary candidate Shamsullo Jabirov, fatally wounding the latter. On May 20, Saifullo Rahimov, chairman of the State Committee on Radio and Television, was assassinated in Dushanbe by unidentified gunmen. The politico-military climate in the Karategin valley deteriorated on June 3 when the chairman of the district of Garm, Sergei Davlatov, was shot down with his bodyguard and driver. International organizations temporarily evacuated the area after the killing, and at the time of writing, as in the months previous, the Karategin valley remained off-limits for most staff of international organizations. The year also saw firefights in public venues between the heads of several Kuliabi-headed security units.

The authorities arrested hundreds of alleged members of the banned Islamic movement *Hizb-ut-Tahrir* on charges of possession or distribution of anti-state literature and a wide range of criminal activities. In August seven members were sentenced to terms of imprisonment of from five to twelve years on charges of membership in illegal criminal groups and anti-state activities, while another thirty-seven were on trial in Leninabad on identical charges at the time of this writing. International organization staff and local sources reported that these arrests and trials were accompanied by incommunicado detention and physical mistreatment.

Electronic media remained under government control, and independent radio stations remained off the air, as their wait for a license from the government entered its third year. In May, Khurog-based state radio employee Umed Mamadponoev was detained by police and "disappeared" after producing a locally aired

PROGRAM ON THE ARMY MISTREATMENT OF SOLDIERS FROM GORNO-BADAKHSHAN. LOCAL AND INTERNATIONAL SOURCES FEAR MAMADPODDEV WAS DRAFTED BY AUTHORITIES FOR MILITARY SERVICE IN RETALIATION FOR HIS BROADCAST, BUT AS OF EARLY SEPTEMBER, HIS WHEREABOUTS REMAINED UNKNOWN.

Defending Human Rights

AS IN PREVIOUS YEARS THERE WAS LITTLE HUMAN RIGHTS MONITORING BY LOCAL GROUPS, BUT A VICTORY OF SORTS WAS SHARED BY LOCAL WOMEN'S NGOs WHEN AN UNFAIR DEATH SENTENCE IMPOSED ON TWENTY-ONE-YEAR-OLD DILEUZA NIMONOVA WAS COMMUTED IN JULY. THE MOVE TO COMMUTE HER SENTENCE HAD BEEN SPEARHEADED BY INTERNATIONAL ORGANIZATIONS, BUT MANY LOCAL WOMEN'S ORGANIZATIONS SIGNED PETITIONS TO THE GOVERNMENT IN HER SUPPORT. THE OSCE MISSION GAINED ACCESS TO SEVERAL OF THE COUNTRY'S PRISONS AND SHARED ITS FINDINGS WITH INTERNATIONAL MEDICAL HUMANITARIAN ORGANIZATIONS, ONE OF WHICH SUBSEQUENTLY IMPLEMENTED AN ASSISTANCE PROGRAM. THE INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC) CONTINUED TO BE DENIED ACCESS TO PRISONERS IN ACCORDANCE WITH ITS STANDARD PROCEDURES.

The Role of the International Community

IN THE FACE OF SYSTEMATIC CORRUPTION, A POLITICALLY INFLUENCED JUDICIARY, AND RAMPANT SECURITY FORCE ABUSE, SENIOR REPRESENTATIVES OF INTERNATIONAL AND HUMANITARIAN ORGANIZATIONS WORKING IN THE COUNTRY AND REGIONAL SPECIALISTS CALLED FREQUENTLY FOR HUMAN RIGHTS CONDITIONS TO APPLY FOR FUNDING FROM THE BRETTON WOODS INSTITUTIONS AND OTHER FINANCIAL BODIES.

THE WORLD BANK CONDUCTED A MAJOR POVERTY ASSESSMENT IN 2000, WITH AN AIM TO ESTABLISH A POVERTY REDUCTION PROGRAM AND PROVIDED CREDITS TOTALING CLOSE TO U.S. \$200 MILLION. THE ASIAN DEVELOPMENT BANK GAVE U.S. \$120 MILLION FOR AGRICULTURAL, EDUCATION, AND HEALTH CARE REFORM, WHILE ISLAMIC DEVELOPMENT BANK REPRESENTATIVES AND THE COORDINATION GROUP OF ARAB FOUNDATIONS COMMITTED FUNDS FOR HEALTH AND INFRASTRUCTURE PROJECTS. CHINA CONTRIBUTED SOME U.S. \$700,000 FOR MILITARY TECHNICAL SUPPORT.

United Nations

IN SPITE OF GRIEVOUSLY FLAWED ELECTIONS, THE UNFULFILLED PEACE AGREEMENT, AND A PRECARIOUS SECURITY SITUATION, THE UNITED NATIONS MISSION OF OBSERVERS TO TAJIKISTAN (UNMOT) TERMINATED ITS MANDATE ON MAY 15. UNMOT'S SUPPORT FOR RUSHED ELECTIONS AT THE EXPENSE OF HUMAN RIGHTS GOALS AND LONG-TERM POLITICAL STABILITY SEEMED AT LEAST PARTIALLY DESIGNED TO JUSTIFY THE PEACEKEEPING MISSION'S PREMATURE EXIT FROM THE COUNTRY. THIS HASTE TO WITHDRAW WAS ILLUSTRATED BY THE CLOSURE OF ITS FIELD OFFICES, WHOSE PERSONNEL HAD BEEN TASKED WITH OVERSEEING AND MONITORING THE PARLIAMENTARY ELECTIONS, EVEN BEFORE THE RUNOFF VOTES HAD BEEN HELD. UNMOT WAS REPLACED BY A U.N. TAJIKISTAN OFFICE OF PEACE BUILDING (UNTOP), MANNED IN DUSHANBE BY ONLY A HANDFUL OF INTERNATIONAL STAFF MEMBERS.

Organization for Security and Cooperation in Europe (OSCE)

IN 2000 A KHUJAND FIELD OFFICE WAS ADDED TO THOSE ALREADY IN PLACE IN SHAARTUZ, DUSTI, AND KURGAN-TIUBE, WHILE AN OSCE PRESENCE WAS MAINTAINED IN GARM BY A LOCAL STAFF MEMBER. THE MISSION LED A JOINT U.N.-OSCE ELECTION OBSERVATION TEAM FOR THE FEBRUARY PARLIAMENTARY ELECTIONS AND PRODUCED A COMPREHENSIVE REPORT WHICH NOTED THAT THE ELECTIONS FAILED TO MEET MINIMUM DEMOCRATIC STANDARDS. NOTEWORTHY INITIATIVES INCLUDED A HIGH-PROFILE INTERVENTION ON BEHALF OF A PRISONER FACING CAPITAL PUNISHMENT, A SENTENCE LATER COMMUTED TO IMPRISONMENT, AND ACCESS TO PRISONS BY THE MISSION.

The Republic of Uzbekistan

THE FIRST OFFICIAL SERVICE FLIGHT IN NINE YEARS FLEW ONCE BETWEEN DUSHANBE AND TASHKENT IN AUGUST BUT WAS CANCELED WHEN LATER IN THAT SAME MONTH UZBEK-TAJIK RELATIONS SOURDED FOLLOWING CLASHES BETWEEN ISLAMIC INSURGENTS AND GOVERNMENT TROOPS IN UZBEKISTAN AND KYRGYZISTAN. UZBEKISTAN SUBSEQUENTLY SEALED ITS BORDERS WITH TAJIKISTAN, AND A VISA REGIME BETWEEN THE TWO COUNTRIES BECAME EFFECTIVE IN SEPTEMBER.

Russian Federation

RUSSIA KEPT A FIRM MILITARY PRESENCE IN TAJIKISTAN THROUGH ITS 201ST MOTORIZED RIFLE DIVISION, THE THOUSANDS-STRONG RUSSIAN BORDER FORCES, AND A PERMANENT RUSSIAN MILITARY BASE IN KHUJAND, AND THROUGH SUPPORT FOR ANTITERRORIST AND ANTI-DRUG TRAFFICKING ACTIVITIES. RUSSIA THREATENED TO CONDUCT AIR STRIKES AGAINST ALLEGED CHECHEN TRAINING BASES IN AFGHANISTAN. RUSSIA FAILED TO USE ITS MILITARY TIES TO ENCOURAGE MEASURES TO CURB THE LAWLESS AND ABUSIVE PRACTICES OF THE TAJIK SECURITY FORCES.

United States

ALTHOUGH UNITED STATES EMBASSY INTERNATIONAL STAFF WERE RELOCATED IN SEPTEMBER 1999 TO ALMATY FOR SECURITY REASONS, THE "SUSPENDED OPERATIONS" STATUS OF THE U.S. EMBASSY WAS LIFTED IN LATE 1999, AND UNITED STATES EMBASSY PERSONNEL BASED IN ALMATY TRAVELED REGULARLY TO DUSHANBE. THE U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT'S BUDGET FOR CENTRAL ASIA SUFFERED CLOSE TO A 30 PERCENT CUT, AND THE AGENCY ELABORATED A STRATEGY TO COLLABORATE MAINLY WITH IN-COUNTRY NGOs AND LOCAL GOVERNMENT, PARTICULARLY IN THE AREAS OF HEALTH AND ENVIRONMENT. THE STATE DEPARTMENT'S COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES FOR 1999 PROVIDED AN UNBIASED AND IN GENERAL ACCURATE REVIEW OF THE SORRY STATE OF HUMAN RIGHTS IN TAJIKISTAN.

Relevant Human Rights Watch Reports:

FREEDOM OF EXPRESSION STILL THREATENED,
11/99

TURKEY

Human Rights Developments

THE TURKISH GOVERNMENT MADE ALMOST NO PROGRESS ON KEY HUMAN RIGHTS REFORMS IN 2000, AND FAILED TO TAKE ADVANTAGE OF THE OPPORTUNITY PRESENTED BY A MARKED REDUCTION IN ARMED VIOLENCE BY ILLEGAL ORGANIZATIONS. THIS WAS IN SPITE OF THE STRONG INCENTIVE COMING FROM THE EUROPEAN UNION, WHICH OFFERED LONG-AWAITED RECOGNITION TO TURKEY AS A CANDIDATE FOR MEMBERSHIP, SUBJECT TO ITS MEETING HUMAN RIGHTS CONDITIONS. WHILE THE GOVERNMENT PROCRASTINATED, POLITICIANS AND WRITERS WERE PROSECUTED AND IMPRISONED FOR EXPRESSING THEIR NONVIOLENT OPINIONS, AND DETAINEES IN POLICE CUSTODY REMAINED AT RISK OF ILL-TREATMENT, TORTURE, OR DEATH IN

custody. A reduction in political violence contributed to a decrease in the overall volume of abuses. There were fewer deaths in custody, suggesting that public and international pressure may have had some inhibiting effect on police interrogators.

The military, still an overriding force in politics, was a factor in holding back change, particularly with regard to freedom of expression. The army publicly aired its views on a wide range of non-military issues, including the selection of presidential candidates, and justified these intrusions by reference to its purported role as guardian of the republic against separatism and religious fundamentalism.

The government, trapped between powerful conservative elements within the state and demands that Turkey fulfil its human rights commitments, equivocated, trying to please both sides. In late 1999, for example, it temporarily released Akin Birdal, imprisoned for a speech he gave while president of the Turkish Human Rights Association, and issued an amnesty for imprisoned and prosecuted journalists; both actions seemed designed to avoid official embarrassment at the EU Helsinki Summit in December. Akin Birdal was rearrested in early March, and prosecutions of journalists resumed and continued throughout 2000.

In December 1999 Turkey was finally recognized as an EU candidate, but the opening of formal negotiations was conditional on satisfaction of human rights criteria. Apparently inspired by this, an excellent program of urgent reforms was announced in January by the then State Minister with Responsibility for Human Rights Mehmet Ali İrfemcelik, but little of the program was actually implemented. In August Turkey signed the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), but the government indicated that significant reservations might be attached to Turkey's ratification of the covenants.

Six provinces in the southeast of Turkey remained under state of emergency legislation. In 1999 the Kurdistan Workers' Party (PKK) declared that it would abandon armed activities in Turkey, thus reducing the armed turbulence, particularly in the southeast, although some units of the PKK continued sporadic attacks, and there were some clashes between security forces and PKK groups withdrawing to northern Iraq. Other illegal organizations, including the Workers and Peasants' Army of Turkey (TKKO), the Islamic Raiders of the Big East-Front (IBDA-C) and the Revolutionary People's Liberation Party/Front (DHKP/C), continued their armed activities. Nevertheless, the number of clashes diminished considerably. The Anatolia News Agency reported in May that armed incidents had decreased from 3,300 in 1994, to 1,436 in 1995, to 409 in 1999, to eighteen in the first five months of 2000.

Bülent Ecevit, leader of the Democratic Left Party (DSP) and prime minister since November 1999, continued in office, leading a coalition of the extreme right wing National Action Party (MHP) and the center right ANAP (Motherland Party). In May, Ahmet Necdet Sezer was elected president of the republic, replacing Süleyman Demirel, who was nearing the end of his term. Sezer, a judge and former president of the Constitutional Court, had made a series of speeches calling for the constitution and legal system of Turkey to be "cleansed" of their repressive features. He sustained this theme in his inaugural speech in which he said the Turkey could not "meet the demands of a modern society without abandoning the structure and regulations that bring to mind a police state."

Unfortunately, government ministers who applauded his speech took no steps to dismantle the battery of laws that restrict freedom of expression and inhibit political life. Political parties risked closure if they conflicted with the official line on the role of religion and ethnicity in politics. At this writing, the religious Virtue Party (Fazilet) and the mainly Kurdish People's Democracy Party (HADEP) were both subject to pending actions for closure in the Constitutional Court. Local HADEP organizations were subject to harassment with members being arbitrarily detained and frequently ill-treated. In February, Feriðun Çelik, mayor of Diyarbakir; Selim Özalp, mayor of Siirt; and Feyzullah Karaslan, mayor of Bingöl, were detained and ill-treated during five days of incommunicado detention. They were remanded to prison but released after four days in response to international pressure.

Although Turkish media and politicians furiously debate many issues and openly criticize the government, those who contradict the official line on the role of ethnicity, religion, or the military in politics risk prosecution and imprisonment. In July a one-year sentence imposed on former prime minister Necmettin Erbakan for a speech he made in March 1994 was confirmed by the Supreme Court. Erbakan was charged under article 312 of the Turkish Criminal Code with "incitement to hatred on grounds of race or religion" although his speech contained no advocacy of hatred or violence. Criticism of the government's exclusion from higher education of women who wear the Islamic headscarf resulted in a one-year prison sentence for Hasan Celal Güzel, former Education Minister and leader of the Rebirth Party.

Such convictions under article 312 of the Turkish Criminal Code also triggered bans on participation in politics or civil society. Government efforts to reform or abolish article 312 were blocked by the military: Minister of Justice Hikmet Sami Türk explicitly acknowledged the chief of general staff's opposition to amendment of article 312.

Article 312, however, was only one of many laws that inhibited freedom of expression. Prison sentences were also handed down under article 155 for "alienating the people from the institution of military service," article 159 for "insulting state institutions," and article 9 of the Anti-Terror Law for "separatist" statements.

The campaign to restrict the wearing of headscarves for religious reasons in educational settings or on state premises continued unabated, strongly supported by the Office of the Chief of General Staff. This campaign, waged in the name of secularism, resulted in thousands of devout Muslim women being temporarily or permanently denied access to education, while others were suspended or discharged from employment in teaching or health care.

Many cases of torture and ill-treatment were reported by detainees accused of theft and other common criminal offenses as well as those interrogated under the Anti-Terror Law. Blindfolding continued to be routine. Incommunicado detention, condemned by UN and Council of Europe specialists as a major factor in torture, was not abolished. There was one reported death in custody.

In recent years, reports by the European Committee for the Prevention of Torture (CPT) and the UN special rapporteur on torture have confirmed the widespread nature of torture in Turkey. In May 2000 the Human Rights Commission of the Turkish Parliament issued six long and detailed reports documenting the persistence of torture. A seventh was published in October. Based on hundreds of interviews conducted during unannounced visits to police stations in the provinces of Istanbul, Batman, Erzincan, Erzurum, Sanliurfa and Tunceli, the commission's work was a model of parliamentary supervision.

In March 2000 the Human Rights Commission interviewed a number of juveniles at the Bakirkoy Prison for Women and Children who had been held at various police stations in Istanbul in the preceding weeks and who described being stripped naked and subjected to electric shocks, hosing with cold water under pressure, beating with a truncheon, *falaka* (beating on the soles of the feet), and being forced to stand for hours in a chest-high barrel of water. One fourteen-year-old described being interrogated under torture for eight days at Kadikoy Yeldegirment Police Station, and told the commission where they could find pickle handles used for beating the soles of detainees' feet. When the commission later went to the police station, the instruments were found just as the youngster had indicated.

On the basis of leads given by young people interviewed at Bakirkoy Women and Children's Prison, the commission went to Istanbul's Kucukkoy Police Station, located an apparatus used to suspend detainees by the arms, photographed it, and handed the photographs over as evidence for judicial proceedings. At the same police station the commission was told that a room with a locked door was "an unused storage room" to which the key had been lost. The commission members broke a panel of the door and peered through to find "all of the walls, including the door, were covered with yellow sponge, in order to give sound insulation . . . Almost all of the children who had told the commission that they had been tortured at this police station had described this room covered in yellow foam." There were "lost keys" and soundproofed interrogation rooms in other police stations and provinces as well.

THERE WERE NO VERIFIED REPORTS OF "DISAPPEARANCE," BUT THE AUTHORITIES CONTINUED TO IGNORE DEMANDS FOR INVESTIGATION OF THE PATTERN OF "DISAPPEARANCES" FROM THE MID-1990S. THE EUROPEAN COURT OF HUMAN RIGHTS CONTINUED TO INVESTIGATE OUTSTANDING CASES. IN JUNE THE COURT FOUND THE TURKISH GOVERNMENT RESPONSIBLE FOR THE 1994 "DISAPPEARANCE" OF ABDULVAHAP TIMURTAS AFTER HIS DETENTION BY GENDARMES IN SILOPI, SIRNAK PROVINCE.

TENSION INCREASED IN THE PRISON SYSTEM AS SINCAN F-TYPE PRISON, THE FIRST OF A NEW GENERATION OF HIGH SECURITY FACILITIES, REACHED COMPLETION. THE NEW PRISONS CONSISTED OF ONE- AND THREE-PERSON CELLS RATHER THAN THE LARGE WARDS THAT WERE TRADITIONAL IN THE TURKISH PRISON SYSTEM. PRISONERS HELD UNDER THE ANTI-TERROR LAW WERE ALARMED THAT THEY WERE ABOUT TO BE MOVED INTO A REGIME OF INTENSE ISOLATION UNDER ARTICLE 16 OF THAT LAW. A NUMBER OF PRISONERS AT KARTAL SPECIAL TYPE PRISON IN ISTANBUL ARE ALREADY HELD IN SMALL GROUP ISOLATION CHARACTERIZED BY A LIMITED AND MONOTONOUS PHYSICAL AND SOCIAL ENVIRONMENT WITH NO OUT-OF-CELL TIME, IN CLEAR VIOLATION OF INTERNATIONAL PRISON STANDARDS.

IN JUNE, IN THE WAKE OF PROTESTS BY RIGHTS GROUPS, INCLUDING HUMAN RIGHTS WATCH, LAWYERS WERE TOLD THAT CLIENTS HELD AT KARTAL SPECIAL TYPE PRISON WOULD BE ALLOWED ACCESS TO THE LIBRARY AND SPORTS FACILITIES IN GROUPS OF FIVE OR TEN, BUT THIS WAS NOT IMPLEMENTED. IN JULY THE CPT VISITED TURKEY AND EXAMINED SINCAN F-TYPE PRISON, BUT AS OF OCTOBER ITS FINDINGS HAD NOT BEEN PUBLISHED.

IN OCTOBER, THE MINISTRY OF JUSTICE PUBLISHED A DRAFT LAW ABOLISHING MANDATORY SOLITARY OR SMALL-GROUP ISOLATION FOR PRISONERS HELD UNDER THE ANTI-TERROR LAW.

IN JULY A GROUP OF PRISONERS AT BURDUR PRISON REFUSED TO ATTEND COURT HEARINGS IN PROTEST AGAINST THE PLANNED IMPLEMENTATION OF F-TYPE PRISONS. GENDARMES WHO ENTERED THE PRISON TO SUPPRESS THE PROTEST BEAT AND INJURED MALE AND FEMALE PRISONERS. MEDICAL REPORTS ISSUED BY BURDUR STATE HOSPITAL INDICATED THAT PRISONERS WERE SUFFERING FROM BURNS AND BROKEN LIMBS AND RIBS, AND THAT FEMALE PRISONERS HAD COMPLAINED OF BEING RAPE WITH OBJECTS. THE ARM OF ONE PRISONER, VELI SACILIK, WAS TORN OFF BY AN EXCAVATOR USED TO BREAK INTO THE WARD. THE MINISTRY OF JUSTICE MADE A PUBLIC STATEMENT THAT PRISONERS HAD RESISTED SECURITY FORCES WHO "TOOK CARE TO APPLY ONLY SUCH FORCE AS WAS NECESSARY TO BREAK THE RESISTANCE, USING MODERN EQUIPMENT RATHER THAN FIREARMS, AND TO END THE RIOT WITHOUT CAUSING ANY DAMAGE."

ALTHOUGH TURKEY RETAINED THE DEATH PENALTY AND COURTS CONTINUED TO HAND DOWN DEATH SENTENCES, THE SIXTEENTH SUCCESSIVE YEAR PASSED WITHOUT JUDICIAL EXECUTIONS. IN JUNE THE PRIME MINISTER AND THE MINISTER OF JUSTICE EXPRESSED PERSONAL OPPOSITION TO THE DEATH PENALTY AND CALLED FOR ITS ABOLITION, REGRETTING THAT THERE WAS NOT UNANIMITY ON THIS ISSUE WITHIN THE COALITION GOVERNMENT.

BY RETAINING A GEOGRAPHIC LIMITATION TO ITS RATIFICATION OF THE 1951 U.N. CONVENTION RELATING TO THE STATUS OF REFUGEES, TURKEY REFUSES TO RECOGNIZE ANY ASYLUM SEEKERS AS REFUGEES UNLESS THEY COME FROM EUROPE AND THEREFORE CONTINUED TO BE A HAZARDOUS DESTINATION FOR ASYLUM SEEKERS, MOST OF WHOM ARE IRANIAN AND IRAQI. IN MAY NINE BANGLADESHI, AFGHAN, AND PAKISTANI ASYLUM SEEKERS WERE SHOT DEAD BY TURKISH SECURITY FORCES AS THEY CROSSED THE BORDER AT DOGUBAYAZIT, NEAR AGRI IN EASTERN TURKEY.

ALTHOUGH ILLEGAL ARMED ORGANIZATIONS CARRIED OUT FEWER ATTACKS ON CIVILIANS, IN THREE SEPARATE INCIDENTS IN AUGUST, BEKTAŞ KAYA AND SADIK KAYA, BOTH VILLAGE OFFICIALS, AND HAMDİ SAHİN, A VILLAGER, WERE ABDUCTED AND KILLED IN TOKAT PROVINCE. THE WORKERS AND PEASANTS' ARMY OF TURKEY (TİKKO) WAS BELIEVED TO BE RESPONSIBLE FOR THE KILLINGS.

Defending Human Rights

IN A POLICY PAPER PREPARED AS PART OF THE E.U. ACCESSION PROCESS, THE TURKISH GOVERNMENT'S SPECIAL COMMITTEE ON TURKEY-E.U. RELATIONS MADE THE WELCOME SUGGESTION THAT "THE CONSTRUCTIVE FUNCTION OF NONGOVERNMENTAL ORGANIZATIONS IN RAISING HUMAN RIGHTS AWARENESS SHOULD BE ENCOURAGED AND THERE SHOULD BE CLOSER COOPERATION AND COMMUNICATION WITH THEM." THIS INTENTION WAS NOT WELL REFLECTED IN PRACTICE, AS MEMBERS OF TURKISH HUMAN RIGHTS ORGANIZATIONS WERE OBSTRUCTED IN THEIR WORK IN VARIOUS WAYS RANGING FROM ILL-TREATMENT TO PROSECUTION. PUBLIC DEMONSTRATIONS AND PRESS CONFERENCES ON HUMAN RIGHTS ISSUES WERE REPEATEDLY PROHIBITED BY LOCAL OFFICIALS OR BROKEN UP BY POLICE, SOMETIMES VIOLENTLY.

THE DIYARBAKIR AND VAN BRANCHES OF THE HUMAN RIGHTS ASSOCIATION (HRA) AND THE MALATYA BRANCH OF THE ASSOCIATION OF HUMAN RIGHTS AND SOLIDARITY FOR OPPRESSED PEOPLES (MAZLUM-DER) WERE CLOSED FOR MUCH OF THE YEAR BY ORDER OF LOCAL GOVERNORS OR THE GOVERNOR OF THE EMERGENCY REGION.

THE GOVERNOR OF THE EMERGENCY REGION PREVENTED A DELEGATION OF THE DIYARBAKIR DEMOCRACY PLATFORM, A GROUP OF CIVIL SOCIETY ORGANIZATIONS, FROM CROSSING THE BORDER WITH NORTHERN IRAQ WHERE THEY HOPED TO INVESTIGATE THE KILLING OF AN ESTIMATED FORTY CIVILIANS DURING THE TURKISH ARMED FORCES' BOMBING OF LOLAN, KENDAKOR REGION, IN NORTHERN IRAQ IN AUGUST.

The Role of the International Community

Council of Europe

THE COUNCIL OF EUROPE MONITORED TURKEY THROUGH ITS POLITICAL, INVESTIGATIVE, AND JUDICIAL BODIES.

THE EUROPEAN COURT OF HUMAN RIGHTS FOUND TURKEY RESPONSIBLE FOR "DISAPPEARANCE," EXTRAJUDICIAL EXECUTION, DEATH IN CUSTODY, TORTURE, AND SUPPRESSION OF FREEDOM OF EXPRESSION IN TWELVE NEW DECISIONS.

NO REPORT ON THE CPT'S JULY MISSION TO TURKEY HAD BEEN PUBLISHED AS OF OCTOBER 2000. THIS MISSION'S STATED PRIORITY WAS TO EXAMINE THE CURRENT CHANGES IN THE PRISON SYSTEM. REPORTS ON VISITS COULD ONLY BE PUBLISHED WITH THE CONSENT OF THE GOVERNMENT IN QUESTION, AND IN TURKEY'S CASE, REPORTS ON EIGHT VISITS REMAIN UNPUBLISHED.

European Union

THE DEVELOPMENT OF AN ACCESSION PARTNERSHIP AGREEMENT PROVED AN UNPARALLELED OPPORTUNITY FOR DOMESTIC AND INTERNATIONAL PRESSURE FOR POSITIVE CHANGE. CONSEQUENTLY, THE EUROPEAN COMMISSION AND THE EUROPEAN PARLIAMENT WERE IN CLOSE CONTACT WITH TURKISH AUTHORITIES AND TURKISH CIVIL SOCIETY AND FOLLOWED HUMAN RIGHTS DEVELOPMENTS WITH INTENSE INTEREST. FOR MOST OF THE YEAR THE E.U.'S PUBLIC AND PRIVATE COMMENTARY MAINLY CONSISTED OF EXPRESSIONS OF FRUSTRATION AT THE LOSS OF MOMENTUM AND THE SLUGGARDLY PACE OF REFORM. IN APRIL E.U. ENLARGEMENT COMMISSIONER GÜNTER VERHEUGEN TOLD THE TURKISH FOREIGN MINISTER: "WITH SOME CONCERN, WE HAVE UNFORTUNATELY NOTED THAT NOT MUCH PROGRESS HAS BEEN MADE SINCE HELSINKI." THE TURKISH-EUROPEAN JOINT PARLIAMENTARY COMMISSION ECHOED THIS OBSERVATION IN ITS JUNE STATEMENT.

THE PARTICULAR EMPHASIS THAT THE EUROPEAN UNION PLACES ON MINORITY RIGHTS IN TURKEY WAS A CAUSE OF FRICTION. IN SEPTEMBER, THE TURKISH FOREIGN MINISTRY EXPRESSED IRRITATION THAT THE EUROPEAN PARLIAMENT ON RELEASING AN AID PACKAGE OF 155 MILLION EUROS (U.S. \$117 MILLION) TO TURKEY HAD PROPOSED LINKING THE FUNDS TO PROGRESS ON KURDISH CULTURAL RIGHTS AND THE ECONOMY IN THE SOUTHEAST.

United States

THE STATE DEPARTMENT'S COUNTRY REPORT ON HUMAN RIGHTS PRACTICES FOR TURKEY IN 1999 FULLY REFLECTED THE SCALE OF VIOLATIONS AND OFFICIAL INTERFERENCE IN POLITICAL AND PUBLIC LIFE. THE REPORT DETAILED MANY CASES OF PEOPLE IMPRISONED FOR EXPRESSING THEIR NONVIOLENT OPINIONS, AND OF TORTURE AND ARBITRARY KILLING, AND

accurately documented the impunity that protected the perpetrators of violations. Senior government officials publicly called for progress on human rights. In January, in response to a congressional letter, President Clinton expressed support for language rights and an interest in the Kurdish minority. Consistent with this, there was a strong reaction to the arrest of the HADEP mayors in March.

In July, the Turkish government announced that U.S. helicopter manufacturer Bell Textron won the contract for 145 attack helicopters, a sale worth an estimated four billion dollars. This class of equipment has been used to commit human rights violations in Turkey, including "disappearances" and arbitrary killings, and the sale is subject to congressional approval. A congressional debate was not expected before 2001. Rights groups protested the pending sale and pressed the U.S. government to ensure at least that effective systems be put in place to ensure end-use monitoring of this equipment.

Relevant Human Rights Watch Reports:

Human Rights and the European Union Accession Partnership, 9/00

Small Group Isolation in Turkish Prisons: An Avoidable Disaster, 5/00

TURKMENISTAN

Human Rights Developments

As his cult of personality soared to new heights, President Saparmurad Niyozov continued to crack down on political and religious dissidents, to restrict freedom of the press and of movement, and to eliminate even the trappings of democracy.

Turkmenistan defaulted upon its international commitments on political reform when at the end of 1999 its Parliament voted to remove term limits for the presidency, opening the way for Niyozov to remain in the presidency indefinitely. Parliamentary elections, held in November, were neither free nor fair.

In August, police prevented two hundred village women from entering the capital where they intended to take their grievances directly to the president, according to the Moscow-based Information Center for Human Rights in Central Asia.

At the end of 1999, Turkmenistan abolished the death penalty, in one of several measures promoted by President Niyozov to further human rights protection. In May, a law was passed "on banning searches in the homes of Turkmenistan's citizens" without judicial authorization. Niyozov said the law responded to a reality in which law enforcement officials "could plant one or two grams of drugs or other things in some of those houses they were searching in order to take vengeance on people, and many people are being harmed in this case." Another decree reaffirmed the inviolability of private property, despite a continuing state of official confiscations of private homes. Niyozov also established a special "commission for ensuring legality."

Security forces arrested longtime political activist Nurberdi Nurmamedov, leader of the banned opposition political party Agtybirlik (Unity), on January 5. Nurmamedov was sentenced in February to five years in prison on fabricated charges of "hooliganism." Faced with the threat of a prison sentence for his son, who was also arrested, Nurmamedov was forced to make a televised request for the president's forgiveness. The KNB (State Security Committee, formerly the KGB) officials demanded that Nurmamedov's family state publicly that his case was not political, but "a purely criminal matter." The Information Center for Human Rights in Central Asia reported that Nurmamedov and two fellow political prisoners, Mukhametkuli Aïmuradov and Pirikuli Tängrykuliëv, underwent severe beatings in September.

Minority rights suffered in 2000 when the president issued new restrictions on the use of Russian for official business. Reportedly, the number of Russian speakers seeking to leave Turkmenistan increased significantly this year. The output of Uzbek language print and broadcast media for Turkmenistan's sizeable Uzbek minority in the east of the country also reportedly shrank.

An ominous June decree ordered the National Security Committee and other state agencies to maintain "strict control" over the movements of foreigners in the country. At least one foreign journalist was questioned by the KNB. In August, KNB officials contacted Radio Liberty stringer Saparmurad Övezberdiyev, whose activities had already been closely monitored, to tell him that he could no longer report for RFE/RL because he lacked accreditation, despite the permission granted by the Ministry of Foreign Affairs for RFE journalists to work there.

Turkmenistan became one of the world's strictest censors of the Internet when on May 29, the country's communications ministry unilaterally revoked the licenses of all five private Internet service providers (ISPs), forcing all Internet use to run through the state monopoly provider.

The 1997 amendments to the Law on Religion, which effectively ban religious denominations aside from Sunni Islam and Russian Orthodoxy remained in force, though Turkmenistan bowed to international pressure and promised to halt police raids on prayer meetings conducted in private homes. Turkmenistan continued to imprison religious believers, dismiss them from their jobs, confiscate religious materials, and destroy houses of worship. On November 13, 1999, Turkmen security forces bulldozed Ashgabat's Seventh-Day Adventist church. Also in November, authorities rejected the application of the Turkmen Bible Society for registration, though the group reportedly met all of the official requirements.

In December, police and security officials detained Dmitrii Melnichenko and Mikhail Kozlov and beat, threatened, and tortured them in order to obtain information about the whereabouts of two Baptist pastors who were later deported. Police the same month raided Baptist churches in Turkmenabad (Chardjov), Mary, Turkmenbashi, and Ashgabat. Repression of Protestant Christian groups appeared to have intensified in February, when the KNB raided several religious meetings held by Protestant groups in private homes, and several in the congregation were subsequently fired from their jobs, according to the Keston Institute. Also in February, police sealed the premises of a building bought by Baptists for use as a house of worship in the town of Mary, and confiscated all of the religious literature inside. In October, local KNB arrested Seventh Day Adventist pastor Pavel Fedotov at a Bible reading in Chardjov, charging him with holding an unsanctioned meeting and confiscating videotapes and other articles. He was released several days later.

By early in the year, Turkmen police had reportedly expelled the last remaining Russian Baptist missionaries in the country. Authorities forced the family of imprisoned Turkmen Baptist pastor Shohitily Atakov into internal exile, while his brother was imprisoned on trumped-up administrative charges for fifteen days in March.

Muslim as well as Christian religious dissidents fell victim to persecution this year. In February, Turkmen authorities arrested Khoja Ahmed Oratgylch and charged him with unspecified economic crimes, in retaliation for his broadcast criticism on Radio Liberty's Turkmen service of the president's pronouncements on religion. While in custody, a letter purportedly signed by Oratgylch that begged the forgiveness of the president was published in the newspapers. The president

PUBLICLY THREATENED TO IMPRISON THE SEVENTY-TWO-YEAR-OLD ISLAMIC SCHOLAR FOR TWENTY-FIVE YEARS, BUT ON MARCH 3, THE PRESIDENT "COMMUTED" ORAZGYLYCH'S PUNISHMENT TO INTERNAL EXILE FOR AN UNDEFINED TERM (NO EVIDENCE IS PUBLICLY AVAILABLE THAT ANY JUDICIAL PROCEEDING EVER TOOK PLACE). THAT VERY DAY, SECURITY FORCES REMOVED ORAZGYLYCH AND HIS FAMILY TO THE PROVINCIAL TOWN OF TEJEN AND BULLDOZED HIS ASHGABAT HOME AND THE MOSQUE HE HAD BUILT ON ITS GROUNDS. PRESIDENT NIAZOV ORDERED ALL COPIES OF ORAZGYLYCH'S TURKMEN TRANSLATION OF THE KORAN TO BE BURNED. IN APRIL, NIAZOV DECREED THAT ALL MUSLIM RELIGIOUS SCHOOLS, SAVE FOR A SELECT FEW SCHOOLS RUN DIRECTLY BY THE STATE-CONTROLLED RELIGIOUS AUTHORITY, THE MUFTIAT, SHOULD BE CLOSED, IN EFFECT BANNING PRIVATE MUSLIM RELIGIOUS EDUCATION. AS MANY AS THREE HUNDRED FOREIGN ISLAMIC PREACHERS HAD REPORTEDLY BEEN DEPORTED FROM TURKMENISTAN THIS YEAR.

ACADEMIC FREEDOM AND RECOGNITION OF THE RIGHT TO EDUCATION REACHED A NEW LOW. THE PRESIDENT CALLED FOR THREE-GENERATION "BACKGROUND CHECKS" TO DETERMINE POTENTIAL UNIVERSITY STUDENTS' "MORAL CHARACTER" BEFORE THEY ARE ADMITTED TO STUDY. NIAZOV ALSO ABOLISHED HIS COUNTRY'S WORLD LANGUAGES UNIVERSITY, ORDERED THAT THE ENTIRE PRINTING OF A NEW TURKMEN HISTORY TEXTBOOK BE BURNED, AND DECREED THAT FOREIGN LANGUAGES SHOULD NO LONGER BE TAUGHT IN SCHOOLS.

Defending Human Rights

TURKMENISTAN ALLOWS NO DOMESTIC NONGOVERNMENTAL HUMAN RIGHTS ORGANIZATIONS TO EXIST. NINA SHMELEVA, FIFTY-SEVEN, A JOURNALIST AND ACTIVIST OF THE UNREGISTERED RUSSIAN COMMUNITY OF TURKMENISTAN WHO HAD ATTEMPTED TO ASSIST ETHNIC RUSSIANS TRYING TO EMIGRATE FROM TURKMENISTAN, WAS FORCED TO CONFESS TO "FINANCIAL FRAUD" AND WAS SENTENCED IN MAY TO FIVE YEARS IN PRISON (HER SENTENCE WAS LATER REDUCED TO A SIX-YEAR PROBATION).

The Role of the International Community

Organization for Security and Cooperation in Europe (OSCE)

THE OSCE POINTEDLY REFUSED TO SEND EVEN A SCALED-DOWN MISSION TO OBSERVE TURKMENISTAN'S PARLIAMENTARY ELECTIONS IN DECEMBER, AND DENOUNCED THE ARREST OF NURBERDI NURMAMEDOV. ITS REPRESENTATIVE ON FREEDOM OF THE MEDIA CRITICIZED THE LIFE-PRESIDENCY. CHAIRMAN-IN-OFFICE BENITA FERRERO-WALDNER VISITED TURKMENISTAN IN MAY FOR TALKS ON SECURITY, ECONOMICS, THE ENVIRONMENT, AND HUMAN RIGHTS, AND INVITED TURKMENISTAN TO PARTICIPATE IN A MULTILATERAL PROJECT ON RESOLVING DISPUTES OVER WATER USE IN THE REGION, SPONSORED BY THE OSCE'S OFFICE OF DEMOCRATIC INSTITUTIONS AND HUMAN RIGHTS (ODIHR), THE EUROPEAN COMMUNITY, AND THE WORLD BANK, AN OFFER PRESIDENT NIAZOV PROMPTLY REJECTED. FOR THE THIRD YEAR IN A ROW, TURKMENISTAN REFUSED TO SIGN A SUBSTANTIVE MEMORANDUM OF UNDERSTANDING WITH THE ODIHR, ONE OF THE CONDITIONS UNDER WHICH THE OSCE HAD AGREED TO ESTABLISH ITS ASHGABAT OFFICE.

European Union

IN NOVEMBER 1999 THE EUROPEAN UNION (E.U.) SIGNED AN INTERIM AGREEMENT, EXTENDING FULL TRADE BENEFITS TO TURKMENISTAN, RENDERING ALMOST MEANINGLESS THE CONTINUED SUSPENSION ON HUMAN RIGHTS GROUNDS OF THE PARTNERSHIP AND COOPERATION AGREEMENT RATIFICATION PROCESS. THE E.U. ALSO PRAISED TURKMENISTAN'S ABOLITION OF THE DEATH PENALTY, THOUGH ITS STATEMENT AT THE U.N. COMMISSION ON HUMAN RIGHTS SESSION IN MARCH NOTED THAT HUMAN RIGHTS OBSERVANCE WAS "DETERIORATING."

United States

WHILE THE U.S. CRITICIZED HIGH PROFILE ABUSES, SUCH AS THE ARREST OF NURMAMEDOV, STATEMENTS WERE FREQUENTLY DELAYED OR DOWNPLAYED SO AS NOT TO INTERFERE WITH NEGOTIATIONS ON TURKMENISTAN'S PARTICIPATION IN THE PLANNED TRANS-CASPIAN NATURAL GAS PIPELINE. THE CLINTON ADMINISTRATION IGNORED THE RECOMMENDATIONS OF THE U.S. GOVERNMENT'S COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM TO DESIGNATE TURKMENISTAN AS A COUNTRY OF PARTICULAR CONCERN, A STEP THAT COULD HAVE TRIGGERED SANCTIONS.

European Bank for Reconstruction and Development (EBRD)

AFTER PRESIDENT NIAZOV REFUSED TO MEET A VISITING EBRD DELEGATION, THE BANK ANNOUNCED IN APRIL THAT IT WOULD HALT ALL PUBLIC SECTOR LENDING TO THAT COUNTRY, CITING TURKMENISTAN'S REFUSAL TO IMPLEMENT "PRINCIPLES OF MULTI-PARTY DEMOCRACY, PLURALISM AND MARKET ECONOMICS," AS REQUIRED BY THE BANK'S CHARTER. THE BANK HAD EARLIER CANCELLED A PLANNED U.S. \$50 MILLION INVESTMENT TO UPGRADE ONE OF THE COUNTRY'S MAIN HIGHWAYS.

UNITED KINGDOM/NORTHERN IRELAND

Human Rights Developments

IN ACCORDANCE WITH THE 1999 MULTI-PARTY AGREEMENT, THE BRITISH PARLIAMENT DEVOLVED POWER TO THE NEW EXECUTIVE AND ASSEMBLY FOR NORTHERN IRELAND IN DECEMBER 1999. IN FEBRUARY 2000, THESE INSTITUTIONS WERE SUSPENDED AND DIRECT RULE BY WESTMINSTER WAS REIMPOSED WHEN DISAGREEMENTS AMONG POLITICAL PARTIES AND PARAMILITARY GROUPS STYMIED THE PROCESS OF DECOMMISSIONING WEAPONS. AFTER A FAVORABLE SUBSEQUENT REPORT BY A DECOMMISSIONING PANEL, THE EXECUTIVE AND ASSEMBLY WERE REINSTATED IN MAY. THE AGREEMENT WAS THREATENED AGAIN DURING JULY AND AUGUST WHEN INTERNAL FEUDING AMONG LOYALIST PARAMILITARY ORGANIZATIONS LED TO THREE KILLINGS, PUTTING THE LOYALIST CEASE-FIRE INTO QUESTION. DESPITE POLITICAL SETBACKS, REFORMS DEALING WITH HUMAN RIGHTS UNDER THE AGREEMENT—INCLUDING POLICE REFORM AND A CRIMINAL JUSTICE SYSTEM REVIEW—PROCEEDED, ALBEIT WITH SOME DISAPPOINTING OUTCOMES. OTHER ISSUES OF CONCERN INCLUDED NEW ANTI-TERRORISM LEGISLATION; GOVERNMENT STALLING ON ESTABLISHING INDEPENDENT JUDICIAL INQUIRIES INTO THE MURDERS OF TWO HUMAN RIGHTS LAWYERS; AND IMPUNITY FOR POLICE ABUSE.

THE DRAFT LEGISLATION TO IMPLEMENT THE 1999 PATTEN COMMISSION REPORT ON POLICE REFORM FAILED TO INCORPORATE SEVERAL KEY PROVISIONS OF THE REPORT, IN PARTICULAR PATTEN'S CALL FOR A POLICING SERVICE WITH HUMAN RIGHTS PROTECTIONS AT ITS CORE. AS OF OCTOBER 2000, THE DRAFT BILL DEPARTED SIGNIFICANTLY FROM THE RECOMMENDATIONS

addressing the crucial issue of police accountability mechanisms and the creation of a new name and symbols for the Royal Ulster Constabulary (RUC), Northern Ireland's police force. These departures threatened future recruitment of traditionally excluded groups—primarily nationalists and Catholics—to the service.

Patten called for the police ombudsman—which replaced the ineffective Independent Commission for Police Complaints—to have the power to investigate and comment upon police policies and practice and have access to past reports on police conduct. The ombudsman's remit was limited to the investigation of individual complaints only and access to government documents was restricted. In a separate move to hold the chief constable accountable, the Patten Commission envisioned a civilian Police Board with authority to establish inquiries and to call for reports on policing matters. The proposed bill placed several important restrictions on the board's authority, however. In May 2000, Thomas Constantine, former head of the U.S. Drug Enforcement Agency, was appointed oversight commissioner for police reform. While the report envisioned a proactive commissioner with a key role in setting objectives in the reform process, the delay in Constantine's appointment and the bill's provisions suggested that the U.K. government saw a much narrower role for the post. The bill also failed to incorporate the recommendation that the name of the force be neutralized to Police Service of Northern Ireland. The bill proposed that the force's name be changed to "Police Service of Northern Ireland (incorporating Royal Ulster Constabulary)" on all title documents, causing nationalist and republican political parties to accuse the British government of bad faith. The bill went back to the House of Commons in the late fall for a final reading.

The Criminal Justice Review in its March 2000 report failed to address the effect of emergency laws on the criminal justice system: to consider new judicial arrangements, or the limited capacity of existing ones; to address human rights issues arising from passage of the 1998 Human Rights Act and the proposed Bill of Rights; and to include an independent oversight element, relying solely on the government for the report's implementation. The report recommended the establishment of a Judicial Appointments Commission; a bench more "reflective" of Northern Ireland's population; the creation of a new prosecution service; and the appointment of an attorney general. Human rights groups criticized the report for avoiding an accountability mechanism for past and pending cases.

In October 2000, the 1998 Human Rights Act, incorporating the European Convention on Human Rights (ECHR), went into force throughout the U.K. with a derogation from article 6 (fair trial standards) intact.

The Terrorism Act 2000—permanent, U.K.-wide, anti-terrorism legislation replacing emergency laws concerning political violence—became law in July and will come into force in spring 2001. The act extended, for up to five years, most of the emergency powers that applied in Northern Ireland, including retention of non-jury Diplock courts for certain political offenses; a lower standard of admissibility for confession evidence than in the criminal courts; the admissibility of statements by a senior police officer coupled with a suspect's remaining silent as evidence that a suspect belonged to an illegal organization (for example, a paramilitary group); and police and army powers of arrest, entry, search, and seizure without a warrant.

The Human Rights Commission Bill became law in the Republic of Ireland in June 2000. The Irish commission's creation, coupled with the March 1999 inauguration of the Northern Ireland Human Rights Commission, paved the way for the future establishment of a joint committee of representatives from the two commissions, tasked by the Multi-Party Agreement with the consideration of human rights concerns in all of Ireland.

In September, the family of murdered Belfast lawyer Patrick Finucane met with Prime Minister Tony Blair to press for an independent public inquiry into his killing by loyalist paramilitaries in 1999. The family stepped up efforts to establish an inquiry since new evidence was presented to the British and Irish governments in February 1999 and in an updated report in February 2000. The Finucane family and rights organizations accused the British government of using the June 1999 arrest and pending prosecution of William Stobie—charged with aiding and abetting the Finucane murderers—to stall the establishment of an inquiry.

No person was charged with the March 1999 loyalist paramilitary car bomb murder of human rights lawyer Rosemary Nelson. Citing earlier police intimidation of Nelson, human rights organizations continued to call for an independent judicial inquiry into the killing. The director of public prosecutions (DPP) decided in January 2000 not to prosecute criminally the police officers that harassed Rosemary Nelson. In May 2000, the Independent Commission for Police Complaints (ICPC) decided not to take disciplinary action against any of the officers.

The coroner for Greater Belfast decided in June 2000 not to hold an inquest into the death of Robert Hamill, who was brutally assaulted by a loyalist mob in Portadown in April 1997 and subsequently died from his injuries. Hamill's assault occurred twenty yards from a Land Rover containing four armed RUC officers. One person was convicted of "causing an affray" in the incident, but no person had been convicted of the murder, despite an investigation by the ICPC and consideration by the DPP. The coroner concluded that concerns for the safety of witnesses outweighed the imperative for an inquest. In June, the Irish government backed the call by human rights groups for an inquiry.

The Bloody Sunday Inquiry—a new tribunal of inquiry into the British army killings of fourteen men in Derry on January 30, 1972—opened in March. The original tribunal, finding the army not liable for any of the deaths, was discredited.

In December 1999, Castlereagh Holding Centre, notorious for the physical and psychological ill-treatment of political suspects, was closed.

David Adams' application for judicial review—which sought to challenge the DPP's decision not to prosecute the police officers responsible for brutally assaulting Adams in Castlereagh Holding Centre in 1994—was denied in June 2000. The application also sought judicial review of the DPP's failure to give Adams reasons for the decision not to prosecute, particularly as the decision came after a civil court judgment supporting Adams' version of the attack. In September, it was reported that one officer would face a minor disciplinary charge of "willful or careless falsehood."

Defending Human Rights

In July 2000, the police informed civil rights lawyer, Pádraigín Drinan, that she was under threat from loyalist paramilitaries. Drinan succeeded Rosemary Nelson as the lawyer for the Garvagh Road Residents Association. After significant delays, the government provided Drinan with assistance to fortify her home and protect her person.

The Role of the International Community

United Nations

In a February 2000 report, the U.N. special rapporteur on freedom of expression urged the U.K. to repeal emergency laws that had a "chilling effect" on the right to free expression; protect journalists' confidential sources; amend the Official Secrets Act to allow penalties for disclosure only when a legitimate national security interest is implicated; and disclose classified information to the public—in particular, the findings of the Stalker/Sampson and Stevens inquiries into collusion.

The U.N. special rapporteur on the independence of judges and lawyers reiterated his call for an independent judicial inquiry into the murder of Patrick Finucane. Noting inconsistencies regarding the murder's previous investigation, the special rapporteur stated that "such inconsistencies... generally arise in cases where there have been cover-ups by interested parties, including state organs."

Council of Europe

IN APRIL, THE EUROPEAN COURT OF HUMAN RIGHTS (ECHR) RULED ADMISSIBLE FOUR CASES AGAINST THE U.K. THE CASES OF GERVAISE MCKERR, PATRICK SHANAGHAN, THE LOUGHGALL EIGHT, AND PEARSE JORDAN CHARGED VIOLATIONS OF THE RIGHT TO LIFE, THE INADEQUACY AND PARTIALITY OF MECHANISMS TO INVESTIGATE KILLINGS BY STATE AGENTS OR WHERE COLLUSION IS ALLEGED, AND DISCRIMINATION.

A JUNE 2000 ECHR DECISION IN THE CASE OF GERARD MAGEE FOUND THE U.K. IN BREACH OF FAIR TRIAL STANDARDS FOR DENYING MAGEE ACCESS TO A LAWYER FOR THE FIRST FORTY-EIGHT HOURS OF DETENTION, HOLDING HIM VIRTUALLY INCOMMUNICADO, AND CREATING A "PSYCHOLOGICALLY COERCIVE" INTERROGATION ENVIRONMENT THAT FORCED MAGEE TO MAKE INCRIMINATING STATEMENTS AGAINST HIMSELF.

United States

ON SEPTEMBER 13, PRESIDENT CLINTON MET WITH FIRST MINISTER DAVID TRIMBLE AND DEPUTY FIRST MINISTER SEAMUS MALLON IN THE FIRST VISIT TO THE U.S. BY THE LEADERS OF NORTHERN IRELAND'S NEW GOVERNMENT. CLINTON EXPRESSED HIS ONGOING SUPPORT FOR THE PEACE PROCESS.

THE U.S. HOUSE OF REPRESENTATIVES INTERNATIONAL RELATIONS COMMITTEE RECOMMENDED IN SEPTEMBER A CONGRESSIONAL RESOLUTION DEMANDING THE FULL IMPLEMENTATION OF THE PATTEN RECOMMENDATIONS ON POLICE REFORM.

THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE (CSCE) HELD A HEARING IN MARCH ON THE PROTECTION OF HUMAN RIGHTS DEFENDERS IN NORTHERN IRELAND AND CALLED FOR INDEPENDENT INQUIRIES INTO THE FINUCANE AND NELSON MURDERS. THE CSCE HELD ANOTHER HEARING ON POLICING IN NORTHERN IRELAND IN SEPTEMBER.

THE U.S. STATE DEPARTMENT'S COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES FOR 1999 PROVIDED A FAIR ASSESSMENT OF HUMAN RIGHTS CONCERNS IN NORTHERN IRELAND, NOTING POLICE ABUSE AND IMPUNITY; INTIMIDATION OF DEFENSE LAWYERS; EMERGENCY LAWS AND ABUSE OF SPECIAL POWERS; AND CALLS FOR A BAN ON PLASTIC BULLETS.

Relevant Human Rights Watch Reports:

NORTHERN IRELAND: A NEW BEGINNING TO POLICING? THE REPORT OF THE INDEPENDENT COMMISSION ON POLICING, 11/99

UZBEKISTAN

Human Rights Developments

THE GOVERNMENT OF PRESIDENT ISLAM KARIMOV CONTINUED ITS UNRELENTING CAMPAIGN AGAINST PIOUS MUSLIMS WHO PRACTICED THEIR RELIGION OUTSIDE STATE CONTROLS. STATE AUTHORITIES PUNISHED INDEPENDENT MUSLIMS WITH DISCRIMINATORY ARREST, INCOMMUNICADO DETENTION, TORTURE, AND PRISON SENTENCES OF UP TO TWENTY YEARS FOR VIOLATIONS OF STRICT LAWS ON RELIGION AND ALLEGED "ANTI-CONSTITUTIONAL ACTIVITY." POLICE REGULARLY THREATENED AND HARASSED RELATIVES OF INDEPENDENT MUSLIMS. SHAM PARLIAMENTARY AND PRESIDENTIAL ELECTIONS DEPRIVED CITIZENS OF THEIR RIGHT TO POLITICAL PARTICIPATION. WHEN CONFLICT BROKE OUT BETWEEN ARMED INSURGENTS OPPOSED TO THE KARIMOV REGIME AND THE GOVERNMENTS OF KYRGYZSTAN AND UZBEKISTAN, CIVILIANS WERE DISPLACED BY THE FIGHTING, KIDNAPPED BY THE ARMED OPPOSITION FORCES, AND KILLED BY LANDMINES PLACED BY UZBEK TROOPS. AUTHORITIES CONTINUED TO IMPOSE OBSTACLES TO ABUSED WOMEN'S ATTEMPTS TO OBTAIN JUSTICE FOR DOMESTIC ABUSE AND WERE ALLEGEDLY COMPLICIT IN TRAFFICKING WOMEN AND GIRLS. THE GOVERNMENT RETAINED TIGHT CONTROL OVER THE MEDIA.

THE GOVERNMENT BRANDED THOSE WITH DISSIDENTING VIEWS "ENEMIES OF THE STATE" AND ADDED HUNDREDS OF MUSLIMS TO THE THOUSANDS ALREADY IMPRISONED FOR THEIR RELIGIOUS BELIEFS. MEMBERS OF THE ISLAMIC ORGANIZATION HIZB UT-TAJRIR (PARTY OF LIBERATION) WERE ARRESTED FOR UNREGISTERED RELIGIOUS ACTIVITY, A CRIME IN UZBEKISTAN, AND POSSESSION OR DISTRIBUTION OF LITERATURE NOT APPROVED BY THE STATE. THE GOVERNMENT EXPANDED ITS FIERCE CAMPAIGN AGAINST INDEPENDENT MUSLIMS IN 2000 BY DETAINING, ARRESTING, AND TORTURING RELATIVES OF PIOUS MUSLIMS. POLICE REGULARLY HARASSED AND THREATENED RELATIVES OF MEN CONVICTED OF RELIGIOUS OFFENSES, WHILE ARRESTING THE RELATIVES OF MEN BEING SOUGHT, AND THREATENING TO HOLD THEM UNTIL THE SUSPECTS TURNED THEMSELVES IN OR WERE CAPTURED. POLICE ARRESTED TWENTY-THREE-YEAR-OLD NILUFAR HOKIMOVA AND TWENTY-ONE-YEAR-OLD NAFISA ABUSKHODJAEVA, WHO WERE SENTENCED TO SIX YEARS IN PRISON FOR "WAHABISM" AND ALLEGED ANTI-STATE ACTIVITY WHEN THEY ATTEMPTED TO LEAVE THE COUNTRY FOLLOWING THE ARREST, TORTURE, AND CONVICTION OF THEIR HUSBANDS. AUTHORITIES COMPELLED FEMALE RELATIVES TO SIGN DOCUMENTS ATTESTING THAT THEY DID NOT ATTEND ANY ILLEGAL GATHERINGS AND PLACED MANY UNDER A FORM OF HOUSE ARREST DURING HOLIDAYS AND ELECTIONS. POLICE AND LOCAL AUTHORITIES ALSO ORGANIZED "HATE RALLIES" REMINISCENT OF THE STALIN ERA, IN WHICH HUNDREDS OF NEIGHBORS AND OFFICIALS GATHERED TO DENOUNCE PUBLICLY RELATIVES OF PIOUS MUSLIMS AS TRAITORS AND "ENEMIES OF THE STATE" AND TO DEMAND A VOW OF CONTRITION. AMONG THOSE SUBJECTED TO THIS TREATMENT WERE RELATIVES OF THE WELL-KNOWN INDEPENDENT IMAM OBIDHON QORI NAZAROV, WHO WAS BELIEVED TO HAVE GONE INTO HIDING IN MARCH 1999.

DOZENS OF PEOPLE ACCUSED OF BEING FOLLOWERS OF IMAM NAZAROV WERE ARRESTED, ADDING TO THE HUNDREDS OF FORMER ATTENDEES OF HIS TASHKENT MOSQUE ALREADY IN PRISON ON FABRICATED CHARGES.

TWO FORMER IMAMS OF OFFICIAL GOVERNMENT MOSQUES WHO HAD BEEN LINKED TO NAZAROV, WHO WERE ARRESTED EARLIER AND RELEASED IN 1999, WERE REARRESTED IN 2000. IMAM ABDURAHIM ABDURAHMONOV, A FORMER STUDENT OF IMAM NAZAROV WHO SUFFERED FROM PERMANENT INJURIES FROM TORTURE IN CUSTODY IN 1999, WAS RELEASED UNDER A 1999 PRESIDENTIAL AMNESTY AND THEN REARRESTED ON CHARGES OF NARCOTICS POSSESSION IN 1999. AUTHORITIES RELEASED HIM IN SEPTEMBER 1999, FOLLOWING A SUCCESSFUL APPEAL. IN 2000, HE WAS AGAIN ARRESTED AND, IN A GROSSLY UNFAIR TRIAL, SENTENCED TO SEVENTEEN YEARS IN PRISON ON CHARGES OF "ASSOCIATION WITH TERRORISTS." FELLOW RELIGIOUS LEADER IMAM ABDUVAHID YULDASHEV, WHO WAS CONDITIONALLY RELEASED IN 1999 AFTER POLICE TORTURE, WAS REARRESTED ON JULY 24, 2000. AS OF OCTOBER 2000, HE WAS STILL BEING HELD INCOMMUNICADO IN A BASEMENT CELL IN TASHKENT AND, LIKE MANY OTHERS THIS YEAR, HAD BEEN DENIED LEGAL REPRESENTATION. A LAWYER WHO SAW HIM IN DETENTION REPORTED THAT POLICE BEAT HIM WITH A TRUNcheon IN HIS PRESENCE TO FORCE HIM TO TURN DOWN THE LAWYER'S SERVICES. INVESTIGATORS WERE REPORTEDLY PREPARING TO CHARGE IMAM NAZAROV'S FORMER DEPUTY WITH "WAHABISM" AND "SPREADING JIHAD IDEAS."

THE POLICE PRACTICE OF PLANTING NARCOTICS AND A SMALL NUMBER OF BULLETS ON OBSERVANT MUSLIM DETAINEES WAS REPLACED IN PART BY A NEW PATTERN IN WHICH POLICE PLANTED BANNED RELIGIOUS LEAFLETS ON INDEPENDENT MUSLIMS, CHARGING THEM WITH OPPOSING THE CONSTITUTION AND PARTICIPATING IN UNREGISTERED RELIGIOUS ACTIVITIES. SOME DETAINEES WERE SENT TO PRISON FOR UP TO TWENTY YEARS ON SUCH CHARGES. MEMBERS OF HIZB UT-TAJRIR CLAIMED SOME 4,000 OF THEIR CO-RELIGIONISTS HAD BEEN ARRESTED SINCE LATE 1999, THE MAJORITY IN 1999. HUMAN RIGHTS WATCH AND OTHER RIGHTS GROUPS DOCUMENTED THE CONVICTION OF SEVERAL HUNDRED MEMBERS OF THE GROUP IN 2000 FOR ENGAGING IN UNSANCTIONED MEETINGS, TEACHING RELIGION AND PRAYING IN PRIVATE, AND POSSESSION AND DISTRIBUTION OF LITERATURE NOT CLEARED BY STATE CENSORS.

CITIZENS OF UZBEKISTAN WERE ONCE AGAIN DENIED THEIR RIGHT TO ENDEAVOR TO PARTICIPATE IN THE POLITICAL SYSTEM AND TO CHANGE THEIR GOVERNMENT PEACEFULLY. PARLIAMENTARY ELECTIONS HELD IN DECEMBER 1999 AND PRESIDENTIAL ELECTIONS IN JANUARY 2000 WERE NEITHER FREE NOR FAIR. NO GENUINE OPPOSITION POLITICAL PARTIES WERE REGISTERED, THERE WAS NO OPPORTUNITY TO AIR VIEWS VIA THE MASS MEDIA, AND NO POSSIBILITY TO EXERCISE FREEDOM OF ASSEMBLY OR ASSOCIATION. AN ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE/OFFICE OF DEMOCRATIC INSTITUTIONS AND HUMAN RIGHTS (OSCE/ODIHR) MISSION SENT TO UZBEKISTAN TO ASSESS THE PRE-ELECTION ENVIRONMENT IN THE RUN UP TO THE PARLIAMENTARY RACE DECLARED THAT CONDITIONS "FELL SHORT OF THE OSCE COMMITMENTS FOR DEMOCRATIC ELECTIONS," CITING INADEQUATE LAWS AND REGULATIONS,

direct government interference in the election process, and the absence of fundamental freedoms as among the obstacles. Agence France-Presse reported that President Karimov said after the vote, "The OSCE focuses only on establishment of democracy, the protection of human rights and the freedom of the press. I am now questioning these values."

In January 2000, Soviet-style presidential elections made a mockery of the democratic system. President Karimov claimed support from 91.9 percent of the electorate, which included a vote from his nominal opponent in the race. The U.S. government declared the election "neither free nor fair" and said it "offered Uzbekistan's voters no true choice." The OSCE abstained from sending observers because of the lack of competition.

A violent challenge to Karimov's rule came in early August 2000 when pitched battles erupted between armed insurgents and government troops in southeastern Uzbekistan and neighboring Kyrgyzstan. Tohir Yuldash, political leader of the so-called Islamic Movement of Uzbekistan (IMU), claimed responsibility for the attacks. The IMU demanded that the Uzbek government release what the group claimed were an estimated 100,000 wrongfully jailed Muslim prisoners and allow for the observance of Islamic law precepts, including permission for Muslim women to wear the veil.

There were credible allegations of violations of humanitarian law by all parties to the conflict. IMU militants were accused of taking foreign civilians hostage, including at least one German citizen later released and four United States citizens who escaped after six days of captivity. Armed insurgents allegedly killed at least one Kyrgyz soldier whom they took prisoner. Other Kyrgyz and Uzbek soldiers were also captured by the militants, but no reliable information was available regarding the conditions of their confinement.

Fighting continued in southeastern Uzbekistan and sporadically in areas closer to the capital until mid-September. Uzbek authorities brought in heavy artillery and initiated a campaign of aerial bombardments from helicopters. Authorities insisted that the target areas had been cleared of civilians, who were evacuated to nearby towns away from the battle zone. However, there were reports of civilians fleeing fighting in the southeastern region of Surkhandarya and concerns regarding the indiscriminate nature of the aerial bombardments. Hundreds of mountain residents were displaced by the conflict in southeastern Uzbekistan and thousands fled the fighting in Kyrgyzstan.

Landmines allegedly laid by Uzbek troops posed a danger to mountain residents. In at least one incident, two women were reportedly killed and two others injured when they stepped on a landmine that had been placed near the Uzbek-Tajik border by the Uzbek military. Tajik officials reported that landmines killed eight civilians and wounded five others in the area in September. Uzbekistan had not signed the international treaty to ban landmines.

In November 1999, a shoot-out in the forest of the Langtobad region outside Tashkent left over a dozen gunmen and at least three security officers dead. Government authorities claimed that the armed men were terrorists who opened fire on police officers who stumbled upon their hideout. None of the gunmen survived the exchange. At least fourteen other men were tried for alleged ties to the gunmen and were charged with conspiracy to commit terrorism, participation in an illegal group, and "infringement of the constitutional order," and were given lengthy terms in prison. Defendant Polvanazar Khudjoev, whose father died of torture in prison in 1999, was sentenced to death. Police tortured defendants in detention and arrested some of their relatives on fabricated charges as part of a stated government policy of collective punishment. Bahodir Hasanov, the brother of one defendant, was arrested on July 17 and held incommunicado in a basement cell for forty-one days, as of October.

Police held detainees incommunicado for up to six months, regularly denying suspects access to an attorney until after the state had obtained a confession. Police and courthouse guards demanded bribes from relatives who wanted to give detainees food and medicine or sought to attend their relatives' trials.

Torture remained routine and new methods of abuse were reported in 2000. In addition to hundreds of reports of beatings and numerous accounts of the use of electric shock, temporary suffocation, hanging by the ankles or wrists, removal of fingernails, and punctures with sharp objects, human rights watch received credible reports in 2000 that police sodomized male detainees with bottles, raped them, and beat and burned them in the groin area. Male and female detainees were regularly threatened with rape. Police made such threats in particular against female detainees in the presence of male relatives to force the men to sign self-incriminating statements. Police also regularly threatened to murder detainees or their family members and to place minor children in orphanages. Self-incriminating testimony obtained through torture was routinely admitted by judges, who cited this as evidence, often the only evidence, to convict. Courts did not initiate investigations into allegations of mistreatment by police.

Torture and ill-treatment in prisons was rampant, and there were several shocking reports of deaths in custody from torture in prisons. In the infamous Jaslyk prison dozens of inmates reportedly died from mistreatment and disease. There were several shocking reports of torture causing the death of detainees and prisoners. Jabuliddin Sodiqjonov was among those who reportedly died in custody from abuse by prison authorities this year, as was Nuron Saïdaminov. Convicted independent Muslims who allegedly died of beatings by prison guards included Maraim Alikulov, Usmanali Khamrikulov, Rustam Norbaev, Nemat Karimov, and Shukhrat Parpiev. Police would not allow relatives to view Khimabullo Khudjoberdiev's body to determine cause of death. Suspicion also surrounded the deaths of Abdurizit Rasulov, whom police claimed hanged himself in his cell, and Dilmurad Umarov, whom authorities ruled died of tuberculosis but whose body showed signs of abuse.

Prison conditions were harsh, with prisoners routinely denied adequate food, medicine, and sanitary facilities. Authorities did not inform relatives of prisoners' whereabouts for months at a time, and guards demanded bribes for deliveries of food and other necessities. Prison officials often arbitrarily extended inmates' sentences on false charges of infractions. Muslim prisoners who prayed were punished with beatings and solitary confinement. Untreated illness led to the deaths of dozens of prisoners, including Usman Inagamov, a member of Hizb ut-Tahrir who died of cancer in custody after reportedly being turned in to police by official Islamic authorities. Authorities continued to deny international monitors access to prison and detention facilities.

An amnesty decree issued by President Karimov in September 2000 provided for the release of certain categories of prisoners, but excluded persons convicted of "anti-constitutional activity," a charge systematically levied against observant independent Muslims. In a positive move, higher courts commuted the death sentences of several persons convicted of nonpolitical crimes. However, government officials acknowledged that they carried out executions of several Muslims convicted of involvement in a February 1999 bombing incident. The government did not release statistics on the total number of people executed.

The September 1999 release of six Christian prisoners was viewed by some outside policy makers as a sign of liberalization in Uzbekistan's treatment of Christian groups. However, the end of the year and following months saw several brutal and dramatic attacks on Christian believers. In October 1999, police in the city of Korshi raided a church meeting held by an unregistered group of Baptists. Officers detained participants in the Baptist harvest celebration, including minor children. Police beat and tortured participants in detention and sentenced two of them to ten days in prison and payment of a fine. Despite assurances that such violations would not be repeated, police continued to harass and detain Christians, and none of the officers involved in the Korshi incident were disciplined. On May 14, 2000, Tashkent police temporarily detained ten Baptists in Tashkent for conducting a private prayer meeting.

Christians who engaged in what was perceived as missionary activity, including distribution of imported literature, were reportedly detained and mistreated by police, who carried out the government's harsh law criminalizing proselytism. State authorities put Uzbeks who convert under particularly severe pressure. Several foreign nationals accused of proselytism were denied permission to return to the country. Police reportedly subjected members of the Jehovah's Witnesses to arbitrary harassment, including repeated interrogations and fines for illegal religious activity.

Despite the fanfare over his release from prison in 1999, Pentecostal pastor Rashid Turibayev from the Autonomous Republic of Karakalpakstan in Uzbekistan was reported in September 2000 to have gone into hiding from state authorities.

In early July, Uzbek law enforcement authorities reportedly violated a verbal agreement with representatives of the United Nations High Commissioner for Refugees when they used a confidential list of Afghan refugees awaiting placement in a third country to track the refugees down and demand that they sign a document agreeing to leave the country within five days or else face arrest and deportation. At least ten individuals were threatened in the first days of the door-to-door campaign. One man who feared torture if returned to Afghanistan reportedly went into hiding after police threatened him. UNHCR later reported that twelve refugees were placed under house arrest for one week, but that the "misunderstanding" was resolved with yet another verbal agreement between the agency and the government. Uzbekistan had not signed the 1951 Convention relating to the Status of Refugees, but is still bound by obligations under international customary law not to return refugees to a country where their life and freedom could be threatened.

Research conducted by Human Rights Watch in 2000 revealed that police discouraged women who were abused by their husbands or other family members from filing reports and failed to investigate and punish abusers when reports were made. Local authorities pressured women to remain in abusive households and attempted to dissuade women from pursuing divorce.

The International Helsinki Federation issued a report in June 2000 citing a lack of official concern as one of the causes for the growth of trafficking of women in Uzbekistan. The report noted that Uzbek law did not specifically refer to trafficking of humans as a crime and that the abduction of girls often went unreported. A U.N.-sponsored conference held in March 2000 in Tashkent cited trafficking in humans as one of the sources of instability in the region.

Children's advocates reported that the trafficking of minor children for work in the sex industry abroad continued. According to one local NGO, girls thirteen and fourteen years old were provided with false passports and sent to countries including the United Arab Emirates. The traffickers who arranged for the girls' travel and placement in prostitution in the foreign location typically paid large bribes to Uzbek law enforcement officials who agreed to look the other way.

Child victims of sexual and other physical abuse by their families were reportedly placed in state-run facilities together with juveniles accused of committing crimes. Authorities reportedly failed to provide for children's basic needs, such as clothing and soap, at the facilities. There were unconfirmed reports that guards at children's facilities raped some of the children. Police denied minors accused of violations of the state's religion law access to legal representation.

Authorities continued to deny access to secular education for observant Muslim students who were expelled from schools and universities since 1997 for wearing religious dress. Efforts at reinstatement were unsuccessful in 2000. A student expelled from the Women's Medresseh (Islamic school) in Tashkent was detained just days later and beaten by police to force her to abandon her religious attire.

Freedom of expression continued to be severely restricted, with essentially no independent press. All but two newspapers were government-owned and required approval from the Committee for the Control of State Secrets for all published news articles. The two private newspapers primarily published advertisements and horoscopes and did not cover news. Media watchdog Internews reported increased pressure on privately owned television and radio stations from local and national authorities. Government authorities closed or blacklisted stations that covered religion or politics and prevented them from obtaining licenses.

While the majority of the country still lacked access to the Internet, the Uzbek government nevertheless placed restrictions on its use, aiming to connect all Internet service through government servers in 2000, thereby eliminating access to content the state deemed unacceptable and enabling the government to monitor citizens' communications.

Defending Human Rights

Authorities again refused to register independent rights organizations, the Human Rights Society of Uzbekistan (HRSU) and the Independent Human Rights Organization of Uzbekistan (IHRU). The Supreme Court failed to hear the appeals of rights defenders Mahbuba Kasymova and Ismail Adylov, members of IHRU, who were jailed over a year ago for their human rights activities. Adylov, who was released from the hospital with a chronic kidney ailment just one week before authorities took him into custody, was reported to be in poor physical condition. The human rights defender was missing in custody for over thirty days in early 2000 when officials transferred him to a distant prison facility without notifying his family, depriving them of the opportunity to give him needed food and medicine.

Over a year after police illegally detained and beat IHRU chairman Mikhail Ardinov, law enforcement officials refused to return his passport to him and continued to deny him means of redress. His repeated complaints and requests that a case be opened against his abusers was finally referred not to the state prosecutor, but to the police station that houses the officers who detained and beat him in 1999.

The head of the HRSU, Tolib Jakubov, also reported that there were no known results from the Polish government's investigation of a 1999 attack on him in Warsaw during the OSCE's annual implementation meeting. The men who beat Jakubov in broad daylight, sending him to the hospital with severe injuries, have not been brought to justice.

Human rights activists in regions outside the capital reported being subjected to police interrogation, threats, and extortion, as were victims of human rights abuse with whom they spoke. In one instance, the Akhmedov family of Andijan in the Ferghana valley was threatened after meeting with Human Rights Watch and police forcibly confiscated a copy of the *Human Rights Watch World Report 2000*. Copies of the report were also confiscated by police from a Human Rights Watch representative outside a Syrdarya courthouse.

The activities of local and international rights defenders were seriously limited by authorities' arbitrary denial of access to nominally open judicial hearings.

The Role of the International Community

United Nations

Despite a scathing review from a team of independent consultants hired to assess the work of the United Nations Development Programme (UNDP) in Uzbekistan, that U.N. agency did not change course and refused to implement the consultants' recommendations, including a suggestion that the agency issue a formal apology to the independent human rights community in Uzbekistan for excluding it from projects. The consultants also called on UNDP to publish the report, showing the agency's past errors in order to avoid repetition. Finally, the team called on the UNDP to make good on its earlier pledge to fund the country's first Legal Aid Society. UNDP had contributed approximately U.S. \$2 million since 1997 to the Uzbek government's human rights initiatives, including the Authorized Person for Human Rights in the Parliament (ombudsman) and the National Human Rights Center.

Other U.N. agencies, including the special rapporteur on torture and the working group on arbitrary arrests and disappearances, sent communications to Uzbekistan regarding individual cases.

A U.N. representative from Tashkent monitored the appeals trial of Komoliddin Sattarov, but no public comment came from the U.N. regarding the young man, who was beaten and tortured with electric shock and then sentenced to nine years in prison, partly on the grounds that he wrote a complaint to the U.N. Human Rights Committee on behalf of his arrested brother. An Uzbek municipal court had listed the complaint as part of the incriminating evidence against Sattarov. During retrial, a district court made no mention of the complaint but sentenced him to fifteen years.

European Union

AFTER HAVING LAUNCHED A COVETED PARTNERSHIP AND COOPERATION AGREEMENT (PCA) AS A MEANS TO PUSH FOR PROGRESS IN HUMAN RIGHTS, THE E.U. FAILED TO USE THE INSTRUMENT FOR THAT PURPOSE IN 2000. THERE WERE NO HUMAN RIGHTS CONCESSIONS IN RETURN FOR FINANCIAL AND TRADE BENEFITS AWARDED UNDER THE AGREEMENT. MORE THAN A YEAR AFTER THE PCA WAS SIGNED, THE E.U. AND UZBEKISTAN HAD FAILED TO SET UP A WORKING GROUP ON HUMAN RIGHTS AND DEMOCRACY, SUCCEEDING ONLY IN ORGANIZING A SUBCOMMITTEE ON FINANCE AND ECONOMY. AS OF OCTOBER 2000, THE E.U. HAD SUSPENDED INDEFINITELY THE MEETINGS OF THE COOPERATION COUNCIL UNDER THE PCA. NO EXPLANATION WAS GIVEN FOR THIS MOVE.

DESPITE ITS FAILURE TO USE THE PCA FOR PROGRESS IN HUMAN RIGHTS, THE E.U. DID GO ON THE RECORD WITH ITS DISMAY OVER UZBEKISTAN'S ABYSMAL RIGHTS RECORD. IN JANUARY 2000 THE E.U., IN KEEPING WITH ITS OPPOSITION TO THE DEATH PENALTY, ISSUED A PRESS RELEASE CONDEMNING THE EXECUTION OF SIX MEN ACCUSED OF TERRORISM FOLLOWING A GROSSLY UNFAIR TRIAL. DURING THE MEETING OF THE U.N. COMMISSION ON HUMAN RIGHTS IN GENEVA, THE E.U. SPOKE OUT AGAINST ONGOING REPRESSION IN UZBEKISTAN. THE E.U. ALSO USED THE FORUM OF THE OSCE PERMANENT COUNCIL TO VOICE DISSATISFACTION WITH THE PRESIDENTIAL ELECTIONS IN UZBEKISTAN.

Organization for Security and Cooperation in Europe (OSCE)

AFTER FINDING THAT EARLIER OSCE RECOMMENDATIONS HAD NOT BEEN IMPLEMENTED AND THAT CONDITIONS FOR A PLURALIST AND COMPETITIVE PARLIAMENTARY RACE HAD NOT BEEN MET, THE OSCE WITHHELD THE ASSIGNMENT OF FORMAL ELECTION OBSERVERS BUT DISPATCHED A LIMITED ASSESSMENT MISSION TO EXAMINE THE PRE-ELECTION ENVIRONMENT THAT CONDEMNED THE PARLIAMENTARY ELECTIONS AS FALLING BELOW OSCE STANDARDS. THE ORGANIZATION ABSTAINED FROM MONITORING PRESIDENTIAL ELECTIONS ON THE GROUNDS THAT CONDITIONS FOR A FREE AND FAIR ELECTION WERE ABSENT.

IN APPARENT REACTION TO CRITICISM FROM THE KARIMOV GOVERNMENT REGARDING OSCE ACTIVITIES ON HUMAN RIGHTS ISSUES, THE ORGANIZATION EMPHASIZED ECONOMIC AND SECURITY INTERESTS, SOMETIMES TO THE SEEMING EXCLUSION OF RIGHTS ADVOCACY. THE NEW OSCE CHAIR, AUSTRIAN FOREIGN MINISTER BENITA FERRERO-WALDNER, VISITED UZBEKISTAN IN JUNE AND WAS ABLE TO MEET WITH REPRESENTATIVES OF LOCAL OR INTERNATIONAL HUMAN RIGHTS GROUPS OR LEADING LOCAL RIGHTS DEFENDERS. HUMAN RIGHTS WERE REPORTEDLY NOT GIVEN HIGH PRIORITY IN HER DISCUSSIONS WITH GOVERNMENT OFFICIALS, WHICH WERE CONCLUDED WITH THE SIGNING OF A BILATERAL INVESTMENT AGREEMENT BETWEEN AUSTRIA AND UZBEKISTAN. WHEN SOME SEVENTEEN OSCE AMBASSADORS AND REPRESENTATIVES OF DELEGATIONS VISITED UZBEKISTAN IN JULY, THE OFFICIALS SPENT THE MAJORITY OF THEIR TIME IN THE ANCIENT CITY OF SAMARKAND AND DID NOT MEET WITH RIGHTS DEFENDERS DURING THEIR HALF-DAY STAY IN THE NATION'S CAPITAL. MEETINGS WITH THE GOVERNMENT REPORTEDLY FOCUSED ON SECURITY AND ECONOMIC COOPERATION.

THE OSCE/CENTRAL ASIA LIAISON OFFICE (CALO) ACTIVELY ENGAGED AUTHORITIES ON THE SUBJECT OF PRISON ACCESS FOR INTERNATIONAL MONITORS. STAFF MEMBERS CONTINUED THEIR PROGRAM OF TRIAL MONITORING IN THE COUNTRY AND REPORTED THEIR FINDINGS INTERNALLY. ON SEVERAL OCCASIONS AUTHORITIES BARRED CALO STAFF FROM ATTENDING NOMINALLY OPEN COURT HEARINGS.

THE OSCE/CALO SPONSORED SEVERAL TRAINING WORKSHOPS IN UZBEKISTAN. A HUMAN RIGHTS TRAINING SEMINAR WAS OFFERED FOR EXPERIENCED ACTIVISTS FROM HUMAN RIGHTS GROUPS, MEMBERS OF OTHER NONGOVERNMENTAL ORGANIZATIONS, AND EMPLOYEES OF THE GOVERNMENT'S HUMAN RIGHTS BUREAUCRACY. ANOTHER TRAINING SESSION HELD BY THE OSCE/CALO AIMED AT INTRODUCING MEMBERS OF THE JUDICIARY, INCLUDING PROSECUTORS, JUDGES, AND LAWYERS, TO INTERNATIONAL HUMAN RIGHTS STANDARDS.

United States

IN APRIL 2000, SECRETARY OF STATE MADELEINE ALBRIGHT VISITED UZBEKISTAN AND URGED PRESIDENT KARIMOV TO MAKE A DISTINCTION BETWEEN PEACEFUL MUSLIM BELIEVERS AND TERRORISTS. DURING HER VISIT, SECRETARY ALBRIGHT STATED, "IT'S NECESSARY THAT THE GOVERNMENT OF UZBEKISTAN DISTINGUISHES VERY CAREFULLY BETWEEN PEACEFUL DEVOUT BELIEVERS AND THOSE WHO ADVOCATE TERRORISM." BEFORE SHE LEFT UZBEKISTAN, HOWEVER, SECRETARY ALBRIGHT AWARDED THE GOVERNMENT WITH SOME U.S. \$3 MILLION IN COUNTERTERRORISM AND BORDER SECURITY ASSISTANCE.

JUST MONTHS LATER, AS RESPECT FOR RELIGIOUS FREEDOM FURTHER DETERIORATED AND HUNDREDS MORE MUSLIMS WERE SENT TO JAIL FOR THEIR BELIEFS AND PRACTICES, SECRETARY ALBRIGHT FAILED TO NAME UZBEKISTAN AS A COUNTRY OF PARTICULAR CONCERN IN THE AREA OF RELIGIOUS FREEDOM UNDER THE 1998 INTERNATIONAL RELIGIOUS FREEDOM ACT.

THE STATE DEPARTMENT'S ANNUAL REPORT ON INTERNATIONAL RELIGIOUS FREEDOM, ISSUED PURSUANT TO THE ACT, EMPHASIZED MINOR IMPROVEMENTS IN THE TREATMENT OF CHRISTIANS, ALTHOUGH CHRISTIANS SUFFERED VIOLENT GOVERNMENT ATTACKS AND CONTINUED POLICE HARASSMENT, AND CHARACTERIZED THE CRACKDOWN ON MUSLIMS AS POLITICAL AND NOT RELIGIOUS REPRESSION, LEAVING THE U.S. GOVERNMENT FREE TO GIVE UZBEKISTAN A RELATIVELY POSITIVE RATING IN ONE OF THE MOST SHOCKINGLY POOR AREAS OF ITS RIGHTS RECORD.

SOME MEMBERS OF CONGRESS TOOK A TOUGH STAND AGAINST THE FLAGRANT ABUSES BY UZBEKISTAN AND SHARPLY CRITICIZED ITS RIGHTS RECORD.

Relevant Human Rights Watch Reports:

LEAVING NO WITNESSES: UZBEKISTAN'S CAMPAIGN AGAINST RIGHTS DEFENDERS, 3/00

FEDERAL REPUBLIC OF YUGOSLAVIA

Serbia and Montenegro

Human Rights Developments

EFFORTS BY INDICTED YUGOSLAV PRESIDENT SLOBODAN MILOSEVIC TO REMAIN IN POWER DECISIVELY SHAPED THE HUMAN RIGHTS SITUATION IN 2000. THE MILOSEVIC-DOMINATED FEDERAL PARLIAMENT AMENDED THE YUGOSLAV CONSTITUTION IN JULY TO RESTRICT MONTENEGRO'S AUTONOMY AND ALLOW ANOTHER PRESIDENTIAL TERM FOR MILOSEVIC. IN THE SEPTEMBER 24 FEDERAL ELECTIONS, WHICH THE MONTENEGRIN GOVERNMENT BOYCOTTED, THE OPPOSITION CANDIDATE VOJISLAV KOSTUNICA DEFEATED MILOSEVIC IN THE PRESIDENTIAL CONTEST. BY MANIPULATING THE FEDERAL ELECTION COMMISSION AND FEDERAL CONSTITUTIONAL COURT, MILOSEVIC ATTEMPTED TO FORCE A SECOND ROUND OF THE ELECTION. THE

opposition responded with a series of mass rallies. On October 5, opposition supporters stormed the parliament and occupied Serbian state television. Two days later Milosevic conceded electoral defeat, and Kostunica was inaugurated.

Leading opposition politicians faced harassment and persecution throughout the year. In February, the public prosecutor indicted Dusan Mihajlovic, president of the New Democracy Party, for "spreading false information" when he publicly criticized a Milosevic speech. On February 29, Belgrade police detained and interrogated Ivan Kovacevic, the Serbian Renewal Movement spokesman and member of Serbian parliament. Zarko Korac, leader of the Social Democratic Party, was beaten by unknown assailants in early March. Jan Svetlik, opposition councilor in Trenzantin constituency, was abducted on April 5 by two unknown assailants and kept out of town during an important local parliamentary vote before being released unharmed. Momcilo Peristic, retired Yugoslav Army Chief of Staff and an opposition leader, was stripped of his military rank in August.

On June 15, unknown persons shot at Serbian Renewal Movement leader Vuk Draskovic from the terrace outside his apartment in Budva, Montenegro. One bullet grazed Draskovic's head. In the ensuing investigation, the Serbian Ministry of Interior refused to surrender two key witnesses to the Montenegrin police. Two weeks before the assassination attempt in Budva, the police at Belgrade Airport had arrested and disarmed Draskovic's entire security staff. Vuk Draskovic had survived a car accident on October 3, 1999, which many believe was staged by the Serbian Security Service.

Unidentified groups of men, apparently State Security agents or thugs employed by the government, beat and harassed regime opponents on a number of occasions. On February 26, in Belgrade, they beat student Milos Dosen who they found taking down a poster attacking Otpor (Resistance), an anti-government group mostly comprised of university students; on April 11, in Novi Sad, two unidentified men beat Radoje Cvetkov, secretary for urbanism in the Novi Sad Executive Council, which is controlled by the opposition; persons in civilian clothes raided Otpor headquarters in Belgrade on September 9, forcing Otpor activists to the floor while searching the office. There was no indication that police investigated any of these cases.

The authorities prevented the opposition from staging rallies or used force to disperse them. On November 9, 1999, police forces in Belgrade used excessive force to disperse some 2,500 students demanding early parliamentary elections in Serbia. Police stopped buses with opposition supporters traveling to rallies in Belgrade (April 14) and Potarevac (May 9). On May 17-19, the police used excessive force to disperse Belgrade street protests and beat protesters and passers-by for hours after the protests.

Beginning in June 2000, in the run-up to the September elections, police were increasingly involved in the beating of opposition activists and members of Otpor. Thirty beating incidents were reported between June and August and ten more in the first week of September. In one case, the police in Vladicin Han tortured six Otpor activists for three hours, hitting them in their genitals, head, kidneys, and feet. In May and June, the police detained and interrogated 500 Otpor activists on the unfounded charge of "terrorism."

In purges of the judiciary carried out in December 1999 and July 2000, the authorities removed from their posts two judges of the Supreme Court of Serbia, one judge of the Constitutional Court, and seventeen judges of district, municipal, and commercial courts. Presidents of the courts in Serbia, elected by the government-dominated Serbian parliament, assigned politically sensitive cases to "politically reliable" judges who were expected to render decisions favorable to the authorities, and did so.

Most victims of unfair trials were Kosovars, taken from the columns of fleeing civilians during the war with NATO and charged after the war with seditious conspiracy and terrorism. In most cases courts based the convictions on confessions extorted through police torture or on the notoriously unreliable paraffin test for gunpowder, allegedly showing that the person had used arms. In one such case, the district court in Nis collectively sentenced 143 ethnic Albanians from Djakovica to sentences of between seven and thirteen years of imprisonment. Flora Brovina, poet and physician from Pristina, was accused of providing medical supplies to members of the Kosovo Liberation Army and sentenced in December 1999 to twelve years in prison for "terrorism." On July 10, the district court in Belgrade sentenced six Albanian Belgrade University students to harsh prison sentences on a charge of "preparing terrorist acts." The verdict was based on apparently planted evidence and confessions extorted by beating, the threat of murder, and mock executions.

The authorities have continued to use penal sanctions since the 1999 war to prevent public debate on war crimes committed by security forces against ethnic Albanians. On July 26, a closed-door Yugoslav military court sentenced journalist Miroslav Filipovic to seven years in prison for publishing articles on the Internet in 2000 about the crimes. In August, the Yugoslav Army threatened Natasja Kondic, a leading Yugoslav human rights activist and director of the Humanitarian Law Center, with prosecution and trial because of her August 2000 statements about war crimes committed by the security forces.

Misdemeanor judges, appointed and controlled by the government, continued imposing the payment of heavy financial penalties on numerous independent media for "libelous" statements or reports, on the basis of the Public Information Act. In almost all cases, those recovering damages were members of the three ruling parties in Serbia—the Socialist Party of Serbia (SPS), the Yugoslav Left (JUL), and the Serbian Radical Party (SRS). Belgrade authorities closed down or disrupted the signals of a number of independent and opposition-controlled television and radio stations. Police removed relay links and essential transmission equipment from the transmission facilities of radio and television stations in Potarevac, Cuprija, Potraga, Piroz, Kraljevo, Mladenovac, and Cacak. After disrupting its signal for eight months, the government took over the Belgrade Radio-Television Studio B. Radio B2-92, which broadcast from the Studio B premises, was also taken off the air.

With the focus of repression shifting to the Serbian opposition, the Milosevic regime's harassment of ethnic minorities subsided slightly. Yet tensions in Bujanovac, Medvedja, and Presevo, municipalities bordering Kosovo and inhabited mostly by ethnic Albanians, remained high during the year. Elsewhere in Serbia, incidents against Roma received most attention. On June 7, police leveled Roma homes in a Belgrade settlement built in breach of zoning laws; during the action, the police hurled racial insults at the Roma and slapped and kicked some of them. Roma were not allowed to enter the swimming pool in Sabac, owned by the president of the local branch of the ruling Serbian Radical Party. Romani men working for a street cleaning company in Belgrade were frequent victims of attacks by racist "skinhead" youth.

The presence of some 230,000 persons displaced after the Kosovo conflict and 500,000 refugees from Croatia and Bosnia continued to strain the resources of Serbia and Montenegro. UNHCR announced in August that it would decrease aid to provide accommodation for refugees and the displaced from U.S. \$65.6 million to \$59.6 million.

Defending Human Rights

Non-governmental organizations in Serbia were extraordinarily active in 2000, and the regime responded with unprecedented harassment. The Humanitarian Law Center and Yugoslav Committee for Human Rights represented numerous individuals in political trials. These groups, along with Group 494, Women in Black, and the Belgrade Center for Human Rights, also developed a network of trial monitors who reported extensively about the trials of ethnic Albanians and other victims of government repression. Government representatives and media repeatedly accused human rights groups of working for foreign intelligence agencies. In a campaign of intimidation, initiated in May, financial inspectors accompanied by regular and secret police visited the offices of six leading organizations for a purported financial inspection. The police interrogated numerous activists about their daily activities and confiscated documents unrelated to financial matters. On July 7-9, State Security Police tortured Bojan Aleksov, a human rights activist and conscientious objector who had been studying in Budapest for two years and was

arrested while visiting Belgrade. In August the police banned the Council for Human Rights, a prominent human rights group from Leskovac, justifying the move on the basis of the council's "engagement in political activities."

The Role of the International Community

United Nations

The Commission on Human Rights, in a resolution passed in April, expressed grave concern at the ongoing serious violations of human rights by the Serbian and Yugoslav authorities, as well as at the failure of Belgrade to cooperate with the International Criminal Tribunal for the Former Yugoslavia. The Commission welcomed positive trends in Montenegro toward democratic and economic reforms. U.N. Special Rapporteur for Human Rights in the Former Yugoslavia Jiri Dienstbier repeatedly protested the repression against the opposition, students, and the independent media in Serbia. He also called for the lifting of international sanctions against FRY. Dienstbier visited the country in March and June and during the election crisis in September and October. The Commission extended the Special Rapporteur's mandate for one year.

Organization for Security and Cooperation in Europe (OSCE)

Efforts by the OSCE to monitor the human rights situation were unequivocally rejected by the Federal Republic of Yugoslavia, which was suspended from OSCE membership in July 1992. OSCE Representative on Freedom of Media Freimut Duve defended independent media, but his activities were branded "terrorism and a crime against sovereign state" by Federal Information Minister Goran Matic, and Duve was accused of being a "German agent" by Minister of Telecommunications Ivan Markovic.

The OSCE Office for Democratic Institutions and Human Rights (ODIHR) in Montenegro monitored the June 11 early municipal elections in Podgorica and Herceg Novi and found that the elections were well conducted and generally in line with OSCE commitments. In a report released on August 30, ODIHR concluded that the legislation governing the September 24 elections did not accord with international standards or OSCE commitments. Yugoslav authorities announced earlier that they would not permit ODIHR experts to observe the elections. On October 19, OSCE Chairperson-in-Office, Benita Ferrero-Waldner invited the Federal Republic of Yugoslavia to join the OSCE as a participating state.

European Union

The E.U. took some steps to alleviate the impact of economic sanctions against Serbia on ordinary citizens opposing the Milosevic's government. Between November 1999 and April 2000, the European Commission conducted the program, "Energy for Democracy," delivering 17,513 tons of fuel oil to seven cities governed by the Serbian opposition. The Belgrade authorities initially blocked delivery of the E.U. assistance to opposition towns, but Belgrade eventually abandoned the unpopular measures. In July, however, Yugoslav authorities denied import licenses to a number of firms exempted from the E.U. trade and investment embargo. The Commission also provided urgent aid to the media and nongovernmental organizations harassed by the government. The E.U. continued to support the democratic transition in Montenegro. On May 22, 2000, the General Affairs Council committed 20 million euros (U.S. \$19.2 million) in assistance to the Montenegrin government. On October 9, the E.U. lifted the oil embargo and the ban on international flights to and from Yugoslavia. Financial and trade restrictions against firms and individuals connected to the Milosevic regime remained in place, along with the visa ban and freeze of assets belonging to these individuals.

Council of Europe

The Federal Republic of Yugoslavia's application for admission to the Council of Europe remained suspended from consideration. Council of Europe officials issued condemnations of the crackdown on independent media and the opposition and called for free and fair elections. In July the Council of Europe Secretary General appointed Eva Tomić as his special representative to be based in the OSCE Office for Democratic Institutions and Human Rights in Podgorica. Tomić was tasked to provide expert assistance to the Montenegrin authorities in reforming education, local self-administration, and the judicial system and in drafting legislation.

United States

On June 29, 2000, U.S. Ambassador to the U.N. Richard Holbrooke announced a campaign to exclude FRY from membership in the U.N. Although to a lesser extent than the E.U., the United States tried to alleviate the impact of sanctions on some sectors of the Serbian population. After an April 7 meeting in Washington, D.C., with the mayors of eight major Serbian municipalities controlled by the opposition, Secretary of State Madeleine Albright announced that the U.S. would approve aid for improving health care, public services, education, and environmental protection in cities run by the democratic opposition. The U.S. exempted Montenegro from sanctions and provided an estimated \$77 million in aid during the year. On October 12, the U.S. lifted its oil embargo and flight ban to the Former Yugoslavia.

Relevant Human Rights Watch Reports:

Curbing Political Dissent: Serbia's Campaign of Violence and Harassment Against Government's Critics, 4/00
Kosovo: Rape as a Weapon of "Ethnic Cleansing,"
3/00

