

INTRODUCTION

Advocates of human rights could not have asked for a more auspicious introduction to the new decade. The revolution in Eastern Europe that rang out the 1980s appeared to be a resounding victory for human rights -- an affirmation that individual liberty could triumph over tyranny, and an inspiration for those still required to live under rulers who tolerated little dissent.

One year later, the heady optimism of those who toasted the upheavals in Berlin and Prague as the dawning of the human rights era appears sadly premature. The demise of world communism proved only a step on the long and difficult path to respect for human rights.

The Bush administration, squandering the opportunity presented by the Cold War's end to launch a principled and consistent defense of human rights worldwide, allowed the Persian Gulf crisis and other considerations to introduce a new set of inconsistencies into US human rights policy. Since August 2, the administration has courted even those nations that were considered pariahs because of their gross abuse of human rights if their support was considered important in the Gulf crisis. In the process, previous US objections to their human rights practices were muted or forgotten.

The significance of the Eastern European revolution should, of course, not be understated. The remarkable transformation seemed to inspire emulation even in such unexpected places as Albania, Mongolia and Nepal. To varying degrees, its effects were also felt in the Sandinista acceptance of electoral defeat in Nicaragua; Algeria's first free elections since independence; the legalization of the African National Congress, the release of Nelson Mandela and the lifting of the state of emergency in South Africa; the rejection of plans for a one-party state in Zimbabwe; the move toward multiparty democracy in such African nations as Angola, Benin, Gabon, the Ivory Coast and Zambia; and the electoral ouster of Communist governments in certain republics of Yugoslavia and the Soviet Union. Even the successful completion of multiparty elections in Chile and Haiti may have been eased by the European precedent of long-time dictators stepping down.

In many countries, however, self-appointed rulers were unimpressed by the Velvet Revolution, showing little restraint as they fought to preserve the spoils

of power. In Burma (Myanmar), the main opposition party won an overwhelming majority in the first multiparty elections in thirty years, but military authorities simply refused to recognize the results; they crushed opposition protests by shooting into crowds of peaceful demonstrators and arresting and torturing dissenters. In Kenya, the government cracked down on independent publications, arrested human rights lawyers and fired on peaceful demonstrators in an effort to preserve one-party rule. In Ethiopia, the government crushed student demonstrations that began as protests against the execution of army generals and became rallies for democratic freedom. At year's end, the military in Suriname overthrew the elected civilian government which it had allowed to take office only two-and-a-half years earlier.

In some states, agitation for democracy and human rights remained unthinkable as tyrants clung firmly to power with scant regard for political and civil liberties. Over a year and a half after the Tiananmen Square crackdown, many hundreds involved in the Chinese democracy movement remained in custody, facing trials and, in some cases, execution. Cuba's Fidel Castro greeted calls for national dialogue with arrests and "acts of repudiation" by organized mobs. Iraq's Saddam Hussein displayed the same ruthlessness toward the resistance movement in Kuwait as he had for years toward those suspected of dissent at home. Syria's Hafez al-Asad enjoyed a similar growth in his scope of repression as he cemented control over much of Lebanon, promising an end to the bloody civil war but threatening a definitive end to Beirut's former status as the center of intellectual debate in the Arab world. Saudi Arabia and the Gulf Emirates remained impervious to liberalizing trends, as did such disparate nations as North Korea and Sudan.

Even when movements for democratic change made progress, it was often at a considerable price. In Nepal, at least 50 pro-democracy demonstrators were killed and hundreds were arrested and tortured before the King agreed to pass power to a civilian coalition for the holding of multiparty elections. In Haiti, security forces arrested, beat and exiled opposition leaders seeking an end to military rule, before allowing a civilian government to take office and organize elections that were won by a charismatic populist priest.

Moreover, once dictators loosened their hold on dissent, or were forced to relinquish power altogether, the path that lay ahead for their nations was often quite treacherous. Nineteen-ninety was the year that ethnic tensions and animosities which had smoldered below the surface under the tight grip of

authoritarian rule burst forth with a vengeance. Some – notably Daniel arap Moi of Kenya – cited such conflict in neighboring countries as evidence that multiparty elections and respect for human rights were incompatible with an ethnically diverse society. Similar arguments could be heard from Singapore's Lee Kuan Yew and Malaysia's Mahathir Mohamad as reasons to perpetuate the use of detention without trial in their ethnically diverse nations. But a closer look showed that the ethnic violence of 1990 repeatedly supported the opposite conclusion – that ethnic differences are frequently exacerbated by the machinations for power of authoritarian rule, and that only a society built on open debate and free association can develop the art of political compromise on which tolerance must be based.

To cite but several examples: The once ethnically harmonious state of Liberia collapsed into fratricide when the enmities bred by ten years of ethnic favoritism exploded in a rebellion to overthrow the brutal Doe dictatorship. Violent clashes between ethnic Hungarians and Romanians, and violent persecution of the Gypsy minority, were the legacy of Ceausescu's exploitation of Romanian nationalism. Factional killings in South Africa traced their roots to the crumbling divide-and-rule policies of apartheid and were fostered by forces intent on maintaining white rule. Nationalist tensions turned to bloodshed in Armenia, Azerbaidzhan, Kirgizia, Moldavia, Tadzhikistan and Uzbekistan as Soviet rule loosened in the absence of democratic institutions for peaceful resolution of disputes. Warfare among the clans of ethnically homogeneous Somalia was the product of Mohamed Siad Barre's brutal favoritism.

These ethnic conflicts were only one illustration of the simple but often forgotten truth that overthrowing tyrannical regimes -- even if they are replaced with elected governments -- is only the first step in promoting respect for human rights. Of course, that lesson was long apparent in any number of countries where periodic elections, while often heralding an improvement in respect for freedom of expression and association, provided no guarantee against a variety of violent abuses. In Peru and Colombia, the presidency changed hands after national balloting in 1990, but internal wars continued, marked by executions of civilians and other gross abuses by both guerrillas and counterinsurgency forces. Brazil's first directly elected president in a generation brought no end to summary executions of common crime suspects by the police, or to the practice of ignoring or abetting violence by wealthy landowners and their hired killers against those who disputed their land claims. In El Salvador, Guatemala and the Philippines, elected governments remained unable to control armies intent on fighting

insurgents without regard for human rights standards. Israel's elected government expended little effort to investigate fairly and punish excessive force by Israeli troops in confronting the intifada, as in the massacre of 17 Palestinians and the wounding of hundreds on Haram el-Sharif, or the Temple Mount, in Jerusalem. In all of these countries, abuses persisted because civilian governments lacked the will to bring abusive forces to justice for their crimes.

But the failure to bring violators to justice was not limited to nations still experiencing violent conflict. Even in several countries that found a peaceful end to internal strife, "reconciliation" was the watchword as 1990 became the year of forgetting past abuses. Impunity reigned, performing an injustice to the victims and serving as an invitation to future abuses should rulers deem them necessary.

In Argentina, the nation that had stood out for its efforts to bring to justice the military architects of its "dirty war," a recurrent series of army rebellions led the civilian government to pardon and release the last of the convicted mass murderer generals still in prison. The persistent dominance of the government by those associated with the old regime meant that prosecutions for past abuses were nonexistent in Bulgaria, and carefully tailored in Romania to avoid exposure of anything beyond the killings of Ceausescu's final days. In Nicaragua, an amnesty, passed by the Sandinistas with opposition support, meant an end to investigations into past abuses, even as several graves of Sandinista victims were unearthed. In Chile, Pinochet's continuing hold on the army, and the fragility of civilian authority over that institution, prevented prosecution of those responsible for murder, disappearance and torture during the 17-year dictatorship, and even exerted pressure on a government commission working to establish the truth about the abusive past not to publish its report.

The only positive exception to this trend of forgetting was the Greek government's year-end reversal of its decision, in the face of popular outrage, to pardon three leaders of the military junta that ruled the nation from 1967 to 1974 and tortured, jailed and exiled thousands of Greeks. Few nations, however, were willing to follow the example of Nelson Mandela who, shortly after his release from prison, publicly acknowledged that the African National Congress had been responsible for abuses, declared that these practices were being ended and asserted that those responsible were being punished.

There were other disturbing trends in the context of armed disputes. The military confrontation in the Persian Gulf highlighted a troubling resurgence in

the withholding of food as a method of warfare. The United Nations' embargo on food shipments to Iraq, though consonant with the international laws of war governing the dispute with Iraq, unleashed a weapon that by its nature was destined to harm civilians more than soldiers. Hopes that a starved Iraqi population might be driven to overthrow Saddam Hussein seemed cruel in light of his proven ruthlessness in suppressing dissent. The Iraqi leader, in turn, tried to turn the food weapon into a propaganda tool by refusing to allow the distribution of food by UN-authorized neutral agencies, such as the International Committee of the Red Cross, again with the result that Iraqi civilians bore the brunt of the hardship.

Meanwhile, the use of the food weapon found parallels in several internal conflicts. In Sudan, the government blocked delivery of food to rebel-held areas in the south. In Ethiopia, both the government and Eritrean rebels stopped food destined for areas held by the other. In Angola, attacks by UNITA rebels on all commerce led the rural population to a state of complete dependence on relief shipments of food. Although by year's end progress had been made in some of these conflicts in establishing the right to neutral food deliveries, no such progress was visible in the Persian Gulf.

Two other methods of warfare prevalent in 1990 must be singled out because of their effects on noncombatants. The use of contact land mines continued to take a horrendous civilian toll in such countries as Afghanistan, Angola, Cambodia and Mozambique. These inherently indiscriminate weapons left a trail of dead and maimed, frequently among peasants and their children, who sought only to tend their fields or scavenge in the forest for firewood. Often these casualties occurred long after fighting in an area had ceased, as government and rebel forces left these deadly parcels which are often virtually impossible to find until stepped upon by some future innocent.

The use of civil patrols as a counterinsurgency technique also led to persistent abuse. Apart from the violation of the patrollers' own rights through the coercion often employed to recruit them -- such as the simple but deadly threat of being labeled a "subversive" -- these untrained and undisciplined forces were let loose to combat real or imagined enemies, with predictably devastating results. In Colombia, "civil defense patrols," though formally outlawed, continued to form the basis of the paramilitary groups that, working on behalf of powerful economic interests and with the support of senior army officials, accounted for the largest portion of the thousands of political murders committed each year in that country.

In Afghanistan, government-organized paramilitary forces from various tribal groups proceeded to rob returning refugees, loot property and illegally take prisoners. In Sudan, Popular Defense Forces established by the government gave legitimacy to ethnic- and religious-based militias responsible for massive violent abuses. In Guatemala, army-created civil patrols murdered human rights activists seeking to uphold the constitutional right not to patrol. In Cambodia, government-organized militias exacted "tolls" from travelers and deployed mines that injured themselves and their civilian neighbors. In Iran, self-appointed patrols known as Hezbollahis, which were tolerated and in some cases endorsed by the government, insulted, attacked and beat women who did not conform to their rigid interpretation of Islamic strictures.

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With so much to be done to stop these abuses, it was a source of deep disappointment that the promotion of human rights assumed such a low place on the Bush administration's agenda. With the Cold War over, the administration had an ideal opportunity to move human rights to center stage in US foreign policy. Efforts to advance human rights no longer had to be weighed in terms of the contest between the superpowers. But all too often the administration wasted this opportunity. In US dealings with country after country, human rights remained in the wings, as a variety of new-found priorities gained the spotlight.

The minor part left for human rights became most obvious following the Iraqi invasion of Kuwait. Somewhat predictably, the administration did get exercised over horrendous Iraqi abuses in Kuwait. President Bush even spoke publicly about Amnesty International's report on that subject, perhaps the first time that he had cited such a document. Of course, the outrage he rightfully expressed was difficult to square with the billions of dollars of loans and credit guarantees that the administration and its predecessor had extended before August 2 to the same Saddam Hussein, when it was well known that he had gassed Iraq's Kurds and sent countless suspected dissenters to a grim fate of imprisonment, torture and execution.

But worse than a case of hypocrisy, the conflict over Kuwait was a ruinous blow for US human rights policy, as the Bush administration cozied up to one tyrant after another in its single-minded pursuit of an anti-Iraq coalition. Instead of the Cold War litmus test used during much of the 1980s – with US allies in that contest being largely exempt from human rights criticism – the Bush

administration substituted the Desert Shield test. The Berlin Wall gave way to a line in the Saudi sand as the divide between those adversaries (and their friends) who were publicly criticized and those allies who were not.

To challenge this double standard is not to oppose the prospect of going to war to reverse Iraqi aggression – an issue which is beyond the mandate of Human Rights Watch. Rather, it is to object to the administration's readiness to tender human rights as a bargaining chip in its zeal to rally an anti-Iraq coalition. It is to protest the emergence of a new double standard in US human rights policy rivaling the worst inconsistencies of the Cold War era.

The list of new found allies benefiting from this policy reads like a *Who's Who* of tyrants:

- o After 13 years in which no US President would shake his bloody hand, Hafez al-Asad won a personal audience with President Bush for Syria's contribution of a small military force to combat its long-time enemy. Not a word was publicly uttered about human rights.
- o Iran under President Ali Akbar Hashemi Rafsanjani was the beneficiary of a post-August 2 US willingness to let a \$250 million World Bank loan come to a vote – still formally opposing it, but effectively permitting its passage -- despite widespread imprisonment of dissenters, persecution of women and religious minorities, and application of the death penalty to sexual offenders and, on a mandatory basis, to those caught with drugs including addicts.
- o Ethiopia's Mengistu Haile-Mariam, with his strong anti-Iraq posture on the UN Security Council, found the post-August 2 Bush administration willing to overlook his use of food as a weapon and his indiscriminate bombing of civilian areas, breaking from a long US tradition of criticizing Mengistu on human rights grounds. Secretary of State James Baker met twice with the Ethiopian Foreign Minister, the first such high-level meetings in 17 years. As in the case of Iran, the US has not used its considerable influence to prevent votes at the World Bank on extending some \$100 to \$150 million in loans to Ethiopia.¹

¹ Since Zaire replaced Ethiopia on the Security Council on January 1, 1991, President Mobutu

- o** Certain allies who had long enjoyed immunity from most US criticism -- with the exception of the State Department's increasingly reliable annual *Country Reports on Human Rights Practices* -- had that immunity bolstered by their supportive role in the Gulf crisis. It became almost unimaginable that the State Department would publicly broach any number of "sensitive" topics, be it Egypt's crackdowns on Islamists, King Hassan II's silencing of dissent in Morocco, Saudi arrests of women demonstrating for the simple license to drive, or torture in police cells and the displacement of Kurdish villagers in Turkey.

Perhaps the biggest beneficiary of the Desert Shield test was China, with its potential veto on the Security Council. The administration's much-abused ban on high-level contacts with the Chinese government, imposed after the bloody Tiananmen Square crackdown on the democracy movement, came to a definitive end in November when President Bush and Secretary Baker met in Washington with the Chinese Foreign Minister -- only six days after two prominent journalists were charged with the capital offense of sedition. This diplomatic payoff was followed by an economic one in December, when the administration allowed a \$114 million World Bank loan to come to a vote, the first loan to China not for humanitarian use since the crackdown. To its credit, the administration then sent Richard Schifter, Assistant Secretary of State for Human Rights and Humanitarian Affairs, to Beijing to discuss political prisoners. But Chinese officials mocked the visit by publicly distinguishing between their willingness to discuss human rights and their unwillingness to act on the discussions. The administration further diminished the visit's value by refusing to release a copy of the list of political prisoners which Schifter had given the Chinese authorities, evidently out of fear that the list would become a way of charting Chinese responsiveness to US human rights concerns, and thus might become a determinant of US policy toward China.

In contrast, in some countries that had no significance to the Gulf crisis -- and where other US interests were not in conflict -- the administration took a strong stand for human rights:

- o** Most noteworthy was the administration's rupture with the murderous

Sese Seko stands poised to become the next abusive leader to reap the benefits of the Desert Shield test.

army of Guatemala. Strong criticisms of escalating killings and disappearances, from both Washington and US Ambassador Thomas Stroock, were reinforced at year's end with an announced suspension of US military aid to Guatemala because of the unprosecuted murder of a US citizen.

- o In Haiti, US Ambassador Alvin Adams, with help from a timely visit by Vice President Dan Quayle, publicly affirmed that the United States would not countenance a repeat of the November 1987 electoral bloodshed. In an important deviation from US practice, discussed below, Ambassador Adams also called for prosecution of those responsible for certain notorious past abuses, albeit while avoiding any specific attribution of responsibility to the military. When a chastened military allowed elections to go forward in December and a radical priest emerged the overwhelming choice for President, Ambassador Adams and Assistant Secretary of State for Inter-American Affairs Bernard Aronson publicly dispelled any illusions within the Haitian army that the United States might welcome a coup.**
- o The administration persisted in its firm opposition to the military rulers of Burma, calling them a "xenophobic know-nothing group that maintains itself in power through sheer force." Continuing its policy of suspending all aid to Burma until the military steps down, the administration publicly called on the military to hand over power to the victors of the May elections and protested the arrest of opposition leaders.**
- o While applauding important changes in South Africa – such as the release of Nelson Mandela and the lifting of the state of emergency -- the administration was careful to note the substantial steps still to be taken to dismantle apartheid. The administration also consistently reaffirmed that the conditions for easing sanctions had not been met, even during President F.W. De Klerk's unprecedented visit to Washington.**
- o The administration continued its firm stance in opposition to the dictatorship of Mohamed Siad Barre in Somalia, where massive human rights abuses led the Bush administration to end traditional US support for the Barre government in mid-1989 and to stop most US aid. State Department officials issued strong condemnations of Somali government abuses in suppressing dissent and combatting a host of**

insurgent forces.

One change for the better related to the Gulf crisis was the administration's stance on killings by Israeli security forces. Through most of the year, the administration claimed to depend largely on "quiet diplomacy" to convey human rights concerns to the Israeli government. In May, for example, in the first Congressional hearings on Israeli human rights practices since the intifada, Assistant Secretary Schifter refused in his opening remarks even to repeat criticisms that his office had made in the *Country Reports*. That changed following the Iraqi invasion, when the administration began seeking Arab support for its efforts to liberate Kuwait. In October, the administration responded to the Jerusalem killings by supporting for only the second time in a decade Security Council resolutions that were critical of Israeli practices in the occupied territories. The US joined another such resolution in December, when the Israeli government resumed its illegal policy of deportations after a two-year suspension. Both actions were coupled with strong public denunciations by the State Department.

Some deficiencies in administration policy were unrelated to the Gulf crisis. The administration's "war" on drugs was waged without making clear that the legitimate US interest in controlling drug trafficking included an interest in ensuring that human rights standards be observed. The administration sent millions of dollars in aid to the Colombian military, which continued to be responsible for murder, disappearance and torture during anti-trafficking operations as well as during its own war against leftist insurgents. The Peruvian government rejected the first round of military aid, but the administration was still trying to pump funds to troops in the Upper Huallaga Valley, where anti-trafficking operations are closely intertwined with an extremely abusive war between the government and the rebel *Sendero Luminoso*.

In Mexico, the recipient of US largesse was the notoriously abusive anti-narcotics federal police, known for torture and murder. The administration, eager to maintain Mexican cooperation in fighting drug trafficking and to conclude a free-trade agreement, opposed congressional attempts to hold the first hearings ever on human rights in Mexico. When the administration finally acquiesced in the hearings and sent a representative -- Sally Grooms Cowal, Deputy Assistant Secretary of State for Inter-American Affairs -- she refused to make any stronger criticism of Mexican rights practices than to say that they were "less than perfect."

The Bush administration has done little to urge foreign governments to prosecute gross offenders of human rights. The end-of-the-year pardon of the handful of generals who remained in prison for Argentina's dirty war passed without comment from Washington, as had earlier Argentine government actions restricting prosecutions under pressure from periodic military revolts. President Bush visited Argentina in early December and proclaimed that "the day of the dictator" was over, but found nothing to say about the impending pardons of the dictators who had tortured and murdered thousands. In this, the Bush administration hews to the path followed by the Reagan administration, which never expressed support for the prosecution of the military officials responsible for the crimes of the "dirty war."

The administration also strenuously sought to limit a congressionally initiated aid cut to the Salvadoran military, aimed at prodding the stalled investigation into the November 1989 murder of six Jesuit priests and their two associates. When a US military official in El Salvador came forward with evidence showing that the Salvadoran military had foreknowledge of the plot to murder the Jesuits and to cover up the crime, the US embassy endangered his source -- a Salvadoran colonel -- by revealing his name to the Salvadoran high command; the administration also subjected the US official to a grueling FBI interrogation until he retracted his account. The actions were reminiscent of the administration's efforts several weeks earlier to discredit an eyewitness to the murders who had implicated the army at a time when army responsibility had not yet been acknowledged; she was subjected to a four-day incommunicado interrogation until she withdrew her accusations.

The administration showed little willingness to examine allegations of government involvement in ethnic violence. It shrugged off the black-on-black violence in South Africa as a domestic problem, without publicly commenting on the role of security forces in instigating and fostering at least some of the violence in Natal and around Johannesburg. It issued no public protest against what appeared to be security force support in Romania for attacks on ethnic Hungarians in Tirgu Mures and Gypsies in Bucharest. It made no public condemnation of the Sudanese government's complicity in interethnic violence leading to the massacre at Jebelein. Nor did it ever publicly question the role of Soviet armed forces sent ostensibly to quell anti-Armenian pogroms in Azerbaidzhan but whose actions and statements indicated a far greater concern

with propping up local Communist authorities in the face of challenges by the Azerbaidzhan Popular Front.

The Bush administration continued to fund several insurgent groups responsible for systematic violent abuses. The administration fought congressional efforts to cut off funds to the *mujahedin* in Afghanistan, and refused to disassociate itself publicly from the most abusive *mujahedin* force, headed by Gulbuddin Hekmatyar. It sent aid to UNITA rebels in Angola, despite a systematic pattern of kidnappings, attacks on civilians, and indiscriminate use of land mines. It funded the so-called non-Communist resistance in Cambodia despite substantial evidence that it coordinated its military activities with the Khmer Rouge.

The administration took some troubling positions when required to apply international standards to US forces operating abroad. The UN Security Council resolutions authorizing the international blockade of Iraq, and the Fourth Geneva Convention of 1949 which the resolutions track closely, authorize important exceptions to any blockade for the passage of food to segments of the civilian population. Rather than embracing these safeguards, thus emphasizing that the United States' quarrel is with Saddam Hussein rather than Iraq's civilians who have been among Hussein's victims, President Bush spent the first month of the crisis seeking the narrowest possible interpretation of the safeguards as he tried to consolidate international support for the embargo. Bush was saved from the test of whether the United States would comply with these standards by Saddam Hussein's refusal to allow the International Committee of the Red Cross to enter the country to distribute food to those civilians found needy. But to this day, the administration has not made explicit its willingness to abide by international legal limits on the use of food as a weapon.

In addition, one year after the US invasion of Panama, the administration still had not adequately accounted for the number killed in the fighting or for the circumstances under which they had died, leaving unanswered whether US forces had taken adequate precautions to avoid collateral civilian casualties, and setting a disturbing precedent of unaccountability as US forces sit poised for battle in the Saudi desert.

The State Department's Bureau of Human Rights and Humanitarian Affairs continued to issue the much improved *Country Reports on Human Rights Practices*-- a product of better human rights training for foreign service officers

and the Bureau's insistence on better embassy reporting -- but then often seemed to lock the volume in the closet and never publicly repeat the often chilling accounts of abuse that it described. Assistant Secretary Schifter's congressional testimony on Israel, cited above, was the most prominent example of this selective use of the document. A significant portion of Assistant Secretary Schifter's time in 1990 was devoted to promoting reform in the Soviet Union, often to the detriment of exposing human rights abuses elsewhere in the world, with notable exceptions in the cases of China and Iraq. The Bureau was responsible for commendable professional exchange programs with the USSR designed to facilitate the establishment of the rule of law, but it relied largely on "quiet diplomacy" to address outstanding human rights violations. Some 57 prisoners are still held by the Soviets for attempting to exercise their right to free speech, association or travel; Schifter's "quiet diplomacy" has not been successful in gaining their release. Much of the rationale for this quiet approach, shared by many in the State Department, is a dubious equation of reform with Soviet President Mikhail Gorbachev and a mistaken belief that public criticism of Gorbachev for human rights violations will weaken the reform process.

US actions before the United Nations Commission on Human Rights continued to be plagued by a one-dimensional fixation on Cuba. Although the US voted to criticize other abusive governments, it limited the use of its significant diplomatic power -- often a far more important factor in moving the UN to action -- to pressing for a condemnation of the Cuban government. Cuba fully merited UN attention and condemnation, as Fidel Castro continued to imprison the island's small community of human rights and independent activists, shutting off all space for the emergence of a civil society. And at first UN attention to Cuban abuses helped open a small space for political dissent. But by focusing almost exclusively on Cuba, the Bush administration undermined efforts to keep Cuba under UN scrutiny as it contributed to the polarization of the UN when the institution was showing some signs of moving beyond ideological biases. The year-end resignation of Armando Valladares, the former Cuban political prisoner who as US ambassador to the UN Human Rights Commission maintained the narrow US focus, provides an ideal opportunity for the administration to broaden its human rights concerns before the Commission.

Two-and-a-half years after it was signed, the administration and the Senate worked out a formula for ratifying the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Unfortunately, the formula significantly weakens the Convention's important standards.

Reservations, declarations and understandings attached to the articles of incorporation water down the definition of the acts prohibited by the treaty, introduce certain defenses for torturers, and make it virtually impossible for US citizens to bring claims under the treaty before international bodies or US courts.

Several other important human rights treaties have been signed by previous presidents and are awaiting consent to ratification by the Senate. These include: the International Covenant on Civil and Political Rights; the American Convention on Human Rights; the Convention on the Elimination of All Forms of Discrimination Against Women; and the International Convention on the Elimination of All Forms of Racial Discrimination. Also signed and awaiting ratification are two important supplements to the body of law designed to protect civilians in time of war, the two 1977 Additional Protocols to the 1949 Geneva Conventions. The United States finds itself among an embarrassing minority of states that have not ratified these important standards of human rights and humanitarian law. As a result, the US voice as a champion of human rights is weakened, and potential victims of US government actions, be they in Panama, the Persian Gulf, or disfavored communities in the United States, are deprived of this important protection. Human Rights Watch urges rapid consideration and approval of these treaties, without the sort of damaging reservations attached to the Torture Convention.

Nineteen-ninety was a sobering year for the human rights movement. But it was also a year of renewed resolve by domestic human rights monitors around the world to expose and end persistent abuses in their own countries. As has been demonstrated time and again, such work is most likely to be effective when reinforced by international attention and support. Human Rights Watch's contribution to that effort is documented in the following pages, as part of this report's country-by-country description of human rights conditions and analysis of US human rights policy. It is disappointing that the Bush administration's support of that campaign has been so tepid and inconsistent.

The bitter irony is that the Iraqi invasion of Kuwait has made all too clear the devastation that can be caused at the hands of a government unrestrained by free public debate and the rule of law. A leader who can get away with murder at home is easily tempted to extend his lawless vision beyond his national borders. As US troops prepare for combat in the Saudi desert, it is time for the Bush administration to reflect on this lesson, and to see the long-term value of a principled, consistent and public defense of human rights.

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This report reviews the work of the five regional divisions of Human Rights Watch in 51 of the countries in which we were active in 1990. In general, our work consisted of efforts to gather information on human rights abuses; to document these abuses in reports on those countries; and to use the information to bring pressure to bear on the governments of those countries to respect human rights.

Since efforts to promote human rights are usually effective only if they are maintained over a long period, it is the practice of Human Rights Watch to continue monitoring a country once we have started. We maintain our efforts for as long as it takes to bring about changes that are so systematic that our efforts are no longer required. On those grounds, this year's report does not include chapters on three of the countries that had long been of central concern to Helsinki Watch: Czechoslovakia, Hungary and Poland. Although we follow developments in these countries, and may intervene on a few matters, by and large we consider that they have changed to a point where domestic efforts to protect human rights no longer require support through the sustained external campaigns that are our *modus operandi*.

Although the human rights situation varies greatly from country to country, certain aspects of our work have assumed a special prominence worldwide. Among those that were particularly significant during 1990 are the following:

The Protection of Human Rights Monitors. From the start, we have made the protection of those who attempt to monitor and defend human rights in their own countries our foremost concern. These monitors play a crucial role because they are usually the main sources of information on abuses of human rights. By silencing human rights monitors, governments attempt to avoid pressures for change by preventing the world from learning of abuses. We, on the other hand, try to raise the cost of abuses against human rights monitors so that governments will consider that they have more to lose from persecuting monitors than they do from permitting monitors to scrutinize their human rights practices.

Among the countries where the protection of monitors was particularly crucial during 1990 were Guatemala, where members of a Mayan Indian human

rights group, CERJ, were the targets of unremitting repression, including the murder and disappearance of several of their leaders; Cuba, where the Castro government has imprisoned many of the leaders of the small organizations attempting to defend human rights; and Kenya, where there was a crackdown on lawyers, journalists, clergy, university lecturers and others involved in the promotion of human rights.

In addition to our country-specific efforts to focus attention on such cases, which are described in the chapters of this report, Human Rights Watch published in December our annual report on the persecution of human rights monitors worldwide. Also in December, as in previous years, we brought human rights monitors from all over the world to the United States to pay tribute to their work, and to make their personal stories known, at a series of events we organized at the time of the anniversary of the adoption of the Universal Declaration of Human Rights.

Monitoring Violations of the Laws of War. When Iraq invaded Kuwait, Middle East Watch responded by: sending researchers to the region to interview refugees about abuses by the Iraqi occupiers against Kuwaiti civilians; publishing reports on those abuses; issuing reports that set forth the rules under international humanitarian law (or the laws of war) that must be obeyed by all parties to such conflicts; and criticizing those aspects of the sanctions against Iraq that appeared to block the delivery of medicine and of essential food supplies for Iraqi civilians.

This response reflected Human Rights Watch's role as the only international organization that systematically reports on violations of the laws of war by all parties to military conflicts. (The International Committee of the Red Cross is, of course, the foremost body that monitors such conflicts, but its role is to provide humanitarian services to the victims rather than to engage in public reporting).

Human Rights Watch's focus on violations of the laws of war reflects our view that these account for by far the largest number of violent abuses of human rights worldwide. Aside from the conflict in the Gulf, the only international conflict that we monitored in 1990 was the war in the last days of the previous year in which the United States ousted Gen. Manuel Noriega from Panama. In early 1990, Americas Watch investigated the military attacks that had resulted in needless loss of civilian lives in Panama.

The largest part of our work in this field during the year involved internal military conflicts. Americas Watch continued to monitor and report on the wars in El Salvador and Peru and the more intermittent conflicts in Colombia and Guatemala; Helsinki Watch monitored the war in Eastern Turkey and episodic outbreaks of military violence in several republics of the Soviet Union; Middle East Watch monitored the strife in the Israeli Occupied Territories; Asia Watch monitored the wars in Afghanistan, Burma and Cambodia, and began monitoring violations of the laws of war in separatist struggles in Indonesia and in India's Punjab and Kashmir; Africa Watch investigated and reported on the wars in Angola, Ethiopia, Liberia, Mozambique, Somalia and Sudan. In all such cases, we bring pressure to bear on the parties to these conflicts to curb abuses.

Another consequence of our public reporting on violations of the laws of war has been heightened international awareness that internal and international conflicts are subject to rules designed to promote humanitarian values. We believe that this, in itself, has also had some impact in mitigating the horrors of war. Also, some human rights groups in countries that suffer from wars have followed Human Rights Watch's lead in monitoring violations of the laws of war and their efforts have had a complementary impact.

Abuses of Human Rights in Ethnic Conflicts. More than half of the thirty or so internal wars currently underway are predominantly conflicts along ethnic lines. In addition, many countries where such conflicts have not reached the point of open warfare suffer from ethnic strife accompanied by extensive human rights abuse. In some cases, such abuse has played a central role in provoking such strife.

During 1990, Helsinki Watch monitored human rights abuses in Romania involving the Hungarian and Gypsy minorities; in Bulgaria involving the Turkish and Pomak minorities; in Turkey against the Kurds; in Greece against the Turks; and in several republics of the Soviet Union where there has been a virtual explosion of ethnic conflict. In addition, Helsinki Watch launched an investigation of abuses by all sides in the religious and communal conflict in Northern Ireland.

Middle East Watch monitored abuses against the Kurds in several countries; and against the Palestinians in Syria and the Israeli Occupied Territories.

Americas Watch monitored abuses against Haitians in the Dominican Republic, and continued its long-term monitoring of the conflicts in Guatemala and Peru which arise – at least in part – out of historic discrimination against indigenous populations.

Asia Watch investigated religious and communal conflicts in two regions of India where warfare has broken out, Punjab and Kashmir. It also examined abuses by Indonesia in the conflicts in Aceh and East Timor; continued to scrutinize Chinese government abuses in Tibet; and monitored abuses in the border wars in Burma involving that country's ethnic minorities.

Ethnic violence, like war monitoring, was particularly important to the work of Africa Watch in Liberia, a country with little history of ethnic conflict which was bitterly divided along tribal lines by an abusive government. Similarly, Africa Watch investigated the so-called "black-on-black" violence in South Africa in which the country's security forces helped to promote violence that subverted the anti-apartheid struggle by promoting division of the black majority along tribal lines. Other countries on which Africa Watch focused included Mauritania, where blacks have been enslaved by the dominant Arab population; Sudan, where conflict between the dominant Arab population and such black tribes as the Dinkas has also been a factor in gross abuses; Somalia, an ethnically homogeneous country where an abusive government promoted conflict along clan lines; Ethiopia, where warfare between the Mengistu government and separatist groups has been fought largely on ethnic lines; and in several countries where the prospect of tribal conflict has been invoked by governments to justify prohibitions on the formation of opposition political parties and restrictions on those who espouse multiparty democracy.

Accountability for Past Abuses. For nearly a decade, the question of accountability has been particularly important in the work of Americas Watch, where one government after another has sought to immunize military officials against investigation and punishment for such abuses as torture, disappearance and murder. During 1990, these issues loomed particularly large in Argentina and Chile.

In Argentina, strenuous efforts by Americas Watch to head off the pardon by President Carlos Saul Menem of the remaining top military officials still in

prison or facing punishment for their crimes during the "dirty war" were ultimately unsuccessful. Nevertheless, Americas Watch is pursuing efforts through the Inter-American Commission on Human Rights of the Organization of American States to challenge the amnesties in Argentina, as well as in Uruguay, under which military torturers and mass murderers have been able to go free.

In Chile, the elected civilian government that took office in March 1990 following 16-1/2 years of the Pinochet dictatorship established a national commission to examine the question of accountability, although the commission appeared unlikely to recommend prosecutions or to identify those who perpetrated abuses. Americas Watch followed closely the work of the commission and submitted detailed recommendations to it.

Among the other countries in the region in which the lack of accountability of the armed forces for their abuses was of particular concern to Americas Watch during the year were El Salvador and Guatemala, where hardly anyone has been prosecuted for the tens of thousands of killings of civilians during the last decade; and Nicaragua, where the Sandinistas promulgated an amnesty for themselves before leaving office in March.

The question of accountability was also of concern to Helsinki Watch in dealing with the governments that succeeded the communist regimes toppled in the revolutions of 1989. This question was particularly important in our work on Romania. Helsinki Watch had protested the summary execution of fallen dictator Nicolae Ceausescu and his wife at the end of 1989 and the manner in which the trials of some of his close associates and some captured Securitate officials were conducted during 1990. The trials focused solely on the conduct of the defendants from December 17 to 22, 1989, the five days of the revolution. Convictions in these trials appeased the public's desire for vengeance while suppressing the disclosure of abuses committed while Ceausescu was in power, thereby sparing from embarrassment those associated with such abuses who continue to serve in the successor government.

Shaping United States Foreign Policy. From the founding of Helsinki Watch in 1978, shaping the foreign policy of the United States to protect human rights has been of central concern in our work. As an important actor in world affairs, the United States has the capacity to have a significant impact on the human rights situation in many countries. We pursue our concerns in this area by monitoring closely the implementation of US policy on human rights, as reflected

in the sections of this report which track that policy country-by-country; by using every opportunity to seek compliance with US laws that condition diplomatic, economic and military assistance to governments around the world on their human rights performance; and by prodding the US to speak out in response to abuses of human rights. One means by which we work is to maintain close contact with members of Congress to encourage them to prod the administration to make the promotion of human rights an ongoing concern.

Some of the other special concerns of Human Rights Watch are discussed elsewhere in this report, including our concern with conditions in prisons and jails and our new focus on efforts to promote women's rights.

In all of our work, we attempt to inform the public generally about abuses of human rights. We do this through the reports we publish; through news accounts on those reports; through articles that we write and place in newspapers and magazines; through books that emerge from our work, including a series that we began publishing in 1990 with Yale University Press; and, whenever possible, through the broadcast media. In this manner, we play an educational role, helping to build a public constituency that contributes to the defense of human rights worldwide. Over the long term, we believe, this has great significance. Although it would be difficult, if not impossible, to devise the criteria for measuring human rights conditions worldwide for the purpose of indicating whether things have gotten better or worse, it does seem possible to say that awareness of human rights worldwide is greater than ever. We believe that the efforts of Human Rights Watch have contributed to that awareness. Over the long term, this will probably be the most important factor in requiring governments to live up to their international commitments to respect the rights of their citizens.