

UNITED STATES

Human Rights Watch's reporting on human rights violations in the United States took new directions in 1992. Americas Watch released a major report documenting U.S. human rights abuses along the U.S.-Mexico border. Americas Watch and the Fund for Free Expression investigated restrictions on freedom of expression in Miami's Cuban exile community. The Fund for Free Expression addressed the potential threats to freedom of speech posed by the movement for "English-language only" laws in the United States. The Fund and other divisions of Human Rights Watch also protested the U.S. government's attempt to deport two permanent residents for their lawful political activities. These and other Fund activities are described in the separate chapter on the Fund.

Human Rights Watch and its Prison Project continued to monitor human rights abuses in U.S. detention facilities. Human Rights Watch also issued a protest to the acquittal of police officers who beat motorist Rodney King in 1991. Human Rights Watch welcomed U.S. ratification of the International Covenant on Civil and Political Rights, but was opposed the Bush administration's inclusion of reservations to important rights and enforcement mechanisms.

Border Violence

In May 1992, Americas Watch released *Brutality Unchecked: Human Rights Abuses Along the U.S. Border With Mexico*, an 80-page report on human rights abuses committed by the U.S. Border Patrol of the Immigration and Naturalization Service (INS). The report found that abuse by INS agents is similar in kind and severity to abuses that Human Rights Watch has documented in other countries with serious human rights violations, including unjustified killing, torture, and rape, and routine beatings, rough physical treatment, and racially motivated verbal abuse. The response of the U.S. government to criticism of these abuses has been as defensive and unyielding as the responses of many other abusive governments.

One reason INS misconduct is so pervasive is that the INS does not adequately train or supervise its agents. Furthermore, the INS and the Justice Department are willing to cover up or defend even the most egregious conduct of agents. Investigations of INS abuses are almost invariably perfunctory, and the government is unwilling to prosecute or punish agents even when criminal or civil sanctions are clearly warranted. The INS covers up misconduct through a variety of failures and affirmative measures, including an ineffective complaint process that cannot identify or remedy abuses; refusal to divulge the names of agents involved in shootings and other serious incidents, making it difficult for victims to identify their abusers in the formal complaint process; failure to remove from active duty officers who have been implicated in shootings and other violations; and filing retaliatory criminal charges, of a sort usually reserved for flagrant violators of immigration laws or those suspected of serious crimes, against individuals who are victims of INS abuse, in order to intimidate them into silence.

Serious human rights abuses—particularly unjustified shootings and other excessive uses of force—occur when the Border Patrol apprehends undocumented migrants. The INS shooting policy permits an agent to shoot only in self-defense, in defense of another officer, or in defense of an innocent third party, and alerts agents that they may face criminal sanctions for violating the guidelines. In practice, however, agents violate the guidelines with impunity. For example:

- On September 8, 1990, an out-of-uniform Border Patrol agent shot and killed a 17-year-old attempting to cross the border. The autopsy report indicated that the victim was shot point blank; witnesses to the shooting testified that the agent knocked the victim down and shot him twice in the stomach. The agent claimed that the youth had thrown a rock and hit him. The Border Patrol did not identify the officer involved, but publicly released his version of events, which contradicted the medical evidence and witness statements. The agent was returned to normal duty the following day. No charges were ever filed against him.
- On November 18, 1990, a Border Patrol agent shot a 15-year-old who was straddling the fence along the border near Calexico, California, causing severe internal injury. The Calexico chief of police who investigated the case concluded that the shooting was unjustified, but no criminal charges have been filed.
- On May 25, 1990, a Border Patrol agent injured two people when he shot into a van. The local police investigator found that the shooting was unjustified. The Federal Bureau of Investigation investigated the shooting and forwarded its conclusions to the Justice Department, which returned the case to the INS. No local or federal charges were ever filed. The INS subsequently acknowledged that the agent had violated the shooting guidelines, and the agent was suspended without pay for 30 days.
- In June 1992, after *Brutality Unchecked* was released, a Border Patrol agent patrolling near Nogales, Arizona, shot a man twice in the back. Although five agents were on the scene, the shooting was not reported for more than 15 hours and medical help was not secured for the injured man, who died of his wounds.

Not all deaths at the hands of the Border Patrol involve firearms. In February 1988, a 17-year-old died from a skull fracture and brain hemorrhage that he sustained when a Border agent threw him to the pavement. The agent was conducting a neighborhood sweep in Madera, California, and had stopped the victim to check his immigration status. The agent responsible for the death had a history of violent encounters: twice, the vehicle he was driving struck pedestrians, resulting in the death of a Mexican migrant, and in a separate incident, he was the subject of a civil suit for assaulting two farm workers. Although the FBI, local law enforcement officials, and the Justice Department

investigated the death in Madera, the agent was never indicted; instead, he was transferred to Florida, promoted to Senior Border Patrol Agent, and assigned to numerous supervisory and training positions along the border.

Border guards and INS agents engage in other non-lethal forms of physical abuse as well, including beatings and rough physical treatment. Americas Watch has investigated a 1991 case of two Guatemalan men who were tortured while in custody of Border Patrol agents. Human rights groups monitoring the border unhesitatingly state that sexual abuse is rampant. In a handful of cases, INS agents have been prosecuted for raping undocumented migrant women, although far more often, rape goes unreported. Since most arrests take place in remote border regions at night, the only witnesses to these crimes are often undocumented migrants. Agents have taken advantage of these witnesses' lack of legal status in the U.S. to silence them, threatening retaliation through the legal system if they complain.

Injuries and deaths have also occurred as a result of the Border Patrol's dangerous use of vehicles to chase and intimidate border crossers. At least six migrants were run over and killed between 1985 and 1989. Just after the publication of *Brutality Unchecked*, six people died as a result of a controversial car chase in Temecula, California, in which Border Patrol agents pursued a vehicle believed to be carrying undocumented migrants.

Many human rights abuses against migrants occur in detention. During the 1980s, the INS steadily increased the number of people detained pending adjudication of their immigration or asylum claims. Many of those detained pose no risk to the safety or property of others and are not flight risks. Some are released on parole, although this is decided on a case-by-case basis and appears to be arbitrary, and others are sometimes released upon payment of a bond. However, there are drastic differences across the country in the amount of bond required; in some regions, notably El Paso and Laredo, bond amounts are set so high as to preclude release.

The physical conditions of detention facilities have not improved to meet the needs of these increasing numbers of detainees. Most facilities were not designed for long-term detention, but detainees are now being held for months and sometimes years. Many of the detention facilities are located in deserts, yet detainees during the day are confined outdoors without protection from the sun. Overcrowding also makes adequate indoor living space a serious problem. Detention conditions are even worse at the INS holding cells or staging facilities. These were intended to be holding areas where detainees await transfer to detention centers, but some detainees are kept for days with inadequate access to food and telephones.

The INS also detains adults in county and city jails, where conditions vary widely. Since the INS does not always make special provision for treatment of detainees, and smaller jails do not have facilities to segregate inmates, detainees in immigration proceedings are often held with prisoners who are accused or convicted of violent crimes. Physical conditions at some of these

jails are harsher than at the INS's own detention centers: detainees at some jails are kept in small cells and denied exercise, recreation, telephones to contact lawyers, or access to immigration information and other written material.

Physical abuse of detainees is a serious problem in a number of facilities. Most cases involve excesses apparently meant as discipline, punishment or warnings to detainees. Excessive force has also been used to prevent or suppress detainee protests about detention conditions. Two monitoring groups in California documented over a dozen cases of adults who say they were beaten in 1990 in the El Centro Service Processing Center, an INS-run detention center in California. In practically every case, a detainee was singled out, locked in a shower room, and beaten, because a detention officer disliked his or her "attitude." In March 1990, the INS dispatched a large team of officers in riot gear allegedly to prevent a protest over conditions at the Port Isabel Service Processing Center in Texas. Several detainees reported being hit, kicked, and thrown to the floor. Although detainees complained to the INS about several of these incidents, the INS is not known to have investigated.

The INS practice of detaining minors subjects many undocumented youths to human rights abuse. Federal standards applicable to minors in the juvenile justice system presume that detention is adverse to a child's interest, and require pretrial release to a suitable adult. They distinguish between delinquent and non-delinquent children, and require that the latter not be placed in secure facilities. In practice, however, the INS continues to detain children in juvenile justice facilities that are not licensed for shelter care and that house immigration detainees with youths accused of crimes. The INS also fails to ensure that all minors in detention understand and can exercise their rights, unnecessarily prevents release from detention through restrictive bond provisions, and confines minors under substandard conditions with inadequate care.

To end human rights violations by the Border Patrol and the INS, Americas Watch offered a series of recommendations. Central among them was the creation of an independent Board of Review to examine allegations of abuse and to make appropriate recommendations for prosecution or discipline. Americas Watch also called for the establishment of meaningful confidential procedures for registering complaints. Other recommendations addressed the use of force and firearms, conditions in INS detention facilities, and the treatment of minors. The report concluded that the INS needs to emphasize the protection of human rights in enforcing immigration laws, and make clear that all INS agents must respect the legal rights of all people.

Freedom of Expression in Miami's Cuban Exile Community

Miami's Cuban exile community, long dominated by forces fiercely opposed to the government of Fidel Castro in Cuba and to any dialogue with it, has been the site of serious restrictions on freedom of expression for those who dissent from a rigid anti-Castro stance. In August 1992, Americas Watch and the Fund for

Free Expression issued *Dangerous Dialogue: Attacks on Freedom of Expression in Miami's Cuban Exile Community*, a report which documented numerous incidents of harassment and violent intimidation of moderate voices within the community. The report generated attention and controversy, including threatened legal action from Miami's Mayor Xavier Suárez if parts of the report were not retracted. Americas Watch and the Fund for Free Expression responded by verifying the accuracy of every disputed claim.

Suppression of dissent in Miami takes a variety of forms, including attacks on artistic freedom, academic freedom, the press, and human rights activists. Some exile organizations, and an influential group of Spanish-language radio talk shows, play an important role in creating a repressive political climate by denouncing dissenters as "pro-Castro" or "Communists." Although many of the parties responsible for violence are private actors, *Dangerous Dialogue* found government complicity, ranging from direct harassment of dissident speech to a pattern of inaction in the face of political violence. Some incidents described in the report include:

- Miami's Cuban Museum of Arts and Culture has been the target of sustained violence because it shows works by artists in Cuba or artists who have not denounced the Castro government. In 1988, a bomb left under a museum board member's car exploded and destroyed the museum's front door, and museum officials later received personal death threats. Although police investigated five such threats against the museum's director, no criminal charges have been filed. In 1990, another bomb exploded outside the museum. The FBI found that the bombing suspects had deliberately targeted institutions that advocated dialogue with Cuba.

- Academics who advocate alternative approaches to Cuba have been attacked for expressing these views. The director of the Institute for Cuban Studies at Miami-Dade University, who came to Miami from Cuba in 1960, has sponsored numerous conferences discussing exchanges with Cuba and evaluating U.S. foreign policy. In 1988, she was a target of numerous verbal attacks over the radio, and on the eve of a conference she organized featuring prominent moderates, a sophisticated bomb was exploded in her garage.

- Radio Progreso, a Spanish-language station whose leading figure, Francisco Aruca, is a prominent advocate of closer ties with Cuba, has been a particular target of attack. In February 1992, three men broke into the station's studios, beat and tied up an employee, and damaged equipment. In 1989, two bombs exploded in the offices of Aruca's tourism company. Nobody was charged in these incidents. Another Radio Progreso talk-show host who came to Miami after 19 years as a political prisoner in Cuba was assaulted and beaten by demonstrators after one of his broadcasts in February. Vandals have broken into his office twice, destroyed his files, and scrawled "Communists are not allowed to have a

business" across a wall. No arrests have been made in any of these incidents.

- The Cuban American National Foundation (CANF), the dominant exile group in Miami, began a boycott campaign in early 1992 against the *Miami Herald* and its Spanish language version *El Nuevo Herald* to protest *Herald* editorials about relations with Cuba. The campaign involved bitter accusations that the paper was "communist" and "pro-Castro." In the ensuing controversy, the *Herald's* offices received bomb threats, its distribution boxes were vandalized, and its publisher received personal death threats. The CANF eventually called off the campaign.

Although many of these incidents involved private actors, federal, state and local government authorities have played a significant role in creating the climate of intimidation. This role has taken three forms: direct harassment by the government itself, government funding of groups that seek to deny freedom of expression to others, and official statements encouraging private actors.

Local and federal government officials have participated directly in harassing persons who are not part of the fiercely anti-Castro camp, by denying permits arbitrarily, launching groundless investigations, and cutting off funding for dissident artists. The Cuban Museum of Arts and Culture has been a target of sustained government harassment since 1988, when a controversy erupted over reports that the museum had auctioned works by artists in Cuba or who had once supported Castro. Within two months, the Florida House of Representatives voted to cancel a \$150,000 grant to the museum. The Miami City Commission then began a campaign to evict the museum from the city-owned property it leased for many years. In May 1991, a federal judge blocked the proposed eviction, finding that the Miami City Commission had engaged in improper conduct toward the museum.

Another example of government harassment of dissidents is the federal government's series of unwarranted investigations of Ramón Cernuda, a Miami business executive and former vice president of the Cuban Museum. Cernuda, who is perhaps the best known advocate of an alternative approach to Cuba, represents in exile a Havana-based human rights group that champions the cause of Cuban dissidents who are denounced by right-wing exile groups for their commitment to nonviolent change in Cuba. On May 5, 1989, during the Cuban Museum controversy, 14 U.S. Treasury agents raided Cernuda's home and office and confiscated 220 works of Cuban art. Several newspapers denounced the raid as a purely political act linked not to law enforcement but to the controversy over the Cuban Museum. In September 1989, a federal judge ordered Cernuda's paintings returned, and criticized the prosecutor for commencing the suit.

After this ruling, Cernuda was the target of a series of other investigations by government agencies. In November 1989, the immigration authorities seized and kept his travel documents for two months when he returned home from a conference in Canada. In

December 1989, immigration officials raided his publishing offices in an unsuccessful search for illegal workers. In February 1990, the Florida Labor department began an investigation for possible labor violations. Shortly afterward, the U.S. Internal Revenue Service commenced an audit that took a year and resulted in a request that he claim his art collection as a personal rather than a business expense. None of the other investigations ever resulted in a charge or disciplinary action.

Government authorities bear some responsibility for the actions of groups that receive government funds and engage in repressive activities. For example, the Miami City Commission provided a \$15,000 grant to the 1989 Cuban-American Festival, which banned three singers from performing because they had performed in Cuba.

Finally, there have been government statements and actions that encourage and embolden those private actors who may be inclined toward criminal violence. During the CANF campaign against the *Herald*, Mayor Suárez joined with the CANF to form the Cuban Anti-Defamation League and, on behalf of the group, publicly complained about the *Herald*. In another incident reported in 1986, a group protesting U.S. aid to the Nicaraguan *contra* movement was physically attacked by a fiercely anti-Castro exile group that held a counterdemonstration a few yards away. When some of the victims met with Mayor Suárez later to complain about the police's handling of the demonstration, he reportedly pointed out that most of them did not live in Miami and questioned why the city should pay to protect them. The Mayor's actions, along with the Miami City Commission's handling of permits for demonstrations and rallies and its treatment of the Cuban Museum, contribute to the impression that the Miami government is not ardently interested in preventing harassment of dissidents.

The official response to the violence and intimidation in Miami has been marked by a notable failure to prosecute criminal acts directed against dissidents. While in the last few years there have been over a dozen bombings aimed at those who favor a moderate approach to the Cuban government, there has not been a single arrest or prosecution in that time. Moreover, the authorities responsible for enforcing the laws more often appear to be concerned with discrediting activists than with apprehending those responsible. In some cases, police officers reportedly looked on and did nothing as violence or vandalism was taking place.

Americas Watch and the Fund for Free Expression concluded that governmental leadership could greatly improve the climate for freedom of expression in Miami, and made several recommendations. Law enforcement authorities should assure that a full and complete investigation is carried out with respect to every criminal act of violence, intimidation and vandalism, and that those responsible are brought to justice. Government leaders at every level, from the President to Mayor Suárez, should speak out clearly and forcefully against acts of violence and intimidation. Furthermore, the City of Miami should cease its efforts to harass the Cuban Museum of Arts and Culture, and should make decisions about

funding, demonstration permits and police protection free of content-based ideological considerations.

Police Brutality

In April 1992, a jury in Simi Valley, California acquitted four Los Angeles police officers responsible for the brutal beating of motorist Rodney King. The beating, 14 months earlier, had been captured on videotape by a bystander. In response to the verdict, Human Rights Watch stressed that the Rodney King beating was not an isolated occurrence but part of a recurrent, widespread pattern of police brutality in the United States. Human Rights Watch also emphasized that because police brutality violates the U.S. Constitution as well as international law, the duty to remedy and prevent it lies not only with the state but also with the federal government.

Standards of police use of force remain vague and inconsistent across the country. As Human Rights Watch reported in its July 1991 study, *Police Brutality in the United States: A Policy Statement on the Need for Federal Oversight*, responsibility for the confusion lies with the federal government, which has failed to establish standards to prevent the use of excessive force, or even to keep statistics on the prevalence of abuse. A week after the police beat Rodney King, then-Attorney General Dick Thornburgh asked the National Institute of Justice to study the relationship between incidents of police brutality and departmental training programs and procedures to deter brutality. Predictably, the consultants assigned to the research were stymied by the lack of national records on the use of force by police. Nor were there any records correlating the use of force by police with different police training programs or procedures.

This deliberate policy of ignorance on the part of the federal government persists in a time when the federal government allocates hundreds of millions of dollars annually to assist local law enforcement officers in the performance of their duties. Federal programs instruct local police officers to combat crimes such as money laundering and drug trafficking. Yet, because federal officials consider police brutality a local problem, they provide no comparable instruction. Human Rights Watch maintains that the U.S. constitution and international human rights law compel the federal government to set minimum standards for police behavior, to keep records on adherence to those standards, and to provide guidance on compliance.

U.S. Prisons

The Prison Project of Human Rights Watch continued its appeal to the U.S. government to safeguard human rights in U.S. prisons. Following up its 1991 study of prison conditions in the United States, Human Rights Watch met with congressional staff members and wrote to Attorney General William Barr expressing concern about the increasing use of super maximum security prisons in federal and state prisons, and accompanying human rights violations. In a reply letter, the Director of the Federal Bureau of Prisons, J. Michael Quinlan, did not address violations in

state facilities, and noted, among other things, that inmates at the Marion, Illinois super maximum security facility stay "only about three years".

In October, the Prison Project also expressed concern about the treatment of a federal inmate, Brett Kimberlin, who made allegations in 1988 of having sold marijuana to then vice-presidential candidate Dan Quayle. Human Rights Watch requested information from Attorney General Barr about the Bureau's reasons for placing Kimberlin in administrative detention after he made the allegation, denying him access to the press, and cancelling his press conference on the issue.

Human Rights Watch has also been engaged in a study of the participation of medical personnel in executions, and expects to release a report in early 1993.

Ratification of the International Covenant on Civil and Political Rights

The U.S. Senate consented to the ratification of the International Covenant on Civil and Political Rights on April 2, 1992. On June 8, the executive branch formally deposited the instrument of ratification with the United Nations, finally bringing the United States into the growing community of states that have formally adopted the Covenant. The treaty had been submitted to the Senate in 1977 by President Carter. In August 1991, President Bush sent Congress a formal statement in favor of ratification, along with numerous proposed reservations, understandings and declarations that limited the Covenant's applicability in the United States.

Although Human Rights Watch supported ratification of the treaty, we objected to many of the limiting provisions proposed by the administration and adopted by the Senate. For example, the Bush administration objected to the Covenant's prohibition on the imposition of the death penalty for crimes committed by persons under the age of 18, and reserved the right to impose capital punishment for juvenile offenders.

Human Rights Watch also objected to the Bush administration's position that the provisions of the Covenant were not self-executing, and thus not enforceable in U.S. courts in the absence of implementing legislation. This declaration deprives U.S. courts of their role in enforcing treaty compliance, and denies U.S. citizens judicial protection of their rights under the Covenant. The administration defended its position on the grounds that since existing U.S. law generally complied with the Covenant, no implementing legislation was necessary.

Human Rights Watch supported one of the reservations to the Covenant that binds the U.S. to a higher standard of freedom of speech than was guaranteed by the language of the Covenant.

Litigation in U.S. Courts

In recent years Human Rights Watch has become increasingly involved in civil litigation in U.S. courts in cases in which international law standards are relevant.

- *Hudson v. McMillian*. On February 25, 1992, the Supreme Court

reversed a lower court, and held that a beating of a prisoner constituted cruel and unusual punishment in violation of the Eighth Amendment to the U.S. constitution. Prison guards in a Louisiana prison had handcuffed, shackled, and beaten an inmate, loosening his teeth and cracking his dental plate. The court of appeals found that the beating did not violate the constitution because no "significant injury" resulted. In a 1991 *amicus curiae* brief, Human Rights Watch helped refute this claim by describing various abuses that often leave no physical injury but clearly constitute torture. In a concurring opinion, Justice Blackmun noted: "[W]ere we to hold to the contrary, we might place various kinds of state-sponsored torture and abuse—the kind ingeniously designed to cause pain but without a telltale 'significant injury'—entirely beyond the pale of the Constitution."

- *United States v. Alvarez Machain*. In another case, also involving allegations of torture, the Supreme Court dealt a blow to international law by upholding the U.S. government's right to kidnap foreigners and bring them to the United States for trial. U.S. agents kidnapped Humberto Alvarez Machain, a Mexican national, and brought him to the United States. He alleges that he was tortured en route. The Mexican government protested the abduction and formally demanded his return. Americas Watch had filed an *amicus curiae* brief that called for Alvarez Machain's repatriation on the grounds that the extradition treaty between the United States and Mexico should be interpreted to prohibit unauthorized cross-border abductions and that the kidnapping interfered with Mexico's sovereign duty to protect the human rights of one of its citizens. The Court stated, "Respondent [Alvarez Machain] and his *amici* may be correct that Respondent's abduction was 'shocking'...and that it may be in violation of general international law principles....We conclude, however, that Respondent's abduction was not in violation of the Extradition Treaty between the United States and Mexico."

- *Nelson v. Saudi Arabia*. Human Rights Watch also submitted an *amicus curiae* brief to the United States Supreme Court in a case in which a U.S. citizen filed suit against the government of Saudi Arabia for torture and prolonged arbitrary detention. Scott Nelson alleges that while employed as an engineer at King Faisal Specialist Hospital in Saudi Arabia he reported an unsafe condition to his superiors and a government commission of investigation. Thereafter he faced harassment on the job and subsequently was arrested, tortured, forced to sign a statement in Arabic that he did not understand, and held in custody without being told the charges against him for 39 days. The government of Saudi Arabia argued that it had immunity from suit in U.S. courts because it was a foreign sovereign. Nelson responded that because Saudi Arabia's actions were related to his employment, which was commercial in nature, the abusive treatment should be held to fall under the "commercial activity" exception to the Foreign Sovereign Immunities Act. In its *amicus curiae* brief, Human Rights Watch

argued that Nelson's torture and detention were appropriately treated as "commercial activity" because the Saudi government routinely engages in such abuse in connection with commercial disputes in which it has an interest. Human Rights Watch also stressed that international law requires torture victims to be given an opportunity to obtain compensation from those responsible for their mistreatment: because Nelson is extremely unlikely to obtain civil redress in Saudi courts, the Supreme Court should resolve any ambiguity in the reach of "commercial activity" in favor of providing him a civil remedy in the United States. Argument in the case was heard on November 30, 1992, and a decision is expected in 1993.

- *Haitian Centers Council v. McNary*. Americas Watch filed two *amicus curiae* briefs in 1992 in cases alleging that the United States had violated international law in its treatment of Haitian refugees. In the first brief, Americas Watch argued that the continued incommunicado detention at Guantánamo Bay Naval Base of hundreds of Haitians who had made a *prima facie* showing that they were refugees violated international law. The Haitians were confined in camps surrounded by barbed wire; were barred from making telephone calls, communicating by mail, or receiving visitors, including attorneys; and were prohibited from traveling anywhere, even at their own expense, except back to Haiti. Americas Watch argued that international law prohibits such prolonged incommunicado detention, and noted numerous instances in which the U.S. State Department had denounced similar detention in other countries. In the second brief, Americas Watch argued that the summary forcible repatriation of Haitian boat people, without screening to exclude refugees, violated the international law prohibition of the forcible return of refugees to countries where they face political persecution. The U.S. government sought to justify the summary repatriations in part by citing a survey it had conducted of 2,500 repatriates, none of whom alleged that they had been persecuted upon their return to Haiti. Americas Watch found that the survey was flawed because it excluded repatriates who are at greatest risk of persecution—those who had not been repatriated because under an earlier policy they had been screened and found to have credible claims of persecution, and those who had been repatriated but perceived themselves to be in too great a danger to risk speaking with U.S. government investigators, particularly in the circumstances of little privacy in which the interviews were often conducted. In both cases, the Second Circuit Court of Appeals held in favor of the Haitian refugees. The latter case is pending before the U.S. Supreme Court, and Americas Watch is preparing another *amicus* brief.

- *Trajano v. Marcos*. In October, the Ninth Circuit Court of Appeals upheld a default judgment against Imee Marcos-Manotoc, daughter of former Philippine President Ferdinand Marcos, for the torture and murder of Archimedes Trajano. The Trajano family alleged that after Archimedes asked a question of Marcos-Manotoc during an open forum at which she was speaking, he was kidnapped,

interrogated, and tortured to death by military intelligence personnel who were at the scene. The suit was filed in the United States under the Alien Tort Statute. Marcos-Manotoc did not appear during trial court proceedings. Human Rights Watch supported the Trajano family's arguments that victims of torture and other tortious violations of the law of nations are entitled to access to United States courts.

- *Sison v. Marcos*. In cooperation with the American Civil Liberties Union of Southern California, Human Rights Watch assumed the representation of three Philippine victims of human rights abuses. Along with 21 other individuals and a class of people numbering as many 10,000 who were victims of torture, disappearance and summary execution during the Marcos dictatorship, they sued the estate of former Philippine President Ferdinand Marcos in the U.S. District Court in Hawaii. In September, a jury ruled in favor of all but one of the victims following a two-week trial during which the jury heard testimony from more than 30 victims of human rights abuses, former U.S. government officials, and leading experts on human rights conditions in the Philippines during the Marcos era. The verdict was a clear statement that victims of human rights abuses can obtain justice in U.S. courts.

- *Border Patrol Abuse*. In June, Human Rights Watch filed administrative proceedings under the Federal Tort Claims Act on behalf of two Guatemalan nationals who allege that they were tortured by Border Patrol agents near Falfurrias, Texas in 1991. The two men claim that they were beaten while being interrogated about who had assisted them to enter the United States without authorization. One of the men was forced to remove his pants, threatened with rape, and shocked on the buttocks with an 18-inch-long electrical apparatus.

- *United States v. Noreiga*. Human Rights Watch filed an *amicus curiae* brief in a district court in Florida in November 1992 in connection with the sentencing of former Panamanian strongman Manuel Noreiga after his conviction on drug trafficking charges. Claiming that he was entitled to treatment as a prisoner of war under the Third Geneva Convention of 1949, Noreiga sought the right to serve his sentence in a military prison rather than a civilian institution. Human Rights Watch concurred with Noreiga's claim of entitlement to prisoner-of-war status and agreed that he was entitled to certain privileges during his incarceration as a result, but disagreed that these privileges included the right to serve a sentence in a military prison as long as a U.S. soldier would be similarly treated, as U.S. regulations provide.

THEMATIC REPORTS

Repressive governments often defend their practices by asserting that human rights must take a back seat to economic development.

In 1992, Human Rights Watch challenged this false dichotomy between political and civil rights and economic rights in two publications, *Indivisible Human Rights: The Relationship of Political and Civil Rights to Survival, Subsistence and Poverty* and *Defending the Earth: Abuses of Human Rights and the Environment*.

Indivisible Human Rights, released in September at the summit meeting of non-aligned nations in Jakarta, illustrated the connection between socioeconomic well being and enjoyment of certain civil and political rights, particularly freedom of expression, association, and the press, free and competitive elections, and freedom of movement. The report addressed four areas—famine, land, environment, and work—where subsistence and survival are related to, and sometimes dependent upon, guarantees of civil and political rights.

Every single major famine in modern history has been caused, at least in significant part, by systematic abuse of human rights. If food shortages exist, assistance to stricken areas can be mobilized only when information about shortages can be shared and governments are obliged to act responsibly. Principles of democratic accountability lie at the heart of an effective system of famine prevention: a free press and democratically elected representatives can disseminate information, pressure a government to respond, and seek to correct past mistakes.

India provides an example of a country that has successfully avoided famine in recent years, despite droughts and chronic poverty. This is due in great part to a free press that exposes abuses, and a democratically elected government that is pressured to respond to shortages. Tanzania also demonstrates the importance of political accountability in triggering a government response: food is an electoral issue in Tanzania's competitive electoral environment, so local representatives are quick to request relief for their district. Frequently, however, governments have suppressed information about the onset of famine with impunity. The most serious famine in recorded history, which claimed between 15 and 30 million lives in China between 1958 and 1961, occurred in virtual secrecy. The famine was propelled by the Chinese government's restrictions on the flow of information on crops among provinces and its unwillingness, even when it knew the extent of the famine, to respond. Warfare, and the accompanying censorship of information and restrictions on movement of people and food, caused major famines in the 1980s in Eritrea and southern Sudan.

Land use and ownership is another context in which democratic accountability is closely intertwined with a community's survival. In urban and rural areas alike, subsistence often depends upon access to land on which people may farm, live, set up shop, or herd animals. Governments that abuse their authority over land use can jeopardize entire communities. For example, freedom of movement is essential to the livelihood of pastoral nomadic populations or those who depend upon trade or migrant labor. However, some governments deny this freedom, by restricting pastoralists to land insufficient to sustain their herds, as in

Kenya, or by closing markets and encouraging settled farmers to deny pastoralists access to land, as in Mali. Livelihood is also endangered through forced relocation schemes, where dominant groups are moved into a community, or subordinate groups out, for commercial, political or security reasons. In South Africa, the denial of civil and political rights to the majority black population has been an essential tool in permitting the government to displace large numbers of black residents.

Businesses and governments forcibly evict peasants and villages for new development projects, for commercial farming or logging and other business interests. These evictions are often accomplished by quashing political rights: those who protest are arrested or threatened with arrest, and some villagers are never compensated for their seized land. Urban residents are at risk as well, as governments violently relocate squatters who have adverse tribal or political affiliations. When there are few checks on government authority to seize land, or no sanctions against private actors who dispossess others of land, subsistence is endangered.

Enforcement of labor rights, particularly the rights of workers to organize, bargain collectively and to be free of forced or involuntary labor, is in many countries directly linked to workers' health and economic survival. Suppression of these labor rights is made easier when there is no free press to question government policies, no opposition parties, no accountability and little or no possibility of the poor successfully challenging their abusers through the courts.

The most obvious way in which deprivation of labor rights leads to socioeconomic devastation is the practice of forced labor. Workers' lives are also routinely endangered by hazardous working conditions: from Indonesia's shoe manufacturing plants to a non-union United States chicken processing plant, workers have died in unsafe work environments. The ability of industry owners and governments to suppress information about safety violations, and to prevent workers from forming effective unions that could seek enforcement of safety codes, allows these abuses to continue unredressed. The tactics used by governments to prevent the formation of unions include allowing only a single, government-controlled union, as in China; making formation of independent unions so difficult as to be practically impossible (Indonesia); registration procedures that give the government control over opposition unions (Mexico); and, in many countries, direct attacks on unionists to discourage organizing.

Defending the Earth, published jointly with the Natural Resources Defense Counsel and presented at the Earth Summit in Rio de Janeiro in June, examined the link between denial of civil and political rights and environmental degradation. People all over the world die and suffer from environmental and human calamities that could have been avoided if the policies that led to them had been subjected to public scrutiny and debate. *Defending the Earth* detailed this relationship through numerous case studies in which censorship of free expression contributed directly to environmental degradation.

Governmental suppression of environmental activism takes numerous forms. In some countries, activists suffer direct physical attacks, imprisonment, official denunciation or harassment, or retaliatory libel suits. Governments also use their broad authority to regulate private associations to disband or harass environmentally activist organizations. Because the press plays a critical role in stimulating public awareness of environmental issues, the media and journalists are often the target of censorship and harassment. Governments also fire or punish "whistleblowers" to silence those who question policy or expose misconduct. Lastly, governments restrict access to information about environmental issues, thus limiting the public's ability to respond.

In Brazil, for example, rural activists fighting the destruction of the rain forest have been murdered. Malaysia has used its repressive internal security laws to detain and harass anti-logging groups. Eritrea's devastated natural environment is a result of the last 30 years of warfare and the Ethiopian government's policies of massive forced relocation of people, destruction of feasible land use practices, and suppression of information. In the former Soviet Union, extreme repression of dissent allowed massive environmental abuses to continue unchallenged. At the other end of the political spectrum, even a democratic society like India has engaged in police abuse and used its "Official Secrets Act" to suppress opposition to an environmentally hazardous dam project. "Whistleblowers" in the United States who alert the public to safety hazards in the nuclear weapons industry have been persecuted, demoted and fired. Other examples are drawn from the Philippines, where criminal libel laws have been used to deter the press from exposing environmental abuses; Mexico, where the government has tried to coopt environmental activists and conceal information about environmental hazards; and Kenya, where an outspoken environmental activist has been detained, harassed and denounced as "subversive" for her opposition to destruction of a park in Nairobi.

THE FUND FOR FREE EXPRESSION

The Fund for Free Expression, one of the six divisions of Human Rights Watch, monitors and combats government censorship around the world and in the United States. In 1992, the Fund published newsletters on freedom of expression issues in the United States; sent appeals to the U.S. and foreign governments regarding threats to free expression in individual cases; and, along with Americas Watch, released *Dangerous Dialogue: Attacks on Freedom of Expression in Miami's Exile Community* (see chapter on United States). The Fund also continued to administer the Hellman/Hammett grants to persecuted writers and the International Academic Freedom Committee.

In appeals to foreign governments, the Fund expressed concern about the use of libel laws to silence government critics and human rights monitors. In August, a Polish man was convicted of

slander for criticizing President Lech Walesa, and received a one-year suspended prison sentence and a fine equivalent to one month's salary. In Brazil, a human rights monitor who denounced a political candidate's prior involvement in a case of forced labor was convicted of slander in September. The Fund protested both convictions, calling on the respective governments to overturn these decisions on appeal and to affirm citizens' rights to voice criticism of candidates for office and elected officials.

The Fund also communicated with the U.S. government about restrictions on free expression in the United States. In a trial that began on October 27, the U.S. seeks to deport two permanent residents based upon their contributions to humanitarian projects in Palestine. Although they have never been accused of committing any crime or belonging to a terrorist organization, and their activity could not be penalized if they were citizens, they are being deported under a law allowing deportation of anyone who lends material support to a terrorist organization.

In a letter to Attorney General William Barr, the Fund and other Human Rights Watch divisions urged the U.S. to halt the deportation proceedings. In February, the Fund protested the U.S. Senate Special Counsel's issuance of subpoenas to journalists Nina Totenberg and Timothy Phelps asking the identity of their confidential sources concerning Professor Anita Hill's claims of sexual harassment against Justice Clarence Thomas.

February 14, 1992 marked the third anniversary of the *fatwa*—or death sentence—pronounced by Ayatollah Ruhollah Khomeini of Iran against British novelist Salman Rushdie. As the *fatwa* continues, and the accompanying bounty has been increased (see chapter on Iran), Rushdie remains in hiding; there have been violent attacks on people associated with publication of *The Satanic Verses* and other controversial works; and there is a continuing danger to U.S. publishers, booksellers and readers. The Fund, along with PEN and the American Association of Publishers, met with State Department officials to ask the U.S. to condemn the *fatwa* and ensuing violence, and to seek assurances that such state-supported terrorism would be a primary issue in formulating U.S. and U.N. policy toward Iran. The Fund also issued "The Threat Against Salman Rushdie," describing the continued threats against Rushdie and calling on the United Nations Human Rights Commission to extend the mandate of the Special Rapporteur on Iran to press for removal of the *fatwa*.

Minority Languages and English-Only Laws in the United States

In March 1992, the Fund issued a report on the movement to make English the "official language" of the United States. Official English laws have been passed in 18 states and numerous municipalities, with noticeable, and sometimes extreme, effects. The law in Dade County, Florida prohibited signs in zoos that identify animals by their Latin scientific names; the mayor of Monterey Park, California, where thousands speak Chinese, refused the Taiwan government's donation of 10,000 Chinese books to the public library because of an English-only law; a Parole Board in Arizona canceled a non-English speaking prisoner's parole hearing,

fearing that the state's English-only law—later held unconstitutional—prohibited simultaneous interpretation. The workplace in particular has been the site of increasing language restrictions, where people who converse in languages other than English have faced dismissal and demotion.

No comprehensive right to use a language other than English has been recognized in the United States. However, English-only laws have a potentially harmful effect on the exercise of other legally protected rights, including the rights to a fair trial, voting, freedom from employment discrimination, and freedom of expression.

In 1993, the Fund plans to release a report on censorship of minority languages around the world, including restrictions on the press, total bans, restrictions on language in schools, restrictions on government funding, and official languages.

Communications Technologies and Civil Liberties

Traditionally, the U.S. government has regulated different forms of communications to differing degrees: while printed communication, for example, cannot be censored by prior restraints, broadcasters are subject to licensing and some content controls. But as new computer-based technologies emerge—such as electronic billboards and complex data retrieval systems—these distinctions are no longer applicable. In July 1992, the Fund investigated the impact of these new technologies in "Electrifying Speech: New Communications Technologies and Traditional Civil Liberties."

It is by no means a foregone conclusion among potential regulators that electronic speech is protected by the First Amendment of the U.S. constitution, or even so, the scope of that protection. In March 1990, for example, federal agents raided a Texas publisher of computer games and an electronic bulletin board. Agents seized computers and all of the information and private communications used to publish the bulletin board, and kept the information for four months. In a lawsuit filed against the Secret Service, the owner has argued that the search warrant constituted a prior restraint on publication.

Computer technology raises new issues about protection of individual privacy, since computers offer new means for government and business surveillance. For example, employers often reserve the right to read all electronic mail of employees, sometimes without informing employees of this policy. The changing form of information also alters regulation of access to government information. While theoretically computerization could enhance government responses to citizens' requests for records, the access laws have left unaddressed what constitutes a "record" and a reasonable search, at times increasing the difficulty of obtaining comprehensive records.

The Committee for International Academic Freedom

The Committee for International Academic Freedom opposes harassment and human rights violations directed at teachers and

students, as well as censorship and the closing of universities for political reasons. It sends letters and cables of protest to governments on behalf of imprisoned or harassed educators and scholars, and alerts the U.S. academic community to incidents of human rights abuses against their peers worldwide.

The committee is comprised of 23 university presidents and scholars. Jonathan Fanton of the New School for Social Research, Vartan Gregorian of Brown University, Hanna Holborn Gray of the University of Chicago, and Charles Young of the University of California at Los Angeles are co-chairs.

In 1992, the committee sent 17 letters to governments protesting abuses against teachers and students, and issued two membership bulletins. The letters addressed the following countries and issues: Bulgaria, concerning the National Assembly's adoption of a law barring service in various academic and scientific positions on the basis of current and past associations, rather than individual qualifications and proof of illegal, corrupt or repressive activities; China, about the arrests and continued imprisonment of teachers and students in Hunan Province for participating in the 1989 pro-democracy movement; Colombia, where a high school teacher was murdered and others receive death threats; Cuba, where 11 university professors were dismissed for signing a human rights declaration; Czechoslovakia, about the removal of the rector and other government interference with Trnava University; Guatemala, concerning numerous incidents of threats, intimidation, attacks and murder against students and university teachers; Haiti, where students were detained without charges, and student demonstrations have been met with violence; Indonesia, two letters, concerning students held in long-term detention as a result of participation in peaceful demonstrations, and about two student emcees at a rock concert who were detained for making puns that changed the meaning of Islamic phrases; Israel, concerning a West Bank professor who was barred from returning home after a stay in the United States because of the political affiliations of his brother; Ivory Coast, protesting an army raid on a university campus during which students were reportedly raped and beaten and four were killed, and protesting as well the subsequent fines and prison sentences against student leaders, professors, and 12 government critics who protested the army's actions; Myanmar (Burma), two letters about the detention of students and the temporary closure of 27 universities in response to non-violent pro-democracy demonstrations; Nigeria, where campuses have been closed and hundreds of students have been detained in a wave of governmental repression beginning in May 1991; Peru, where, after university students were forced to participate in a "census" by the military, 19 students were murdered and at least seven others "disappeared"; and Venezuela, two letters concerning the use of excessive force against students participating in anti-government demonstrations, reported incidents of torture and ill-treatment of those detained in connection with these demonstrations, and the deaths of three students while participating in them.

Hellman/Hammett Awards

Under the terms of legacies from the writers Lillian Hellman and Dashiell Hammett, the Fund for Free Expression administers grants for writers in financial need as the result of political persecution. In 1992, the third year of the program, 36 writers from 16 countries received grants in amounts of up to \$10,000 each.

Among this year's recipients were Ettore Capriolo, the Italian translator of Salman Rushdie's *Satanic Verses*, who was assaulted and stabbed in Milan by an unknown assailant; Maria Elena Cruz Varela, a Cuban poet who was beaten, detained and denounced as a traitor and a "CIA lackey" after she and other writers submitted a letter calling for elections and the release of political prisoners; Max du Preez, a South African journalist who founded the first Afrikaans-language newspaper opposed to apartheid and has since faced numerous attempts at harassment and intimidation; Li Guiren, a Chinese publisher imprisoned for taking part in the pro-democracy movement who is currently gravely ill in a prison hospital; and Ilker Demir, a Turkish journalist who was tortured while in detention in connection with his work as an editor. Additional grants were given to writers from Burma (15), Cambodia, China (5), Croatia, Kenya, Morocco, Pakistan, Peru (2), Somalia, South Korea, Vietnam (2), and Yugoslavia.

Nominations for these grants are solicited in the fall and decisions announced early the following year. In addition to the annual grants, smaller amounts are available on an ongoing basis from a special emergency fund. In 1992, emergency grants were awarded to seven writers from seven countries, including Sudan, Yugoslavia and Peru.

THE PRISON PROJECT

The Prison Project of Human Rights Watch was formed in 1988 to focus international attention on prison conditions worldwide. Its work cuts across the five regional divisions of the organization. The project investigates conditions for sentenced prisoners, without limiting its work to prisoners held for political reasons.

In addition to pressing for improvement in prison conditions in particular countries that are studied, the project seeks to place the problem of prison conditions on the international human rights agenda. We believe that a government's claim to respect human rights should be assessed in part on the basis of how it treats its prisoners. Our experience has repeatedly shown that a number of democratic countries that are rarely or never a focus of human rights investigations are in fact guilty of serious human rights violations within their prisons.

In 1991, in an effort to call for increased international attention to prison conditions, the project prepared a document outlining prison conditions in several of the countries participating in the Conference on Security and Cooperation in Europe (CSCE) and released it at the opening of a CSCE meeting on human rights held in Moscow. The project is currently preparing a

worldwide study of prison conditions, which we plan to release at the time of the U.N.-sponsored World Conference on Human Rights in June 1993.

In previous years, the project conducted studies and published reports on prison conditions in Brazil, Czechoslovakia, India, Indonesia, Israel and the Occupied Territories, Jamaica, Mexico, Poland, the former Soviet Union, Turkey, and the United States (including a separate newsletter on Puerto Rico).

In 1992, the project released reports on prison conditions in Romania, Spain, and the United Kingdom. The reports on Spain and the United Kingdom were released in those countries (in Spain, in a Spanish-language version) and generated substantial media attention there.

In February, the project conducted an investigation of Egyptian prisons. The results will be published in a report, expected in early 1993.

In August 1992, the project began an investigation of prison conditions in South Africa. Among the prisons visited was one in the homeland of Bophuthatswana. An additional trip in 1993 is planned to complete the investigation. In the meantime, the project was asked to provide testimony by an attorney representing inmates in a class-action suit challenging prison conditions in one of the institutions visited. The project filed an affidavit describing its findings on that institution.

In October, the project conducted an emergency mission to Brazil, in response to the news that at least 111 inmates were killed by police in a Sao Paulo prison in the course of a prison disturbance. A newsletter outlining the findings was published in the aftermath, in English and Portuguese, and Americas Watch joined with two other organizations in filing a formal complaint against Brazil with the Inter American Commission on Human Rights of the Organization of American States. Both the mission and the report received unprecedented media exposure in Brazil.

In 1992, in meetings with Congressional staff members and in a letter to the Attorney General, the project continued to express its concern over the proliferation of super maximum-security institutions (known as "maxi-maxis") in the United States. The project also addressed a letter to the Attorney General concerning a prisoner who appears to have received punitive treatment in prisons for political reasons.

The project has coordinated Human Rights Watch's efforts in opposition to the death penalty. In 1992, in conjunction with three other groups, including two medical organizations, the project has undertaken a study of medical involvement in executions. We hope that by challenging this involvement as a violation of medical ethics we will open a fruitful new avenue for curtailing use of the death penalty.

As a result of the project's investigation of prison conditions in the former Soviet Union, the project was approached by a member of the Russian parliament seeking advice on reforming the country's prisons.

The Prison Project has been able to secure access to penal institutions in more than half of the countries in which

investigations have been undertaken. The project has a self-imposed set of rules for prison visits: investigators undertake visits only when they, not the authorities, can suggest institutions to be visited, when the investigators can be confident that they will be allowed to talk privately with inmates of their choice, and when the investigators can gain access to the entire facility to be examined. These rules are adopted to avoid being shown model prisons or the most presentable parts of institutions. When no access is possible, reporting is based on interviews with former prisoners, prisoners on furloughs, relatives of inmates, lawyers, prison experts and prison staff, and on documentary evidence. Prison investigations are usually conducted by teams composed of a staff member and a member of the Prison Advisory Committee, which guides the work of the project. Occasionally, the project invites an outside expert to participate in a particular investigation.

The Prison Advisory Committee is chaired by Herman Schwartz, of the American University Law School. Other members are Nan Aron, Vivian Berger, Haywood Burns, Alejandro Garro, William Hellerstein, Edward Koren, Sheldon Krantz, Benjamin Malcolm, Diane Orentlicher, Norman Rosenberg, David Rothman and Clarence Sundram. The director of the project is Joanna Weschler. Anthony Levintow is the associate.

THE WOMEN'S RIGHTS PROJECT

The Women's Rights Project of Human Rights Watch was established in 1990 to work in conjunction with Human Rights Watch's regional divisions to monitor violence against women and discrimination on the basis of sex that is either committed or tolerated by governments. The Project grew out of Human Rights Watch's recognition of the epidemic proportions of violence and gender discrimination around the world and of the past failure of human rights organizations, and the international community, to hold governments accountable for abuses of women's basic human rights. The Project monitors the performance of specific countries in securing and protecting women's human rights, highlights individual cases of international significance, and serves as a link between women's rights and human rights communities at both a national and international level. This section does not evaluate progress in women's human rights throughout the world, but describes developments in countries most closely monitored by the Project in 1992: Pakistan, Poland, Kuwait, Czechoslovakia, Peru, Egypt, and Brazil.

Women's Human Rights Developments

This chapter does not evaluate progress in women's human rights throughout the world, but describes developments in countries most closely monitored by the Project in 1992: Pakistan, Poland, Kuwait, Czechoslovakia, Peru, Egypt and Brazil.

Pakistan

In June, the Women's Rights Project and Asia Watch released *Double Jeopardy: Police Abuse of Women in Pakistan*. The report documents routine discrimination in the incarceration of women in Pakistan and finds that, once imprisoned, women detainees are often denied basic protections guaranteed under domestic and international law. More than 70 percent reported physical and sexual abuse in custody, yet not a single officer has ever been criminally punished for such abuse. More than 60 percent of all female detainees in Pakistan are imprisoned under the *Hudood* Ordinances, Islamic penal laws that criminalize, among other things, fornication, adultery and rape, and prescribe punishments for these offenses that include stoning to death and public flogging. Women alleging rape are often accused of adultery because as women the courts tend to disbelieve their testimony and thus suspect them of having consented to the rape they report. If medical evidence indicates that sexual intercourse has occurred, the victim may herself be charged with adultery or fornication. Discriminatory treatment of women's testimony is built into the *Hudood* laws. For example, proof of rape for maximum punishment requires a confession or the testimony of four male Muslim witnesses to the act of penetration; the testimony of women carries no legal weight. In one case that was investigated, 18-year-old Majeeda Mujid was abducted by several men who repeatedly raped her. When she complained to the police, they charged her with illicit sex and let the men go free.

Although acquittal rates for women in *Hudood* cases are estimated at over 30 percent, by the time a woman has been vindicated she often has already spent months and in many cases years in prison and, in all likelihood, has been subjected to police abuse while in custody. It is also common for judges to remand female rape and abduction victims as a form of indefinite "protective custody" to private detention facilities where they are often subjected to further abuse.

The report also found that women and girls from Bangladesh, many of whom have been forcibly trafficked through India to Pakistan for the purpose of domestic or sexual servitude, are arrested by the Pakistani police, often for *Hudood* offenses, and subjected to the same abusive and discriminatory treatment as that suffered by their Pakistani counterparts.

Poland

On March 12, the Women's Rights Project and Helsinki Watch published *Hidden Victims: Sex Discrimination in Post-Communist Poland*. The report concluded that although the current Polish constitution outlaws sex discrimination, legalized discrimination exists in health care, freedom of association and—an especially vital field in this time of economic hardship—employment.

Laws allowing for jobs to be reserved and early retirement to be imposed on the basis of sex remain in force in Poland. Qualified women are often openly denied employment on the basis of sex, and employers suffer no legal sanction for such practices. Women, who previously counted for less than half of Poland's working population, now constitute more than half of the

unemployed. They are the last hired and first fired.

Polish women are also suffering discrimination in the area of health care, and the government is failing to protect them against such abuse, despite its constitutional and international obligations to do so. Under a new national medical ethical code, abortion and pre-natal testing—both medical procedures used exclusively by women—are the only two otherwise legal medical procedures that are banned. Although the code was issued by a private institution, the Medical College, every doctor must join the college to practice medicine, and those who perform the prohibited services are subject to having their licenses revoked. A suit by Poland's Ombudsman challenging the code's constitutionality to our knowledge remains unsettled.

Women seeking to organize Poland's first independent women's groups have also met with discrimination from state authorities.

Kuwait

In August, the Women's Rights Project and Middle East Watch released *Punishing the Victim, Rape and Mistreatment of Asian maids in Kuwait*. The report found that nearly 2,000 maids have fled their abusive Kuwaiti employers since Kuwait's liberation in March 1991, yet no more than a handful of cases had ever been investigated or prosecuted. Rather than investigate or prosecute alleged abusers, Kuwaiti authorities often detained maids seeking to report crimes to the police or simply returned them to their abusive employers. Worse, there have also been credible reports of abuse of women domestic servants in police custody, which likewise goes unpunished.

One third of the 60 cases investigated involved rape or sexual abuse of maids, over two thirds involved physical assault. Almost without exception the women interviewed spoke of debt bondage, passport deprivation and near-total confinement in the homes of their employers. All of these abuses are illegal, but have been largely ignored by the Kuwaiti government.

Since the report's release, no action has been taken by the Kuwaiti government either to prosecute abusive employers, or to provide Asian maids better protection against abuse. Domestic servants continue to be excluded from Kuwait's labor law, which regulates working hours and salaries and provides for arbitration of employment disputes. As of September 22, over 200 Filipina women were crowded into their embassy in Kuwait. Some 130 to 140 Indian women have sought shelter in their embassy since May. In September, the Kuwaiti government reportedly prohibited Asian embassies from housing the women, but has offered no viable alternative shelter.

The new government brought about by the victory of the opposition in the recent elections may offer hope for better results. The new parliament has formed two committees dedicated to human rights and may be more responsive to the Asian maids' plight.

Czechoslovakia

Also in August, Helsinki Watch released *Struggling for Ethnic Identity*, a report on Czechoslovakia's Endangered Gypsies. The

report included a chapter on involuntary sterilization of Gypsy women, which is also to be released as a separate Women's Rights Project newsletter entitled *Against Their Will*. The researchers found that Czechoslovakia's past policies toward Romany women have gone unpunished by the present government and continue to effect Romany women today. In particular, the current governments have failed to investigate, publicly condemn and prosecute those responsible for state-supported medical procedures in which Romany women were sterilized without their full, informed and voluntary consent by doctors in the state's employ.

During the communist period in Czechoslovakia the government took specific steps to encourage the sterilization of Romany women in order to reduce the "high, unhealthy" Romany population. As a result, a disproportionately high percentage of Romany women were sterilized, often involuntarily and in violation of existing sterilization law and of their right to equal protection under the law without regard to sex or ethnicity.

Many Romany women reported that they were sterilized without their knowledge during a caesarean section or an abortion. Others told us they were not fully informed about the irreversible consequences of the operation. Most women said they had agreed to the operation to obtain monetary and material grants that were aggressively offered to them by government social and health workers.

Czech prosecutors, informed in early 1990 by the Committee for Human Rights In Prague of 90 cases of possible involuntary sterilization of Romany women, have yet to respond. Perfunctory investigations by Slovak prosecutors have yielded no punishment of accused medical or other government officials. The failure of the Czech and Slovak governments to investigate and prosecute past sterilization practices has allowed both doctors and government workers implicated in the involuntary sterilization of Romany women to go unpunished and denied Romany women their right to equal protection of the law. Moreover, discrimination against Romany women continues in some state medical facilities.

Peru

In December, Americas Watch and the Women's Rights Project released *Untold Terror: Violence Against Women in Peru's Armed Conflict*. The report found that despite explicit international prohibitions on murder, torture and ill-treatment of noncombatants, both the government security forces and the Shining Path insurgency use violence against civilian women as a form of tactical warfare. Soldiers and police routinely rape women. The Shining Path frequently murders them. The violence is often undertaken to punish, coerce or intimidate female victims or to achieve broader political ends. At times, the violence takes gender-specific forms, as in the security forces' use of rape exclusively against women. At other times, the victim's gender does not influence the form of the abuse, but affects its motivation, as in the Shining Path's execution of community activists, many of whom are women.

In one case described in *Untold Terror*, a combined Army-civil

defense patrol entered a hamlet near Tarma, Junin, on May 27, 1991, invaded a women's home, executed her husband as a "terrorist" and then hung her from the ceiling and raped her repeatedly. In another July 1991 case, in San Pedro de Cachi, Ayachucho, soldiers gang-raped 39-year-old Luzimila, whose son had reportedly been murdered by civil defense men earlier that year. She explained, "They said my husband was with the terrorists, so I had to pay the price." Even in cases in which the soldiers' intent is not overtly political—as when two women waiting for a bus in Lima in August 1991 were abducted by an Army patrol and raped by 12 soldiers—the effect is the same: women are being terrorized by the state security forces and rape is the method of choice.

Rape of women by the Shining Path is much less common, perhaps due to explicit prohibitions within its ranks and the high number of women militants. More often the Shining Path threatens and murders women activists with the express purpose of intimidating them and their peers, terrorizing their families and communities, and destroying what the Shining Path considers to be competing popular organizations. Since 1985, 10 female grassroots leaders have been killed. One of the most brutal attacks was on Maria Elena Moyano, the vice-mayor of Villa El Salvador, a Lima municipality of 300,000, and a founder of the Villa Women's Federation (FEPOMUVES). Moyano was shot by a Shining Path assassination squad on February 15, 1992, and her body was blown up in the town square. In the weeks before her murder, Moyano strongly condemned guerilla attempts to bully others into joining them. The Shining Path is not known to have taken any action to discipline those responsible.

Violations of women's basic rights by both sides to the Peruvian conflict routinely go unpunished, as do human rights abuses in Peru more generally. However, women victims of human rights abuse often face an added obstacle, when the prosecution of rape is concerned. Accused rapists tried under Peru's penal law often go unpunished as a result of the courts' routine acceptance of discriminatory attitudes toward female victims. The conduct of secret military courts is unknown, but police and soldiers accused of rape and tried under the code of military justice are often acquitted. The Shining Path, far from disciplining those within its ranks who murder women, actively promotes this heinous crime, referring to it in the case of Maria Elena Moyano as "exemplary punishment."

The Right to Monitor

In Pakistan, activists who have attempted to highlight abuses of women's rights are generally able to function without fear of interference or harassment by the authorities. However, on November 18, eleven members of the Human Rights Commission of Pakistan, an independent monitoring organization, who were observing a protest march in Islamabad by the opposition Peoples Party of Pakistan (PPP), were detained at the Margalla police station after the demonstration was broken up by police. The monitors, including two women, and the driver, who was beaten, were detained in one cell for 36 hours. They were not produced

before a magistrate.

In Poland, however, women's rights activists are somewhat more constrained. For decades, Poland had no independent women's movement. Women's groups independent of official sponsorship first appeared in the early 1980s, but like other independent organizations, they could obtain legal recognition only after the 1989 law on associations went into effect. That year a few small feminist organizations were registered and gained legal status, but in November 1991, a Provincial Court judge refused to register a woman's rights group, partly on the grounds that, as she put it, Polish women have too many rights, are very tired as a result, and do not need any new rights. The decision is being appealed.

Of those countries closely monitored by the Women's Rights Project in 1992, Peru poses the biggest threat to women's rights organizing and monitoring. The level of violence against women by both parties to the conflict has made women afraid—even terrified—to organize in opposition to violence by either side. Women who have been raped by the security forces are deterred from reporting the crime by the prospect that the public humiliation and risk of retaliation that they will endure will have little likelihood of breaking the pattern of impunity enjoyed by official abusers. As for those who contemplated speaking out against abuse by the Shining Path, Maria Elena Moyano and other victims like her, while revered as symbols of courage, are also object lessons of the risks involved. The insurgents have denounced women's rights groups as "madam feminists [who are] sleep-inducing mattresses...that serve as an instrument of oppression and retardation of women with the goal of leading them from the path of the people's war." Many of the women community activists killed by the Shining Path were leading feminists as well.

In 1991, the Women's Rights Project and Middle East Watch reported on the closure of the Arab Women's Solidarity Association (AWSA), a prominent women's rights organization, by the Egyptian government. On May 7, 1992, an Egyptian administrative court decided to uphold the decree dissolving AWSA, and refused to grant an injunction that would have allowed AWSA to continue operating while it awaits the outcome of a further appeal. The court ruled that AWSA's activities "threatened the peace and political and social order of the state by spreading ideas and beliefs offensive to the rule of Islamic Shari'a [Islamic law] and the religion of Islam." AWSA officials believe that the Egyptian government clamped down on the organization because it had questioned the government's policy during the Gulf crisis, although the dissolution culminates years of official harassment of the organization's founder, Dr. Nawal el-Saadawi, for her work on behalf of women. AWSA's women's rights activities in Egypt have had to end.

The International Response

One of the primary obstacles to ensuring and promoting the human rights of women worldwide is the failure of the international community, in particular the United Nations, aggressively to investigate abuses of women's rights that fall within its mandate.

On August 14, the Project's Advisory Committee wrote to Antoine Blanca, Secretary-General of the U.N. World Conference on Human Rights, to be held in Vienna in June 1993, urging him to ensure that women's rights were fully integrated into the World Conference's agenda. The Committee made several recommendations for improving the implementation of existing human rights instruments; evaluating the effectiveness of existing human rights mechanisms; and improving the effectiveness of the U.N. human rights machinery specifically with protecting women's human rights. In October, the Project, together with the International Human Rights Law Group, hosted a meeting with several Western government officials, including U.S. Ambassador to the U.N. Human Rights Commission Kenneth Blackwell, to discuss how the full integration of women's rights into the World Conference agenda might best be achieved. A similar meeting with a broader range of government representatives is scheduled for December 17.

U.S. Policy

Although the abuse of women in police custody in Pakistan and the discriminatory nature of the *Hudood* Ordinances are noted in the State Department's *Country Reports on Human Rights Practices for 1991*, issued in January 1992, concern for these human rights issues has not figured prominently in relations between the two countries. On July 6, U.S. Ambassador Nicholas Platt stated in a letter to the Women's Rights Project that "the U.S. has supported programs in Pakistan aimed at strengthening democratic institutions and the rule of law." He added that embassy and consulate staff have been "actively engaged in raising public awareness of human rights issues," notably through a country-wide seminar on women's legal rights held in April 1992.

Members of Congress have raised concerns about police abuse of women in Pakistan. On July 27, Representatives Dante Fascell, chair of the House Committee on Foreign Affairs, Stephen Solarz, chair of the House Subcommittee on Asian and Pacific Affairs, and Gus Yatron, chair of the House Subcommittee on Human Rights and International Organizations, wrote to Pakistani Ambassador Syeda Abida Hussain to urge: "[I]n the fourth year of Pakistan's return to democratic rule, it is our hope that your government will also make its laws and legal system truly democratic for all Pakistani people." They called on the Pakistan government to "prosecute officers who engage in sexual or physical abuse of women in custody, take immediate steps to enforce the laws and rules pertaining to the detention of women in police custody, comply with the United Nations Standard Minimum Rules for the Treatment of Prisoners and...consider repealing the *Hudood* Ordinances and the Law of Evidence which fail to guarantee the full equality of women before the law." The Congressional Human Rights Caucus sent a letter to Pakistani Prime Minister Nawaz Sharif urging him to "ensure an end to torture—including rape—while in police custody and prosecute those responsible for the abuse of detainee."

Legal issues concerning women have also been raised with the World Bank. In August, the Women's Rights Project and Asia Watch met with Bank officials to discuss the report on Pakistan and its

recommendations.

In June, the Women's Rights Project hosted Anna Popowicz, the former Commissioner for Women's Affairs in Poland, in a series of meetings with human rights organizations and congressional staff in Washington, to discuss rising sex discrimination during the transition to democracy in Poland. The Senate Appropriations Committee report accompanying the 1993 foreign aid appropriations bill reflects these conversations and the need for the U.S. to focus on the transition's particular effects on women in Eastern Europe. It states that "women throughout Eastern Europe are shouldering far more than their share of the burdens of political and economic reforms and receiving too few of the benefits. In access to employment, health care, and other social services, women are suffering disproportionately." The Committee instructed the U.S. Agency for International Development to "make sure that U.S. assistance programs in Eastern Europe take into account the impact of reforms on the status of women and promote the equal status of women."

Despite its preeminent influence in Kuwait, the U.S. government has not taken a firm public stand, either before or after the Gulf War, on behalf of abused Asian maids. This low profile has been maintained despite glaring evidence of an endemic problem.

In meetings in Kuwait with representatives from the Women's Rights Project and Middle East Watch, the U.S. Ambassador to Kuwait, Edward Gnehm, said that the U.S. had been "pressing the Kuwaitis to rewrite and revise their laws and to strengthen" the channels of redress available to the maids. In an August meeting in Washington, State Department officials from the Bureau of Human Rights and Humanitarian Affairs told us that they concurred with the report's findings and were raising three issues in particular with the Kuwaiti government: the need for legal reform, the provision of shelter to abused maids, and the creation of an office to handle disputes within the Ministry of the Interior. At no time did the State Department mention urging the Kuwaitis to punish abusive employers. Nor has existing U.S. policy produced notable results in Kuwait: no shelters have been created, efforts at legal reform have been limited to unsuccessful attempts to regulate Kuwaiti recruiting agencies, and no effective means has been created to handle the maids' employment disputes.

On August 13, Congresswoman Patricia Schroeder wrote a letter to the Emir of Kuwait, Shaik Jaber al-Ahmed al-Jaber al-Sabah, highlighting the findings of the Women's Rights Project/Middle East Watch report on abuse of Asian maids in Kuwait and calling on the Emir to "help these women reach safety, investigate their claims fairly, and punish their abusers fully." In October, 53 members of Congress, including House Foreign Affairs Committee chair Dante Fascell, also wrote the Emir, again calling attention to the report's findings and urging the Emir to "take the necessary steps towards addressing and preventing the abuse of domestic servants in Kuwait." The letter called on the Emir to order a thorough investigation of past and pending cases and to hold accountable those responsible for abuse.

On February 5, 1992, Human Rights Watch gave testimony before the House Foreign Affairs Subcommittee on Human Rights, evaluating the State Department's *Country Reports on Human Rights Practices in 1992*. Although we found that the State Department's reporting on abuses of women's rights had generally improved, its reporting on violence against women was scant and several reports contained exactly the same sentence: "Although violence against women is known to occur, little is known about its extent." We urged the State Department to investigate the incidence of violence against women more vigorously and to analyze why so little information is available.

In addition, we noted that the State Department continues inappropriately to relegate reporting on violations of women's rights exclusively to the report's section on discrimination, rather than also classifying them under the appropriate substantive violation. For example, the report on Algeria mentions in the discrimination section that women are often denied the right to travel on the basis of their gender, but makes no mention of this restriction in the section on freedom of movement. Relegating abuses of women solely to the discrimination section gives the false impression that they are merely "women's issues" as opposed to classic human rights issues affecting large numbers of Algerians. On August 6, 1992, the Women's Rights Project sent a letter to the Bureau of Human Rights and Humanitarian Affairs making additional recommendations concerning how the State Department's reporting on women's rights in the annual *Country Reports* might be further improved.

To redress these inadequacies in U.S. policy, the Clinton administration should make a more concerted effort than its predecessor to integrate attention to violations of women's rights into its human rights policy. In the absence of such attention in the past, in Pakistan for example, abuses of women's human rights have been allowed to occur without sustained opposition from the human rights community and, as a result, have reached epidemic proportions.

Bilateral action to include women's rights in U.S. human rights policy should be accompanied by efforts on the multilateral level to improve the effectiveness of international mechanisms to protect women against human rights abuse and to hold states accountable for committing or tolerating women's human rights violations. In particular, the United States should take a leading role in the forthcoming 1993 U.N. World Conference on Human Rights to ensure that women's rights are fully integrated into the conference's agenda and that specific recommendations emerge from the conference designed to better ensure and promote women's human rights worldwide.

The Work of the Women's Rights Project

In addition to releasing the five reports detailed above, the Women's Rights Project engaged in several follow-up activities and missions. Throughout 1992 the Women's Rights Project and Asia Watch met with Pakistani officials at the embassy in Washington to discuss the mission's findings and the report's recommendations.

The release of *Double Jeopardy* and its coverage in the press led to public exchanges with the Pakistani government. In a letter to *The New York Times* on August 20, the Women's Rights Project and Asia Watch noted that the majority of female prisoners had been improperly charged, unfairly tried and routinely subjected to custodial abuse. Shortly after the letter was published, Naem Chatta, Minister of State, Women's Division, requested a meeting to discuss the report. The Pakistani embassy then responded with a letter to *The New York Times* on September 18 which criticized the report because it dealt only with the treatment of women, who constitute a minority of those imprisoned. The government claimed that women are protected by a law requiring the presence of a female constable during a woman's arrest; that women cannot be remanded to police custody; and that a wife cannot be punished for adultery.

On October 7, *The New York Times* published a response by Pakistani human rights lawyers Hina Jilani and Asma Jahangir, which pointed out that none of the embassy's claims is true. With the introduction of the *Hudood* laws in 1979, adultery became a criminal offense. Legislation prohibiting the overnight detention of women in police custody was proposed in September 1992, but does not yet exist. And the presence of a female constable, of whom there are few in the entire country, is not mandatory.

In October, an Asia Watch staff member traveled to Pakistan to investigate recent cases of abuse of women prisoners and to meet with government officials.

With regard to Poland, the Women's Rights Project arranged the meetings for the former Polish Commissioner of Women noted above. On May 13, the Project together with Helsinki Watch issued a press release calling on the Polish government to suspend provisions of the new national Medical Ethics Code that discriminate against women in their access to health care services at state-run hospitals—the principal source of medical care in Poland.

On June 15, the Women's Rights Project and Middle East Watch wrote the Emir of Kuwait to call his attention to the cases of Singala Bolassi, a Sri Lankan domestic servant in immediate danger of being returned to her employer whom she accused of raping her and throwing her from a third-floor balcony, and of Helen Demitillar, a Filipina domestic servant who reportedly already had been returned to her employer despite her charge that he had raped her. The Emir sent no response.

On September 13, the Women's Rights Project, together with former U.S. Assistant Secretary of State for Human Rights and Humanitarian Affairs Patt Derian, who participated in the Kuwait mission, met with Kuwait's Ambassador to the United States, Shaik Saud Nassir Al-Sabah, now a high-ranking official in the Kuwaiti government. Ambassador Al-Sabah said that while his government must shoulder some of the blame for the maids' problems, the maids' themselves are also at fault and often wrongfully charge abuse in order to secure better jobs. He agreed that to some extent the maids' vulnerability to abuse was attributable to the lack of regulation of their employment in Kuwait, and that the

government should give attention to this problem, but he claimed that it was constrained by a lack of adequate resources.

In August, the Women's Rights Project released the Portuguese version of its first report, *Criminal Injustice: Violence Against Women in Brazil*, originally published in 1991. A Project representative gave a plenary address at the first Latin American regional meeting on violence against women and human rights held in northeastern Brazil, and talked with press, government officials and local monitors in Brazil about the report's findings. Since the report's release in 1991, the police in Rio de Janeiro have begun a training course on violence against women, a nongovernmental project has begun research on the continuing use of the honor defense to acquit men who kill their allegedly adulterous wives, and a government campaign has been launched to eliminate discrimination against women in the state of Sao Paulo.

THE CALIFORNIA COMMITTEE AND THE LOS ANGELES OFFICE

The Los Angeles office of Human Rights Watch was opened in 1989 to complement the work of the California Committee of Human Rights Watch—a group of concerned Californians who actively promote and participate in our work. The Los Angeles office is responsible for Americas Watch's research on Mexico and the U.S.-Mexican border area. The office also is available to carry out research and campaign tasks for all components of Human Rights Watch and sponsors a series of community education programs on human rights issues. In 1992, the office assumed increased responsibility for litigation and other legal work to support cases in U.S. courts that raise international human rights questions within our mandate.

In the first half of the year, research attention focused on human rights abuses by the U.S. Border Patrol and other agencies of the Immigration and Naturalization Service (INS) during the arrest and detention of undocumented migrants. An Americas Watch report on INS abuses was released in May. (See section on the United States for a summary of the report's findings.) Following the release of the report, Los Angeles and Washington staff met with members of Congress to inform them of our findings and to press for the creation of an independent Board of Review to receive and investigate complaints of INS abuse. In July, the Los Angeles office prepared testimony on INS abuses that was presented to the House Judiciary Subcommittee on International Law, Immigration and Refugees.

In the second half of the year, research attention shifted to Mexico. Los Angeles office staff visited Mexico in November to meet with senior federal government officials and representatives of the National Human Rights Commission, attend a meeting of the nationwide nongovernmental human rights network All Rights for All, and participate in a press conference organized by the Planeta publishing house to promote the release of the first three Americas Watch reports on Mexico in a Spanish-language edition. The staff also prepared articles for publication on human rights

conditions in Mexico and the human rights implications of the case of *United States v. Alvarez Machain*, contributed to a forthcoming Human Rights Watch/Yale University Press book on human rights in Mexico, spoke at a conference for women leaders from Mexico and California, and conducted numerous press interviews.

With the assistance of two Middle East Watch research interns, the Los Angeles office conducted follow-up interviews over the summer with Palestinian families in Kuwait who were facing imminent deportation from Kuwait and assisted with the preparation of affidavits in support of asylum applications submitted by family members in the United States and Canada who would be at risk of persecution if returned to Kuwait. The office also followed developments leading up to Lebanon's first parliamentary elections in 20 years and has continued to assist Middle East Watch monitor developments there in the post-election period.

In 1992, the office took increased responsibility for litigation. It assumed significant responsibility for writing many of the *amicus curiae* briefs filed by Human Rights Watch and its regional divisions. In addition, the office successfully litigated the liability phase of the *Sison v. Marcos* litigation. (See chapter on the United States for a description of these cases.) It also coordinated efforts to ensure that human rights trial monitors were present during the deportation proceedings against two permanent residents who had made humanitarian contributions to a Palestinian organization. (See chapter on the Fund for Free Expression.)

As part of its public education program, the California Committee and Los Angeles office organized a series of well attended events featuring speakers from the Human Rights Watch staff. Presentations were made on the peace process in El Salvador, human rights developments in Eastern Europe and the former Soviet Union, the work of the Women's Rights Project, and the connection between freedom of expression and the prevention of environmental, health, and human rights disasters. The California Committee also sponsored the Los Angeles premier of the Human Rights Watch film festival. In December, the California Committee hosted a celebratory dinner to honor 14 human rights monitors from around the world. The dinner is part of a ten-day nationwide series of events organized by Human Rights Watch to pay tribute to individuals who have dedicated themselves to defending and promoting human rights in their countries. This year one of the monitors comes from the United States, and is being honored for his work in combatting abuse by U.S. immigration officials along the Mexican border.

HUMAN RIGHTS WATCH AND CONGRESSIONAL CASEWORK

Human Rights Watch continued to work closely with two casework groups composed of members of Congress—the Congressional Friends of Human Rights Monitors and the Congressional Committee to Support Writers and Journalists. Both groups are bipartisan and

bicameral. Human Rights Watch initiated the formation of these groups to enable concerned members of Congress to write letters and urgent cables to governments that violate the basic rights of human rights monitors, writers and journalists. Human Rights Watch supplies the groups with information about appropriate cases of concern; the groups, in turn, determine which cases they would like to pursue.

The goals of the congressional casework groups are three-fold. Most important, their letters and cables help to pressure governments to end their persecution of human rights monitors, journalists and writers who criticize repressive acts by their governments. Second, members of the congressional groups are informed about these important incidents of violence and intimidation against human rights activists and writers. Finally, copies of letters and cables are sent to U.S. ambassadors in the relevant countries to inform them about cases of concern.

The Congressional Friends of Human Rights Monitors, which was formed in 1983, is composed of 37 senators and 144 members of the House of Representatives. The five members of the Steering Committee for the group are senators Dave Durenberger, James Jeffords and Daniel Patrick Moynihan, and Representatives Tony Hall and Constance A. Morella.

In 1992, the committee took up the cases of dozens of human rights monitors who had been killed, arrested arbitrarily, assaulted or harassed. For example:

- The committee wrote to the Colombian government several times on behalf of members of the Regional Human Rights Committee (CREDHOS), who were repeatedly targeted for violent attacks. In January, the committee wrote an urgent cable to President Cesar Gaviria to express its deep concern over the murder of Blanca Cecilia Valero de Duran, the secretary for CREDHOS, who was shot dead in front of the CREDHOS office in Barrancabermeja. When CREDHOS member Julio Cesar Berrio Villegas was shot and killed, the committee again wrote to President Gaviria to express concern and to call for an investigation into the assassination. And in an August 7 letter to the Colombian ambassador to the U.S., the committee expressed its concern over threats and attacks directed against CREDHOS members, including a June ambush in which at least six armed men fired machine guns into vehicles carrying CREDHOS investigators.

- In April, the committee sent an urgent cable to Syrian President Hafez Al-Asad protesting the harsh sentencing of 13 human rights monitors, to terms ranging from three to ten years of hard labor. The committee called upon President Asad to annul the State Security Court's decisions or, at least, to order a retrial before a regularly constituted civilian court. Ten of the human rights activists remain imprisoned.

- In an August letter to the Nigerian ambassador to the U.S., the committee protested charges brought against several Nigerian human rights activists. After three of the human rights monitors

were held in incommunicado detention in May, human rights lawyer Chief Gani Fawehinmi filed legal actions on their behalf. Chief Gani Fawehinmi was then detained. After several weeks in custody, all four were charged with conspiracy and treasonable felony. The committee called on the Nigerian government to drop all charges against these human rights activists. Charges are still pending and trial is scheduled for March 1993.

- The committee wrote a letter in August to the Sri Lankan government after two members of the Lawyers for Human Rights and Development were harassed and threatened by armed men. The committee urged the government to provide adequate protection for the two human rights activists and to investigate the acts of intimidation.

- As in past years, the committee continued to watch closely the attacks against members of human rights organizations in Guatemala, particularly members of the Consejo de Comunidades Etnicas Runujel Junam (CERJ). Since its creation in 1988, 19 CERJ members have been killed or disappeared. In May, the committee sent an urgent cable to President Jorge Serrano protesting death threats and a grenade attack against CERJ leader Amílcar Mendez and his family and asking the government to investigate these incidents. In August, the committee wrote to the Guatemalan government to express its concern over death threats received by the human rights group Casa Alianza. The letter also expressed concern over death threats and attacks against other Guatemalan human rights activists and called on the Guatemalan government to investigate those attacks thoroughly.

Other cases raised by the group include: the murder of Indian human rights activist Narra Prabhakar Reddy; death threats against several Brazilian human rights activists; the detention and alleged torture of Turkish human rights leader Sekvan Aytug; and the sentencing of Cuban human rights activist Yndamiro Restano Diaz.

The Congressional Committee to Support Writers and Journalists was formed in 1988 and is composed of 19 senators and 85 members of the House of Representatives. During 1992, the members of the Steering Committee for the group were senators William Cohen and Bob Graham and Representatives Bill Green and John Lewis.

In 1992, the committee denounced attacks against individual journalists and writers, as well as acts of censorship. For instance:

- After the June murder of Egyptian writer Faraj Fouda, the committee wrote to the Egyptian government to express its deep concern over the attack. Fouda was attacked because of his writings which, at times, criticized Islamic fundamentalism. The committee urged the government to continue its investigation into the assassination and to take every step possible to protect other writers and journalists in Egypt who had been threatened.

- In July, the committee wrote to officials in Beijing to protest four-year prison sentences imposed on two Chinese journalists and to denounce a series of attacks and incidents of harassment against foreign journalists and writers in China. The two Chinese journalists, Qi Lin and Wu Xuecan, were reportedly sentenced as a result of their reporting. (Qi Lin was later released on "medical parole.") In addition, several foreign journalists were beaten and harassed while attempting to carry out their journalistic duties in Beijing. The committee also asked the Chinese government to cease its attacks and acts of intimidation against foreign journalists in China.

- The committee wrote to leaders of the Haitian regime to express its concern over the detention and torture of journalist Jean Mario Paul, the disappearance of journalist Félix Lamy, and death threats against journalist Guy Delva. Jean Mario Paul, a reporter for Radio Antilles, was detained for more than five months, during which he was tortured by soldiers and prison guards. Félix Lamy of Radio Galaxie was apprehended by uniformed policemen and plainclothes officers in December 1991 and never seen again. And Guy Delva, who works for the Voice of America, reportedly received telephoned death threats after he attempted to report on censorship following the September 1991 military coup. The committee called on the Haitian regime to investigate Jean Mario Paul's allegations of torture and to prosecute those responsible. The committee also asked that the regime make every effort to locate Félix Lamy and to investigate the threats against Guy Delva.

- In a July letter, the committee wrote to the Kenyan government to express its concern about sedition charges brought against five journalists associated with the news magazine *Society*, as well as a June arson attack on the magazine's offices. Also noting raids and confiscations of the magazine by Kenyan authorities, the committee expressed concern that these charges and incidents of harassment may be a result of the magazines critical reporting about the Kenyan government.

- In April, the committee wrote to then New York Police Commissioner Lee P. Brown and to U.S. Attorney General William Barr to express deep concern over the murder of Manuel de Dios Unanue, the former editor in chief of the New York-based *El Diario-La Prensa*. De Dios was reportedly shot execution-style at a restaurant in Queens, New York. His colleagues believe that he was targeted because of his reporting on controversial issues such as drug trafficking, U.S. relations with Cuba, and political scandals in Puerto Rico. The committee called on Commissioner Brown and Attorney General Barr to investigate the assassination thoroughly.

Other cases raised by the committee in 1992 included: the charges brought against three newspaper editors in Rwanda; the

detention of journalist Nayef Sweitat by Israeli authorities; the apparent targeting of journalists during fighting in former Yugoslavia; the beatings of four Pakistani journalists reporting on elections in Sindh province; the post-coup detention of Peruvian journalist Gustavo Gorriti; the beatings of dozens of foreign and Thai journalists during demonstrations in Bangkok; and several violent attacks against Venezuelan journalists attempting to report on demonstrations in Caracas.

In Turkey, where 11 journalists were killed during the year, the committee wrote to the Turkish government to express its concern. The committee also published a Letter to the Editor in *The New York Times* on October 8, denouncing the alarming number of attacks against journalists and calling on the government to investigate these attacks thoroughly.

THE ARMS PROJECT

The Arms Project of Human Rights Watch was formed in September 1992 with a grant from the Rockefeller Foundation. Its purpose is to monitor and prevent transfers of weapons of all kinds to governments or other groups that systematically commit gross violations of human rights or the laws of war. In addition, the Arms Project seeks to promote freedom of expression and freedom of information concerning arms transfers worldwide.

Over the long term, the Arms Project seeks to build a research base enabling it to establish a country index of arms transfers, at least for the human rights-abusing regimes of most concern to Human Rights Watch. The project will begin with a small list of countries and add new countries gradually.

The project currently has a director and will eventually have two additional professional staff, in addition to consultants and support staff. In the meantime, consultation has begun with arms-transfer monitoring groups, U.S. government regulators and lawyers, U.N. officials, and others familiar with weapons-proliferation issues to explore ways in which arms and human rights issues intersect. In addition, the project has been meeting with experts on weapons, proliferation, human rights, and international law for the purpose of forming an Advisory Committee.

The project is already pursuing several substantive issues. In conjunction with Helsinki Watch, it is preparing to undertake major research in 1993 concerning the illegal use of foreign, and particularly U.S., weapons against the Kurds in the Turkish government's war against Kurdish Workers Party guerrillas. In conjunction with Asia Watch, the project is planning in early 1993 to examine weapons flows to and from Afghanistan, and their connection to human rights abuses there and in neighboring India and Pakistan. In Russia, the project, working with Helsinki Watch, has taken up the free expression case of a Russian scientist arrested and jailed for publicly alleging continued Russian chemical weapons research in violation of a recent chemical weapons treaty between Russia and the United States. In

conjunction with Middle East Watch, the project is preparing a research program on recent massive arms transfers to Iran.

The project has also undertaken active work on the issue of land mines. It has begun work in conjunction with other organizations to promote a worldwide ban on the production, transfer and use of anti-personnel mines, including a revision of the U.N. Land mines Protocol. Two major conferences on land mines are planned in 1993, and the project is committed to producing a global land mines report, drawing on country studies carried out during the past two years by the regional divisions of Human Rights Watch, together with chapters on the current state of the law, and the practical necessity and legal feasibility of a ban.

The project is examining the use of chemical and biological weapons in violation of the laws of war, as well as the proliferation of these weapons, and assisting Middle East Watch in its effort to establish accountability for crimes against humanity and genocide in Iraqi Kurdistan. The Iraqi government's use of chemical weapons against the Kurds is an example of the sort of abusive use of weapons that the project will investigate. The project has also already begun work on issues of U.S. arms export licensing and transfer, including transfers of dual-use technology. Working through the Washington office of Human Rights Watch, the project is seeking ways to introduce human rights criteria into U.S. government administrative decisions on arms export licenses. The project has also drafted letters to Congress concerning specific weapons sales to countries that commit systematic human rights violations, such as jet fighter sales to Saudi Arabia and tank sales to Kuwait.

In all of these projects, the key concern is the promotion of human rights. The project is not a disarmament organization; its touchstone for opposing a weapons transfer is the human rights record of the recipient. It is not concerned *per se* with security, stability, or global or regional peace, but instead with the proposition that governments that abuse human rights or violate the laws of war, and particularly governments and groups that use weapons to those ends, ought not to have access to them. The director of the Arms Project is Kenneth Anderson, and its staff associate is Barbara Baker.

HUMAN RIGHTS WATCH MISSIONS IN 1992

Africa Watch

February/Somalia: To research the conduct of the civil war in Mogadishu and the extent of the humanitarian disaster, and to deliver a strong message of condemnation to the contending parties.

March/Ethiopia: To investigate progress toward establishing the rule of law.

March/Eritrea: To follow up on the recommendations in the report *Evil Days* with the Provisional Government of Eritrea.

April/Mozambique: To undertake research on current human rights abuses prior to the completion of a major report.

May/Angola: To research the problem of land mines.

May/Zaire: To conduct research on the transition to democracy.

June/Ethiopia: To follow up concerns arising from the newsletter "Waiting for Justice" with the Transitional Government.

July/Somalia: To research human rights abuses in the north.

August/South Africa: To visit prisons and police lock-ups.

November/Egypt: To attend a human rights conference on Sudan and research abuses in the Nuba Mountains of Sudan.

Americas Watch

February-March/Dominican Republic: To look into human rights abuses against Haitian sugar cane cutters.

March/Peru: To meet with government officials, human rights monitors and witnesses to human rights violations.

May/Peru: To evaluate post-coup conditions and influence the debate on democracy and human rights.

May/Paraguay: To investigate cases of impunity.

May-June/El Salvador: To research the activities of the United Nations Observers Mission to El Salvador (ONUSAL) and general human rights concerns.

June/Colombia: To monitor the conduct of Army counterinsurgency operations and rural human rights abuses.

June/Costa Rica: To appear before the Inter-American Court of Human Rights.

June-July/Peru: To research political violence against women and general human rights conditions.

June-July/Haiti: To research repression of civil society in post-coup Haiti.

July/Venezuela: To research human rights violations and political violence in the wake of the February coup attempt.

July/Ecuador: To gather information on rural violence.

July/Colombia: To conduct general fact-finding and promote *Political Murder and Reform in Colombia*.

August-September/Brazil: To investigate police abuses.

September/Costa Rica: To give a speech before the Inter-American Court of Human Rights.

October/Colombia: To conduct fact-finding on the overall human rights situation and conditions of displaced persons.

October/Argentina: To attend a conference and meet with officials, nongovernmental organizations, and human rights monitors to discuss outstanding cases.

October/Bolivia: To monitor the trial of General Luis Garcia Meza.

October/Brazil: To investigate the massacre at the Casa de Detencao prison.

November/Mexico: To meet with officials and human rights organizations, conduct fact-finding and to promote a new Americas Watch book on Mexico.

November/Colombia: To research general human rights conditions.

Asia Watch

January/India: To investigate human rights abuses associated with the Narmada Dam Project and rural violence and police killings in Andhra Pradesh.

January/Philippines: To investigate abuses by paramilitary organizations in Mindanao.

March/Japan: To meet with Japanese Diet members, Foreign Ministry officials, representatives of nongovernmental organizations and businessmen to discuss human rights and Japan's foreign aid policies.

April-May/Cambodia & Thailand: To assess the human rights situation in Cambodia in light of the implementation of the Paris peace accords.

June-July/Thailand: To investigate killings of demonstrators and disappearances following violence in Bangkok on May 17-20 (with Physicians for Human Rights).

September/Indonesia: To raise human rights issues at the Non-Aligned Movement Summit and distribute copies of the Human Rights Watch report *Indivisible Human Rights*.

September/Thailand: To investigate trafficking in women and HIV-related issues, problems of Burmese refugees in Thailand and other human rights issues on the Thai-Burmese border.

October/India: To investigate human rights conditions in Kashmir and Punjab (with Physicians for Human Rights).

October/Pakistan: To conduct follow-up investigation after a report on police abuse of women in detention.

Helsinki Watch

January/Yugoslavia: To meet with heads of state and to release a report in the form of a letter to President Milosevic on human rights abuses committed by the Serbian government and the Yugoslav army.

January/Turkey: To meet with heads of state and release a report on the torture of children.

March/Czechoslovakia: To meet with government officials to address human rights problems in Czechoslovakia.

March-April/Yugoslavia : To discuss Helsinki Watch's reports on abuses by both sides with Croatian and Serbian government officials and to investigate detention camps in Serbia and Croatia.

April/Spain: To release the Spanish-language version of *Prison Conditions in Spain*.

April-May/Nagorno Karabakh: To investigate armed conflict.

June/Tajikistan: To investigate general conditions and internal armed conflict.

April/Northern Ireland: To investigate the treatment of children in detention.

April-June/Germany: To investigate the treatment of foreigners and to prepare reports on the decommunization process in Germany and on violent attacks against foreigners.

April-May/Turkey: To research the massacre of Kurds during Kurdish New Year.

May-June/Yugoslavia: To collect testimony from victims of the conflict in Bosnia-Herzegovina.

May/Bulgaria: To investigate the lustration law and the decommunization process.

June/United Kingdom: To release *Prison Conditions in the United Kingdom*.

July/Romania: To investigate police lock-ups and follow up on the situation in Romanian orphanages.

August/Moldova: To investigate armed conflict and alleged violations of human rights.

August/Turkey: To investigate police lock-ups and prison conditions, and update previous information about human rights conditions in the country.

September–November/Yugoslavia: To interview refugees and other civilians about reported abuses, and to investigate accusations of harsh mistreatment of women.

October/Armenia: To investigate reports of air-raid attacks against civilians by Azerbaijani forces in Nagorno Karabakh.

October/Georgia: To investigate human rights abuses.

October–November/Romania: To investigate the treatment of ethnic Hungarians.

October–November/Bulgaria: To investigate the treatment of the Gypsy and Turkish minorities, as well as the decommunization process.

October–November/Czechoslovakia: To meet with activists and government officials about human rights conditions and to assess the general human rights situation.

October–November/Albania: To meet with activists and government officials about human rights conditions and to assess the general human rights situation.

October–November/Russia: To investigate women's rights issues (with the Human Rights Watch Women's Rights Project).

November–December/Uzbekistan: To investigate restrictions in Kazakhstan of free speech and assembly, and to look into the protection of minority rights.

Middle East Watch

December 1991/Iraqi Kurdistan: To examine mass graves in Northern Iraq (with Physicians for Human Rights).

January–February/Egypt: To investigate prison conditions and torture, arrests and detention.

February/Iraqi Kurdistan: To conduct fact-finding on the Iraqi government's human abuses during the *Anfal* campaign against the Kurds (with CBS news show, "60 Minutes").

April/Kuwait: To investigate the mistreatment of Asian domestic employees.

April–September/Iraqi Kurdistan: To conduct field research into

the *Anfal* campaign.

May/Algeria: To investigate human rights situation since the declaration of the State of Emergency.

May-June/Iraqi Kurdistan: To conduct exhumation of mass graves (with Physicians for Human Rights).

May/Iraqi Kurdistan: To secure the retrieval of captured Iraqi documents.

July/Syria & Jordan: To investigate political detention in Syria and interview Iraqi refugees.

July/Egypt: To release *Behind Closed Doors* at a press conference in Cairo.

July/Tunisia: To observe the mass trial of Islamists (with International Human Rights Law Group).

Sept-November/Israel: To investigate undercover killings in the Occupied Territories.

November/Iraqi Kurdistan: To secure the retrieval of captured Iraqi documents and to investigate Iraqi government's continued human rights abuses against the Kurds.

Prison Project

January-February/Egypt: To visit prisons and interview former prisoners.

April/Spain: To release the Spanish-language version of *Prison Conditions in Spain* report.

June/U.K.: To release the *Prison Conditions in the U.K.* report.

August/South Africa: To visit prisons and police lockups.

October/Brazil: To investigate the October 2 massacre of prisoners in Sao Paulo.

Women's Rights Project

April/Kuwait: To investigate the mistreatment of Asian domestic employees.

June/Peru: To gather information on the use of rape as a form of torture and punishment and other political violence against women.

August/Brazil: To release the Portuguese version of *Criminal Injustice: Violence Against Women in Brazil*.

September/Thailand: To investigate trafficking in women and HIV-related issues.

October/Pakistan: To conduct follow-up investigation after the report on police abuse of women in custody.

November/Russia: To investigate women's rights issues.

PUBLICATIONS FROM HUMAN RIGHTS WATCH IN 1992

(Book-length reports are listed in *italics*. Shorter newsletters are in Roman. To order any of the following, please call our Publications Department at 212-972-8400 and ask for the most recent publications catalog.)

Africa Watch

Ethiopia

"Waiting for Justice Shortcomings in Establishing the Rule of Law," May.

Ghana

"Revolutionary Injustice: Abuse of the Legal System Under the PNDC Government," January.

Mozambique

Conspicuous Destruction: War, Famine and The Reform Process in Mozambique, July.

Namibia

Accountability in Namibia: Human Rights and the Transition to Democracy, August.

Nigeria

"Contradicting Itself: An Undemocratic Transition Seeks To Bring Democracy Nearer," April.

"'Silencing the Vocal Opposition': Crackdown on Democracy Advocates; Four Human Rights Activists and One Student Face Treason," June.

Rwanda

"Talking Peace and Waging War: Human Rights Since the October 1990 Invasion," February.

Somalia

"A Fight to the Death? Leaving Civilians at the Mercy of Terror and Starvation," February.

"No Mercy in Mogadishu: The Human Cost of the Conflict & The Struggle for Relief," March.

South Africa

"Accounting for the Past," October.

Sudan

"The Ghosts Remain," April.
"Refugees In Their Own Country," July.
"Eradicating the Nuba," September.
"Violations of Academic Freedom," November.

Zaire

"Two Years Without Transition," July.

Americas Watch

Brazil

The Struggle for Land in Brazil: Rural Violence Continues, May.
Criminal Injustiça: A Violência Contra A Mulher no Brasil
(Portuguese version), July.
"Prison Massacre in Sao Paulo", October.

Chile

"The Struggle for Truth and Justice for Past Human Rights Violations," July.

Colombia

Political Murder and Reform in Colombia, April.

Cuba

"Tightening the Grip: Human Right Abuses in Cuba," February.

Dominican Republic

"Dominican Authorities Ban Creole Radio Program and Crack Down on Protesters," April.
A Troubled Year: Haitians in the Dominican Republic (with National Coalition for Haitian Refugees), October.

El Salvador

"The Massacre at El Mozote: The Need to Remember," March.
"Peace and Human Rights: Successes and Shortcomings of the United Nations Observer Mission in El Salvador (ONUSAL)," September.

Haiti

"Half the Story: The Skewed U.S. Monitoring of Repatriated Haitian Refugees" (with National Coalition for Haitian Refugees), June.

Mexico

Brutality Unchecked: Human Rights Abuses Along the U.S. Border with Mexico, June.

Paraguay

"An Encouraging Victory in the Search for Truth and Justice," October.

Peru

"Civil Society and Democracy Under Fire" (also available in Spanish), August.

"El Perú de Fujimori: Golpe a la Democracia y a los Derechos Humanos" (available in Spanish only), August.
Untold Terror: Violence Against Women in Peru's Armed Conflict, December.

United States

"Dangerous Dialogue: Attacks on Freedom of Expression in Miami's Cuban Exile Community," August.

Asia Watch

Burma

"Human Rights in Burma in 1991," January.
"Rape, Forced Labor and Religious Persecution in Northern Arakan," May.
"Changes in Burma?," September.

Cambodia

Political Control, Human Rights and the U.N. Mission in Cambodia, September.

China

"Evidence of Crackdown on Labor Movement Mounts," May.
Anthems of Defeat: Crackdown in Hunan Province 1989-92, May.
"Defense Statement of Chen Ziming," June.
"The Trial of Bao Tong," August.
"Political Prisoners Abused in Liaoning Province," September.

Hong Kong

"Refugees at Risk: Forced Repatriation of Vietnamese from Hong Kong," August.

India

"Before the Deluge: Human Rights Abuses at India's Narmada Dam," June.
Human Rights in India: Police Killings and Rural Violence in Andhra Pradesh, September.

Indonesia

"Asia Watch Criticizes Commission Report on East Timor," January.
"Asia Watch Calls for International Monitors at Trials of East Timorese," January.
"Commission of Inquiry Needed for Aceh," February.
"Attempts to Intimidate Labor and Environmental Activists in North Sumatra," April.
"Anatomy of Press Censorship in Indonesia: The Case of Jakarta, Jakarta and the Dili Massacre," April.
"Deception and Harassment of East Timorese Workers," May.
"East Timor: The Courts Martial," June.

Pakistan

Double Jeopardy: Police Abuse of Women in Custody in Pakistan,

June.

Philippines

Bad Blood: Militia Abuses in Mindanao, April.

Sri Lanka

"Preliminary Findings of Asia Watch Mission to Sri Lanka," February.

"The Sri Lankan Conflict and Standards of Humanitarian Law," April.

Human Rights Accountability in Sri Lanka, May.

"Memorandum to the Sri Lankan Government," July.

Thailand

"Abuses Against Burmese Refugees in Thailand," March.

'Bloody May,' Excessive Use of Lethal Force in Bangkok (with Physicians For Human Rights), October.

Tibet

Political Prisoners in Tibet, February.

Helsinki Watch

Czechoslovakia

"Decommunization Measures Violate Freedom of Expression and Due Process Standards," April.

Struggling for Ethnic Identity: Czechoslovakia's Endangered Gypsies, August.

Germany

"Foreigners Out" Xenophobia and Right-Wing Violence in Germany, October.

Greece

"Improvements for Turkish Minority; Problems Remain," April.

Poland

"Hidden Victims: Women in Post-Communist Poland," March.

Spain

Prison Conditions in Spain, April.

Turkey

Nothing Unusual: The Torture of Children in Turkey, January.

"Turkey: Violence Against Civilians Increasing," January.

Denying Human Rights and Ethnic Identity: The Greeks of Turkey, March.

"Kurds Massacred: Turkish Forces Kill Scores of Peaceful Demonstrators," June.

"Turkey: Five Journalists Killed; Free Expression Restricted," June.

"Eleven Deaths in Police Detention Since February; Three Were

Children Who `Committed Suicide,'" June.
"Human Rights Activist Murdered; Human Rights Association Under Attack," July.
"Eight Journalists Killed Since February; A Ninth Critically Wounded," August.

United Kingdom

Prison Conditions in the United Kingdom, June.
Children in Northern Ireland, July.

Former USSR

"Human Rights Violations in the New Georgia," January.
Bloodshed in the Caucasus: Violations of Humanitarian Law and Human Rights in the Georgian-South Ossetian Conflict, April.
"New Citizenship Laws in the Republics of the Former USSR," April.
"Overview of Areas of Armed Conflict in the Former USSR," June.
"Russian Residence and Travel Restrictions," August.
Bloodshed in the Caucasus: Escalation of the Armed Conflict in Nagorno Karabakh, September.

United States "English Only: Attack on Minority Language Speakers in the U.S.," March.

Former Yugoslavia

Letter to President Slobodan Milosevic and General Blagoje Adzic, January.
Letter to President Franjo Tudjman, February.
War Crimes in Bosnia-Herzegovina, August.
Yugoslavia: Human Rights Abuses in Kosovo, 1990-1992, October.

Middle East Watch

Algeria

"Algeria Since the Halt of the Electoral Process" (abridgement in Arabic), February.

Egypt

"Update: Arab Women's Solidarity Association," December, 1991.
"Torture in Egypt: Statement by Dr. Mandour," December, 1991.
"Arrest & Detention Practices & Prison Conditions," March.
"Court Upholds Closure of Women's Association," June.
Behind Closed Doors: Torture & Detention, July.

Iraq

Unquiet Graves: Disappeared in Iraqi Kurdistan, February.
Endless Torment: March 1991 Uprising in Iraq, June.
Hidden Death: Land Mines & Civilian Casualties, November.
Iraqi Kurdistan: The Destruction of Koreme During the Anfal Campaign, December.
"Methods of Repression, Past and Present," December.

Israel

"Israeli Interrogation Methods Under Fire," March.

Kuwait

"Kuwait's Stolen Incubators," February.

"Punishing the Victim: Rape & Mistreatment of Asian Maids," August.

Morocco

"Human Rights in Morocco and Western Sahara in 1991," March.

Saudi Arabia

Empty Reforms: Saudi Arabia's New Basic Laws, May.

Syria

"Syria: Human Rights Workers on Trial," March.

Indefinite Political Detention in Syria, November.

Tunisia

"New Restrictions on Freedom of Association, Tunisian League Closes," June.

"Military Courts Violated Basic Fair-Trial Norms," October.

Yemen

"Steps Towards a Civil Society," October.

Fund for Free Expression

"The Threat Against Salman Rushdie" (with Association of American Publishers), February.

"English Only: The Attack on Minority Language Speakers in the United States," March.

"Persecuted Writers Recognized: 36 writers from 16 countries receive funds from the estates of Lillian Hellman and Dashiell Hammett," June.

"Electrifying Speech: New Communications Technology and Traditional Civil Liberties," July.

"Dangerous Dialogue: Attacks on Freedom of Expression in Miami's Cuban Exile Community" (with Americas Watch), August.

Human Rights Watch

Human Rights Watch World Report 1992, January.

"`Hate Speech' and Freedom of Expression" (Policy Paper), March.

Defending the Earth: Abuses of Human Rights and the Environment, June.

Indivisible Human Rights: The Relationship of Political and Civil Rights to Survival, Subsistence and Poverty, September.

Prison Project

Brazil

"Prison Massacre in Sao Paulo," October.

Spain

Prison Conditions in Spain (English and Spanish), April.

United Kingdom

Prison Conditions in the United Kingdom, June.

Women's Rights Project

Brazil

Criminal Injustiça: A Violência Contra A Mulher no Brasil, (Portuguese version), July.

Czechoslovakia

"Sterilization of Romany Women" in *Struggling for Ethnic Identity: Czechoslovakia's Endangered Gypsies*, August.

Kuwait

"Punishing The Victim: Rape and Mistreatment of Asian Maids in Kuwait," August.

Pakistan

Double Jeopardy: Police Abuse of Women in Pakistan, June.

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"Hidden Victims: Women in Post-Communist Poland," March.

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