

Human Rights Developments

THE LACK OF PROGRESS IN ENDING THE CIVIL STRIFE IN ALGERIA, THE ON-OFF WEAPONS INSPECTIONS AND COMPREHENSIVE SANCTIONS REGIME IN IRAQ, AND THE NEARLY MORIBUND NEGOTIATIONS BETWEEN ISRAEL AND THE PALESTINIAN AUTHORITY DOMINATED THE HEADLINES ABOUT THE REGION AND GENERATED LARGELY NEGATIVE HUMAN RIGHTS CONSEQUENCES. BUT WHAT WENT LARGELY UNNOTICED WAS THE STEADY EROSION OF FREEDOMS OF EXPRESSION AND ASSOCIATION. IN ADDITION, OTHER BASIC RIGHTS WERE NOT RESPECTED IN MOST COUNTRIES IN THE MIDDLE EAST AND NORTH AFRICA AND THE PATTERN OF VIOLATIONS PERSISTED OR WORSENE. THERE WERE DISAPPOINTINGLY FEW DISCERNIBLE IMPROVEMENTS IN LONGSTANDING PROBLEMS SUCH AS ARBITRARY ARREST, TORTURE, "DISAPPEARANCES," AND THE DEATH PENALTY.

THE INTERNATIONAL ATTENTION THAT WAS FINALLY PAID TO ALGERIA'S ONGOING INTERNAL CONFLICT DID NOT PREVENT THE KILLING OF THOUSANDS OF MEN, WOMEN, AND CHILDREN, AND CONTINUED GROWTH OF THE NUMBER OF "DISAPPEARED" PERSONS. IN IRAQ, SANCTIONS COMBINED WITH GOVERNMENT POLICIES CONTINUED TO HAVE A DEVASTATING IMPACT ON THE WELFARE OF CIVILIANS. IN SEPTEMBER, THEN-U.N. HUMANITARIAN AID COORDINATOR DENIS HALLIDAY STATED THAT 4,000 TO 5,000 CHILDREN WERE "DYING UNNECESSARILY EVERY MONTH DUE TO THE IMPACT OF SANCTIONS BECAUSE OF THE BREAKDOWN OF WATER AND SANITATION, INADEQUATE DIET AND THE BAD INTERNAL HEALTH SITUATION." THE MILITARY CONFLICT IN OCCUPIED SOUTH LEBANON AGAIN YIELDED VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW AND CIVILIAN CASUALTIES, AS DID THE CONFLICT BETWEEN PALESTINIANS AND ISRAELIS IN THE OCCUPIED TERRITORIES. SAUDI ARABIA, IRAQ, LIBYA, AND SYRIA REMAINED CIVIL SOCIETY WASTELANDS, WHERE THE EXERCISE OF FREEDOM OF ASSOCIATION AND EXPRESSION WAS COMPLETELY BEYOND REACH. IN TUNISIA, THE GOVERNMENT SOUGHT NOT ONLY TO PRESENT ITS OWN VERSION OF HUMAN RIGHTS AND DEMOCRATIZATION BUT EMPLOYED REPRESSIVE AND SOMETIMES BRUTAL MEASURES TO MUTE TUNISIAN HUMAN RIGHTS ACTIVISTS WHO TRIED TO PORTRAY A TRUER PICTURE.

PALESTINIAN REFUGEES IN THE REGION AND BEYOND CONTINUED TO SUFFER FROM THE CONSEQUENCES OF THE INABILITY TO EXERCISE THE RIGHT TO A NATIONALITY. PALESTINIAN REFUGEES SERVED BY THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINIAN REFUGEES IN THE NEAR EAST (UNRWA) DID NOT ENJOY INTERNATIONAL REFUGEE PROTECTION AVAILABLE TO ALL OTHER REFUGEES BECAUSE THE 1951 CONVENTION RELATING TO THE STATUS OF REFUGEES AND ITS 1967 PROTOCOL SPECIFICALLY DID NOT APPLY TO THOSE WHO CONTINUED TO RECEIVE PROTECTION OR ASSISTANCE FROM OTHER ORGANS OR AGENCIES OF THE U.N. OVER 300,000 PALESTINIAN REFUGEES IN LEBANON, MANY OF THEM LIVING IN CONDITIONS OF EXTREME POVERTY, EXPERIENCED SHARP RESTRICTIONS ON THEIR FREEDOM OF MOVEMENT AND RIGHT TO WORK.

SEVERAL POSITIVE DEVELOPMENTS—including prisoner releases, governmental accountability for past abuses, and ratifications of international human rights treaties—provided some reprieve from an otherwise bleak year. PERHAPS THE MOST ENCOURAGING HIGHLIGHTS WERE THE SEVERAL INSTANCES WHEN THE LOCAL HUMAN RIGHTS COMMUNITY AND CIVIL SOCIETY INSTITUTIONS MOBILIZED IN EFFORTS TO PREVENT THE FURTHER SHRINKING OF RIGHTS AND HOLD THOSE IN POWER ACCOUNTABLE FOR THEIR ACTIONS. BUT GOVERNMENTS THEMSELVES COULD ALSO BE CREDITED FOR SOME ENCOURAGING DEVELOPMENTS.

MOROCCO TOOK CONCRETE ACTION TO RESOLVE SOME OF ITS LONGEST-STANDING HUMAN RIGHTS PROBLEMS. KING HASSAN II, IN AN OCTOBER 9 ADDRESS TO PARLIAMENT THAT WAS BROADCAST LIVE, SAID, "WE ARE DETERMINED TO CLOSE THE HUMAN RIGHTS FILE FINALLY WITHIN THE NEXT SIX MONTHS." OVER THE NEXT TWO WEEKS, TWENTY-EIGHT ISLAMISTS WERE RELEASED FROM PRISON. ALSO, OFFICIAL INFORMATION WAS DISCLOSED FOR THE FIRST TIME ABOUT MORE THAN ONE HUNDRED MOROCCANS WHO HAD "DISAPPEARED," SOME AS LONG AGO AS THE 1960S: IT WAS ANNOUNCED THAT FIFTY-SIX OF THEM HAD DIED. BUT MOROCCO'S TWO LARGEST INDEPENDENT HUMAN RIGHTS ORGANIZATIONS INSISTED THAT MUCH REMAINED TO BE DONE IN ORDER TO "CLOSE THE FILES" ON THESE ISSUES, SUCH AS RESOLVING ADDITIONAL CASES OF "DISAPPEARANCES" AND POLITICAL PRISONERS; RETURNING THE REMAINS TO FAMILIES AND COMPENSATING THEM; AND PROSECUTING THOSE RESPONSIBLE FOR "DISAPPEARANCES" AND DEATHS IN DETENTION. THE GROUPS INSISTED THAT ONLY AN INDEPENDENT INQUIRY COULD CREDIBLY ADDRESS THE "DISAPPEARANCES" ISSUE.

IN SYRIA, SEVERAL OF THE LONGEST-HELD POLITICAL PRISONERS IN THE REGION WERE RELEASED, INCLUDING LAWYER RIAD AL-TURK, WHO WAS DETAINED WITHOUT CHARGE SINCE 1980, AND MUSTAFA TAWFIQ FALLAH, WHO WAS ARRESTED IN 1970 AND HELD FOR THIRTEEN YEARS BEYOND THE EXPIRY OF HIS PRISON TERM. SYRIAN AUTHORITIES ALSO RELEASED 121 LEBANESE WHO HAD BEEN HELD IN SYRIA WITHOUT CHARGE OR OFFICIAL ACKNOWLEDGMENT OF THEIR WHEREABOUTS. DURING THE YEAR IRAQ RELEASED A NUMBER OF EGYPTIAN AND JORDANIAN PRISONERS AND IRAN AND IRAQ REPATRIATED THOUSANDS OF POWS HELD SINCE THE 1980S. KUWAIT PARDONED A NUMBER OF JORDANIAN AND IRAQI PRISONERS CONVICTED IN UNFAIR TRIALS IN 1991, AND ANNOUNCED IN JUNE THAT IT WOULD CLOSE ITS NOTORIOUS TALHA PRISON. IN ALGERIA, THE ISSUE OF "DISAPPEARANCES" FINALLY CAPTURED PUBLIC ATTENTION, THANKS TO PERSISTENT AGITATION BY THE FAMILIES OF THE MISSING AND THEIR ADVOCATES, INCREASED LOCAL PRESS COVERAGE, DEMARCHES BY VISITING DELEGATIONS, AND INTERVENTIONS BY HUMAN RIGHTS ORGANIZATIONS. IN OMAN, SULTAN QABOOS MADE IT POSSIBLE FOR WOMEN TO STAND FOR ELECTION TO THE ADVISORY SHURA COUNCIL, BROADENING THE PARTICIPATION OF WOMEN IN PUBLIC AFFAIRS.

TWO GULF STATES RATIFIED KEY INTERNATIONAL CONVENTIONS. SAUDI ARABIA SIGNED THE CONVENTION AGAINST TORTURE (CAT) AND THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION, AND BAHRAIN SIGNED THE CAT. ALTHOUGH BOTH COUNTRIES' RATIFICATIONS INCLUDED IMPORTANT RESERVATIONS, BAHRAIN, UNDER THE THREAT OF A POSSIBLE SECOND CRITICAL RESOLUTION AT THE U.N. SUB-COMMISSION ON HUMAN RIGHTS, ANNOUNCED ITS WILLINGNESS TO ALLOW A VISIT BY THE U.N. WORKING GROUP ON ARBITRARY DETENTION.

MANY COUNTRIES OF THE REGION EXPERIENCED A FURTHER CLOSING OF THE PUBLIC SPACE FOR FREE EXPRESSION. THIS WAS BROUGHT ABOUT BOTH BY GOVERNMENTS SEEKING TO SILENCE CRITICISM AND VIOLENT OR INTOLERANT POLITICAL GROUPS BENT ON QUASHING DIVERSE VIEWS OR DEPARTURES FROM THEIR OWN NOTIONS OF RELIGIOUS ORTHODOXY. DESPITE THIS CONTINUING AND ALARMING TREND, EXAMPLES WERE PLENTIFUL, FROM MOROCCO TO IRAN, WHERE INDEPENDENT MEDIA, PROFESSIONAL ASSOCIATIONS, NONGOVERNMENTAL ORGANIZATIONS (NGOs), POLITICAL PARTIES, AND ELECTED PARLIAMENTARIANS, OFTEN AT SOME RISK TO THEMSELVES, CALLED ATTENTION TO RIGHTS ABUSES AND OFFICIAL CORRUPTION, CRITICIZED EXISTING OR PROPOSED RESTRICTIVE LEGISLATION, AND CHAMPIONED THE HUMAN RIGHTS CAUSE.

THE FREEDOMS COMMITTEE OF THE ARAB JOURNALISTS UNION, MEETING FOR TWO DAYS IN BEIRUT IN JULY, NOTED "THE DETERIORATING CONDITIONS IN SOME ARAB COUNTRIES REGARDING FREEDOM OF EXPRESSION AS WELL AS POLITICAL AND LEGISLATIVE RESTRICTIONS IMPOSED ON THE PRESS." THE COMMITTEE CITED, IN PARTICULAR, "TIGHTENING SANCTIONS ON JOURNALISTS, INCLUDING JAIL SENTENCES, INCREASED FINANCIAL PENALTIES, AND MOUNTING MANIFESTATIONS OF INTELLECTUAL TERRORISM BY VARIOUS FORCES AND TRENDS." INDEED, DURING THE YEAR AUTHORITIES ARRESTED JOURNALISTS AND CLOSED NEWSPAPERS AND OTHER MEDIA OUTLETS IN OVER HALF THE COUNTRIES IN THE REGION AND FOR A VARIETY OF REASONS.

FOR THE FIRST TIME IN EGYPT, SIX JOURNALISTS WERE SENTENCED TO PRISON TERMS AS OF OCTOBER 22 FOLLOWING CONVICTIONS FOR CRIMINAL LIBEL, WHILE THE INDEPENDENT PRESS CONTINUED TO FACE CENSORSHIP AND OTHER RESTRICTIONS AND THE POPULAR WEEKLY *al-Dustour* WAS BANNED. IN IRAN, THE AUTHORITIES CLOSED THE LEADING INDEPENDENT NEWSPAPER *Tous* AND JAILED FOUR OF ITS EDITORS. OTHER IRANIAN NEWSPAPERS, JOURNALS, AND MAGAZINES WERE ALSO CLOSED DOWN AS CONSERVATIVES TRIED TO STIFLE OPEN DEBATE WHICH CONTINUED TO FLOURISH UNDER THE REFORM-MINDED PRESIDENT MOHAMMAD KHATAMI. IN LEBANON, A MILITARY COURT SENTENCED IN ABSENTIA PIERRE ATTALAH, A JOURNALIST WITH *al-Nahar* DAILY NEWSPAPER, TO THREE YEARS' IMPRISONMENT AND A FINE FOR HIS PUBLISHED INTERVIEW WITH ETIENNE SAQR, LEADER OF A LEBANESE MILITIA WHO WAS SENTENCED TO DEATH IN ABSENTIA FOR COLLABORATION WITH ISRAEL. A KUWAITI COURT SENTENCED *al-Qabas* EDITOR MOHAMMAD AL-SAQR IN JUNE TO A FINE AND SIX MONTHS IMPRISONMENT FOR PUBLISHING A JOKE THAT THE INFORMATION MINISTRY DEEMED OFFENSIVE; AN APPEALS COURT STAYED EXECUTION OF THE PRISON SENTENCE PENDING AN APPEAL TO THE CONSTITUTIONAL COURT.

BAHRAIN CONTINUED AN EFFECTIVE BAN ON REPORTING BY THE LOCAL ARABIC-SPEAKING STRINGER FOR THE BBC, AND THREATENED TO PENALIZE A WELL-KNOWN LOCAL COLUMNIST, HAFEDH AL-SHAUKH, IF HE PUBLISHED IN BAHRAIN OR ELSEWHERE. IN TUNISIA, INDIRECT CONTROLS ON THE PRESS WERE SO HEAVY THAT THE PRIVATE AND GOVERNMENTAL NEWSPAPERS WERE VIRTUALLY INDISTINGUISHABLE IN THEIR COVERAGE OF GOVERNMENT POLICIES. FOREIGN PUBLICATIONS WERE PLENTIFUL ON THE NEWSSTANDS BUT DID NOT APPEAR WHENEVER ISSUES CONTAINED MATERIAL DEEMED UNFAVORABLE ABOUT TUNISIA, SUCH AS THE JUNE ISSUE OF *LE MONDE DIPLOMATIQUE*.

In Jordan, forces of civil society campaigned vocally throughout the year against a proposed restrictive press and publications law, and continued their efforts after the law went into effect on September 1. In response, newly appointed Prime Minister Faysal Tarawneh promised a "soft implementation" of the new law and an improved relationship with the press. But Jordan Press Association President Seif Sharif and others stressed that the law should be amended. "We can't leave a law like this to the will of people in office," he said. "Under the present law, journalists cannot feel at ease. Things have to be changed legally for us to feel secure."

In at least one instance, censorship was eased. The government of Algeria retired the committees that had exercised prior censorship on the print media, and enforced less rigorously the requirement that security-related items be cleared by the authorities before publication. Live coverage of parliamentary debates also gave state television a bit more political diversity. In another positive development, people in many countries of the region were able to watch European and Middle Eastern television via satellite, as most governments decided not to block this popular new medium. Also, governments that allowed public access to the Internet generally regulated it less than they regulated print and broadcast media. However, as of October public Internet access remained unavailable in Saudi Arabia, Iraq, Libya, and Syria.

In several countries the struggle between defenders of freedom of association and assembly and those seeking to restrict these rights was played out openly. In Bahrain, members of the Lawyers Society brought a court challenge to the minister of labor and social affairs' March decree replacing the elected governing board with a handpicked slate of pro-government lawyers. The Iranian government continued to restrict independent associations, and violent vigilantes with ties to prominent conservative clerics continued to restrict freedom of assembly and expression. Human rights and other activists worked closely with the Palestinian Legislative Council to improve draft legislation governing NGOs working in the territories controlled by the Palestinian Authority. Although the legislation was submitted to President Arafat for ratification in August, as of this writing it still had not been signed into law.

The human rights community in Egypt quickly mobilized to publicize the dangers of a draft law designed to restrict further the activities of all NGOs and give the state a significantly intrusive hand in the conduct of their affairs. Minister of Social Affairs Mervat Tawfik acknowledged in June that NGOs played an increasingly "important" role in Egypt, and said that the controversial and highly restrictive draft law designed to regulate their activities had emerged after "six months of negotiations" and several earlier drafts. In a reference to the long-maligned Law No. 32 of 1964, which the draft law was set to repeal, she said that one of the reasons for the new legislation was "to remove the articles that have so often been a source of complaint from NGOs, especially human rights groups."

With respect to freedom of assembly, Jordan experienced further restrictions. On February 10, then-Interior Minister Nadih Rashid issued a categorical ban on all demonstrations, which was followed by the police's use of force against Jordanians peacefully protesting the prospect of U.S. and British military strikes in Iraq. The day after the ban was announced, then-Deputy Prime Minister Dr. Abdallah al-Nusur said: "Our people do not need demonstrations as a tool to express their opinion. The Jordanian people express their opinion through civilized means followed by civilized nations." Jordanian human rights organizations condemned the ban and the subsequent use of force by riot police against peaceful protesters. The Jordanian Society for Human Rights noted that the pattern of repression predated the pro-Iraq rallies, citing the use of force in 1997 to disperse journalists protesting restrictive amendments to the press law and university students demonstrating about the right to form a student union. The Jordanian branch of the Arab Organization for Human Rights called for prosecution of those responsible for beating peaceful demonstrators on February 13 at al-Husseini mosque in Amman.

In backhanded acknowledgment that governments were being judged on how well they were protecting human rights, officials increasingly used human rights terminology even when defending proposed restrictive legislation. For example, in Yemen, where a draft law governing demonstrations and assemblies was introduced in August, Minister of Legal Affairs Abdallah Ahmad Ghanim cited "the democratic right to organize processions and demonstrations" in an interview with *al-Sharq al-Awsat* (London) published on August 31, and noted that the proposed legislation did not "aim at confiscating or restricting the right to express opinions." In Jordan, following the elected lower house of parliament's August 9 endorsement of the highly restrictive press law, Jordan's then-Information Minister and Deputy Prime Minister Abdallah Encour termed the legislation "an important step for press freedom." Ignoring the law's explicit bans on a wide range of subjects, he said that it "upholds the right to investigate issues freely and express opinions at liberty."

Women faced systematic gender discrimination, particularly in states that maintained religiously based personal status laws and where blatantly discriminatory family codes granted husbands superior rights in terms of divorce, child custody, and inheritance. In Tunisia, where the family code provided for greater equality between the sexes, the Independent Tunisian Association of Democratic Women reminded the government that women's rights included the political right to promote their cause publicly, something they were frequently blocked from doing. Israel made no provision for civil marriage, and Israeli law deferred to Jewish, Muslim, Christian or Druze religious courts on issues of marriage, divorce, and child custody. Rulings by such courts were often highly discriminatory: for example, in cases where husbands refused to grant wives a divorce, Jewish religious courts allowed the husbands to remarry while prohibiting women from both divorcing and remarrying. Iran's parliament attempted to silence campaigners for family law reform by passing legislation making it an offense to advocate equality between women and men in family law and respect for women's rights on the grounds that such advocacy created division within the society. In Saudi Arabia and many of the Gulf states, women faced institutionalized discrimination, affecting their freedom of movement and association and the right to equality, employment and education.

The administration of justice remained problematic throughout the region. Impartial legal systems, free of corruption and fully independent, were as difficult to find as they were essential for the protection of basic rights. Emergency or exceptional laws, which international law permitted only in extreme circumstances and for limited periods, remained in effect and circumscribed basic rights in Algeria, Egypt, Iran, Iraq, Israel and the occupied West Bank and Gaza Strip, and Syria. Special security courts, whose procedures did not meet international fair-trial standards, continued to operate in Egypt, Bahrain, Jordan, Syria, and the territories under Palestinian control. Iran's Islamic Revolutionary Courts and Special Court for the Clergy were grossly unfair while in Lebanon there was no right of appeal against sentences passed by the Justice Council, including death sentences. In 1995 Algeria disbanded the special courts set up under the anti-terrorist decree, but the latter was incorporated into the Penal Code and Code of Criminal Procedures, thereby turning what had been an emergency decree into permanent legislation. In Israel the Supreme Court upheld the use of emergency law to detain indefinitely Lebanese nationals as "bargaining chips" for future negotiations, even while recognizing that the detainees were not themselves a threat to state security.

Courts continued to impose the death penalty, and executions occurred in Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Saudi Arabia, Syria, and Yemen. In August Yemen's President Ali Abdullah Saleh announced the extension of the death penalty to cases of kidnapping. Also in August, the Palestinian Authority conducted its first executions, killing two men by firing squad the day after a summary trial by military court. At least thirteen other death sentences were pending.

Prisoners endured harsh conditions and treatment that did not meet minimum international standards. In Lebanon in April, attention was dramatically focused on prison conditions when inmates rioted for two days at overcrowded Rumieh Central Prison in Beirut, the country's largest facility. "All we are seeking is better, decent conditions," read banners that some protesting prisoners displayed. The disturbances, reportedly ignited after guards beat and burned one prisoner, prompted a visit by Interior Minister Michel al-Murr, who conceded that thirty or forty prisoners sharing cells was "abnormal." In a press release, the Lebanese Association for Human Rights held authorities responsible for the violent outburst at Rumieh because it said that the problem "has been known and recognized for a long time." In Egypt, two local human rights groups issued detailed reports throughout the year, focusing on extreme medical neglect of prisoners which led to inmate deaths. In

Tunisia, political prisoners were subjected to extreme overcrowding, beatings, and other cruel disciplinary measures, and were shuffled incessantly among institutions, forcing families to travel great distances for visits.

Against this sobering backdrop, independent judges in several countries played a positive role and issued welcome decisions in a number of instances. Jordan's High Court of Justice ruled in January that the controversial temporary amendments to the press and publications law, enacted in May 1997 while the elected parliament was in recess, were unconstitutional. In the wake of the decision, independent newspapers that had been forced to close were able to resume publishing. Egypt's Supreme Constitutional Court in February found unconstitutional the first paragraph of Article 195 of the penal code, which held editors-in-chief criminally liable for the publication of material in their newspapers judged to violate broadly worded content bans. The Cairo-based Center for Human Rights Legal Aid, representing editors of five newspapers and magazines separately charged under Article 195, brought the appeals before the high court.

The Israeli Supreme Court ruled in August that the education ministry must extend electricity to eleven Bedouin schools in the so-called "unrecognized" villages of the Negev Desert, where an estimated 50,000 Bedouin citizens lived. Israel had refused to provide services to the villages in an effort to force inhabitants to move to permanent towns. Judges under the Palestinian Authority showed great courage by ordering on several occasions the release of political opposition figures detained illegally. Such bravery was not without cost, as evidenced by the forced retirement of High Court Chief Justice Qusai al-Abadlah in January.

Human Rights Defenders

The Middle East and North Africa was the region of the world with perhaps the youngest human rights movement. While local activists had traced values of justice, tolerance and mutual respect extending as far back as Pharaonic times in Egypt, the region's modern human rights movement was formed in the late 1960s and early 1970s and only began to expand in the late 1990s. In 1999 there were over twenty human rights groups in Egypt and at least twelve in the West Bank and Gaza Strip. This year the oldest surviving membership-based group in the Arab world, the Tunisian League for Human Rights (LTDH), celebrated its twenty-first anniversary—although government repression sharply impeded its ability to function in 1999. Active groups could also be found in Algeria, Israel, Jordan, Kuwait, Lebanon, Morocco, and Yemen. Groups in exile monitored Bahrain, Iran, Iraq, Libya, Saudi Arabia, Syria, and several other Gulf states.

Until the mid-1990s the majority of locally based human rights organizations focused on civil and political rights. In recent years, however, several groups were established, especially in the territories under Palestinian control and in Egypt, with a primary focus on social and economic rights. After the 1993 Vienna World Conference on Human Rights, the women's rights movement and the human rights movement in the region began to work much more closely with each other. In recent years some human rights organizations set up women's rights divisions while others attempted to incorporate a gender component into all programs.

The growth of the human rights movement, although impressive, was uneven in geographic scope. In the late seventies and early eighties groups existed mainly in Morocco and Tunisia, though some activities had commenced in Egypt and the Israeli-occupied West Bank and Gaza Strip. The impetus for the growth of the early movement included disenchantment with political parties and movements and an increased awareness of the failure of Arab regimes to put into practice a rhetorical commitment to social justice and basic rights. The upsurge in local interest in human rights coincided, moreover, with the rise of political Islam and the threat it seemed to pose to women's rights and freedom of expression and belief. Support by international human rights organizations, local and international media, and international funding also played vital roles as a new generation of activists emerged.

Growth was not without setbacks and major challenges. Human rights groups lacked legal status in many countries in the region. Civil strife in Algeria diminished the activities of rights groups there and in 1994 cost the life of Youcef Fathallah, secretary-general of the Algerian Human Rights League. Syrian authorities crushed the nascent Committees for the Defense of Democratic Freedoms and Human Rights in Syria (CDF) in 1992, and some of its leading members were serving prison sentences of up to ten years. In Tunisia the vice-president of the LTDH was behind bars in 1999, serving a three-year sentence, and the former president was prevented from traveling abroad. In the short period since the Palestinian Authority (PA) took over in parts of Gaza and the West Bank, leading activists such as Raji Sourani and Hyad Saraj were detained for short periods and other activists were harassed and threatened in attempts to stifle reporting on the PA's record of abuses.

Challenges extended beyond government harassment and oppression, however, and included issues that went to the heart of the movement itself. Human rights organizations continued to grow in a hostile political environment, and attacks against them came from political opposition groups and the media as well as from governments. The movement also lacked a broad social base, a reflection of weak institutions of civil society region-wide. It had failed in the past to formulate common rights-based positions on highly political issues such as the 1991 Gulf War, the Arab-Israeli conflict, and sanctions, and had been undermined by the double standards displayed by the West and the U.N. on these issues as well as others. Funding from abroad, while invaluable in facilitating the rapid growth of the movement in the 1990s, also made activists vulnerable to accusations of advancing foreign agendas, and sometimes fueled both competition for funds and lack of collegiality.

In assessing the coming of age of the local movement, it was noteworthy that human rights had been incorporated into the discourse used by governments, opposition groups including Islamists, academics, and activists regionwide. The growth of governmental human rights institutions or ministerial mechanisms in Algeria, Egypt, Kuwait, Morocco, Tunisia, and under the Palestinian Authority was also an indicator of the greater attention paid by governments to rights demands.

A final encouraging indicator was the development in the 1990s of regional bodies such as the Arab Organization for Human Rights and the Arab Institute for Human Rights, and the growth in the 1990s of other regional bodies with specific mandates that focused on the challenges facing the movement. These included the Cairo Institute for Human Rights Studies, which examined cultural, political, and socio-economic roots of human rights concepts in the region and how these impacted on the effectiveness of the movement, and the Arab Program for Human Rights Activists, which acted as a network highlighting the plight of persecuted activists and coordinating advocacy on their behalf.

The Role of the International Community

European Union

Human rights was most prominently and publicly on the E.U. agenda in the case of Algeria, as a consequence of European public concern over the lack of accountability for the civilian carnage. Some countries, most notably France, responded by relaxing visa policies. The E.U. tried to persuade Algeria to accept humanitarian aid and a visit by U.N. human rights rapporteurs, but when these initiatives were rejected official E.U. concern was not sufficient to produce further steps, such as sponsoring a resolution of the Commission on Human Rights, in the face of opposition from states with strong political and economic interests in Algeria—particularly France, Spain, and Italy.

A NUMBER OF EUROPEAN STATES REPORTEDLY RAISED OTHER HUMAN RIGHTS ISSUES AND CASES OF ABUSE IN MEETINGS WITH GOVERNMENT OFFICIALS OF OTHER MIDDLE EASTERN AND NORTH AFRICAN COUNTRIES. GERMANY AND OTHER STATES PUBLICLY RAISED CASES REGARDING IRAN. HOWEVER, HUMAN RIGHTS WATCH WAS NOT AWARE OF INSTANCES WHERE SUCH CONCERNS AFFECTED POLITICAL OR COMMERCIAL POLICIES, WITH THE EXCEPTION OF BRITAIN'S REFUSAL TO RESUME DIPLOMATIC RELATIONS WITH IRAN UNTIL TEHRAN DISAVOWED THE "FATWA" CONDEMNING AUTHOR SALMAN RUSHDIE TO DEATH. THE BRITISH GOVERNMENT ALSO STATED PUBLICLY ON AT LEAST ONE OCCASION THAT IT HAD RAISED SPECIFIC HUMAN RIGHTS CASES OF ABUSE WITH SAUDI ARABIA.

THE EUROPEAN COMMISSION, IN A JANUARY 16 DOCUMENT, CHARGED THAT THE DEADLOCK IN ISRAELI-PALESTINIAN NEGOTIATIONS HAD "BEGUN CONTAMINATING OTHER INTERNATIONAL INITIATIVES AIMING AT STABILITY AND PROSPERITY IN THE REGION. MOST IMPORTANTLY FOR THE EUROPEAN UNION, THE CRISIS THREATENS THE BARCELONA PROCESS." THIS REFERRED TO THE E.U. INITIATIVE, LAUNCHED AT A SUMMIT IN BARCELONA IN 1995, TO ESTABLISH A EURO-MEDITERRANEAN FREE TRADE AND COOPERATIVE SECURITY ZONE. JACQUES SANTER, PRESIDENT OF THE EUROPEAN COMMISSION, VISITED THE REGION IN FEBRUARY, STOPPING IN EGYPT, ISRAEL, THE WEST BANK AND GAZA, JORDAN, SYRIA, AND LEBANON. HIS AGENDA INCLUDED A REVIEW OF THE STATUS OF ASSOCIATION AGREEMENTS WITH THESE GOVERNMENTS AND THE BROADER EURO-MEDITERRANEAN PARTNERSHIP PROJECT. ALTHOUGH THE ASSOCIATION AGREEMENTS AND THE PARTNERSHIP ARE PREMISED ON "RESPECT FOR HUMAN RIGHTS AND DEMOCRATIC PRINCIPLES," THE COMMISSION DID NOT INDICATE PUBLICLY WHAT ROLE, IF ANY, HUMAN RIGHTS HAD PLAYED IN SANTER'S DISCUSSIONS.

THE UNITED KINGDOM, DURING ITS PRESIDENCY OF THE E.U. FROM JANUARY 1 THROUGH JUNE 30, CONDUCTED TWO HIGH-LEVEL MISSIONS TO THE MIDDLE EAST. IN MARCH FOREIGN SECRETARY ROBIN COOK TRAVELED TO ISRAEL, SYRIA, LEBANON, EGYPT, AND JORDAN IN AN EFFORT TO REVIVE PALESTINIAN-ISRAELI NEGOTIATIONS. IN APRIL PRIME MINISTER TONY BLAIR VISITED CAIRO, GAZA, JERUSALEM, AMMAN, AND RIYADH. HIS MEETINGS FOCUSED ON THE NEGOTIATIONS AND ON U.K. INVESTMENT AND TRADE OPPORTUNITIES.

ALGERIA, EGYPT, ISRAEL, AND SAUDI ARABIA, IN THEIR DEALINGS WITH THE E.U. AND MEMBER STATES, STRESSED THAT TERRORISM RATHER THAN HUMAN RIGHTS SHOULD BE THE MAIN ISSUE FOR POLITICAL DIALOGUE AND COOPERATION. THIS WAS ONLY OCCASIONALLY CONTESTED BY THE EUROPEAN SIDE IN PUBLIC. IN MAY THE INTERIOR MINISTERS OF ITALY, FRANCE, PORTUGAL, ALGERIA, MOROCCO, AND TUNISIA MET IN NAPLES AND, ACCORDING TO ALGERIAN ACCOUNTS, ESTABLISHED A WORKING GROUP TO "STRENGTHEN COOPERATION IN COMBATING TERRORISM." IN EARLY JUNE, THE FOREIGN MINISTERS OF THE EURO-MEDITERRANEAN PARTNERSHIP COUNTRIES HELD AN INFORMAL MEETING IN PALERMO TO EXAMINE THE APPARENTLY STALLED STATUS OF THE BARCELONA PROCESS. ACCORDING TO FOREIGN MINISTER COOK, THE MEETING EXPRESSED "DEEPENING CONCERN" OVER THE STALLED ISRAELI-PALESTINIAN NEGOTIATIONS AND AGREED TO HOLD A SPECIAL AD HOC MEETING ON COOPERATIVE MEASURES TO "COMBAT TERRORISM."

SEVERAL EUROPEAN COUNTRIES MADE WELL-PUBLICIZED ARRESTS OF RESIDENT ALGERIANS, EGYPTIANS, AND OTHER ARABS ON SUSPICION OF LINKS TO VIOLENT OPPOSITION GROUPS IN THE REGION. IN EARLY SEPTEMBER FRENCH AUTHORITIES OPENED A MASS TRIAL OF 139 PERSONS ARRESTED IN LATE 1994 AND 1995 AND CHARGED WITH BELONGING TO "A VAST NETWORK OF LOGISTICAL SUPPORT FOR ARMED ISLAMIC GROUPS WITH ITS HEADQUARTERS IN THE PARIS REGION."

EUROPEAN PUBLIC REFFERENCE ON HUMAN RIGHTS ISSUES IN THE MIDDLE EAST MAY PARTLY HAVE BEEN A CONSEQUENCE OF THE FACT THAT THE COUNTRIES OF THE REGION CONTINUED TO BE A LEADING SOURCE OF ENERGY IMPORTS AND A LEADING MARKET FOR EXPORTS, INCLUDING MILITARY GOODS AND SERVICES. ACCORDING TO THE MOST RECENT DATA COMPILED BY THE U.S. CONGRESSIONAL RESEARCH SERVICE, SALES AGREEMENTS WITH COUNTRIES IN THE REGION—FOR THE MOST PART THE GCC STATES—ACCOUNTED FOR 92 PERCENT OF TOTAL FRENCH MILITARY SALES AGREEMENTS WITH DEVELOPING NATIONS FOR 1994-1997. THE CORRESPONDING FIGURE FOR THE U.K. WAS 36 PERCENT. MEASURED IN TERMS OF DELIVERIES—I.E., FULFILLED CONTRACTS—THE MIDDLE EAST ACCOUNTED FOR 45 PERCENT OF FRENCH ARMS DELIVERIES TO DEVELOPING COUNTRIES AND ALMOST 88 PERCENT OF U.K. DELIVERIES. FOR "OTHER" EUROPEAN COUNTRIES (EXCEPT GERMANY AND ITALY) THE FIGURE WAS 69 PERCENT.

United States

THE UNITED STATES, THROUGH ITS MILITARY PRESENCE AND SALES, ITS FOREIGN AID COMMITMENTS, AND THE ENGAGEMENT OF HIGH-LEVEL OFFICIAL ATTENTION, CONTINUED TO PLAY THE LARGEST ROLE OF ANY OUTSIDE POWER IN THE MIDDLE EAST. THERE WERE FEW INDICATIONS, HOWEVER, THAT THE CLINTON ADMINISTRATION ATTEMPTED TO USE THIS POTENTIAL LEVERAGE TO PROMOTE HUMAN RIGHTS IN THE REGION. WASHINGTON GAVE NO SIGN THAT GRAVE AND SYSTEMATIC ABUSES BY CLOSE ALLIES SUCH AS EGYPT, ISRAEL, SAUDI ARABIA, AND SAUDI ARABIA WOULD HAVE ANY EFFECT ON U.S. RELATIONS WITH THOSE COUNTRIES.

THE ADMINISTRATION DID RAISE HUMAN RIGHTS IN ITS DEALINGS WITH REGARD TO A FEW COUNTRIES. U.S. OFFICIALS CALLED ON ALGERIA, EARLY IN 1999, TO PRACTICE GREATER TRANSPARENCY AND GIVE ATTENTION TO HUMAN RIGHTS IN ITS COUNTERINSURGENCY CAMPAIGN. ON SEVERAL OCCASIONS SECRETARY OF STATE MADELEINE ALBRIGHT AND OTHER OFFICIALS WELCOMED PRESIDENT KHATAMI'S REFORM EFFORTS IN IRAN, AND U.S. OFFICIALS CONDEMNED THAT COUNTRY'S PERSECUTION OF BAHAI'S FOLLOWING THE EXECUTION OF A BAHAI MAN IN JULY. SECRETARY OF STATE ALBRIGHT AND ASSISTANT SECRETARY MARTIN INDIK STATED IN SEPTEMBER THAT THE ADMINISTRATION WAS GATHERING INFORMATION CONCERNING ATROCITIES AND WAR CRIMES COMMITTED BY THE IRAQI GOVERNMENT FOR POSSIBLE USE IN A SPECIAL TRIBUNAL. DAVID SCHEFFER, AMBASSADOR-AT-LARGE FOR WAR CRIMES ISSUES, VISITING KUWAIT IN MAY, SAID THAT IT WAS "ENTIRELY SPECULATIVE" WHEN SUCH A TRIBUNAL MIGHT BE ESTABLISHED, BUT THAT "OUR IMMEDIATE PRIORITY IS TO ESTABLISH THE RECORD IN SUCH A PERSUASIVE MANNER THAT THE INTERNATIONAL COMMUNITY WILL NOT BE ABLE TO IGNORE WHAT THE EVIDENCE REVEALS."

FOR MOST OF THE MIDDLE EAST IN 1999, HOWEVER, THE JANUARY PUBLICATION OF THE STATE DEPARTMENT'S COUNTRY REPORTS, WHOSE MIDDLE EAST CHAPTERS WERE OF GENERALLY HIGH QUALITY, WAS THE ONLY OCCASION WHEN THE CLINTON ADMINISTRATION PUBLICLY HIGHLIGHTED ITS HUMAN RIGHTS CONCERNS.

THE COUNTRIES RECEIVING THE GREATEST AMOUNT OF U.S. MILITARY AND ECONOMIC ASSISTANCE AND THE LARGEST PURCHASERS OF U.S. WEAPONS WERE GROSS ABUSERS OF HUMAN RIGHTS IN 1999 BUT WERE VIRTUALLY EYEWITTS FROM ANY PUBLIC ATTENTION FROM U.S. OFFICIALS IN THIS REGARD. THE ADMINISTRATION ESTIMATED IN ITS FISCAL YEAR (FY) 1999 PRESENTATION TO CONGRESS THAT GOVERNMENT-FUNDED FOREIGN MILITARY SALES (FMS) TO MIDDLE EASTERN COUNTRIES—CHIEFLY EGYPT, ISRAEL, AND SAUDI ARABIA—WOULD AMOUNT TO \$4.38 BILLION, ACCOUNTING FOR MORE THAN 49 PERCENT OF THE TOTAL FMS PROGRAM FOR FY 1999, AND THAT THE REGION'S SHARE WOULD INCREASE TO 59 PERCENT OF THE TOTAL IN FY 1999. EGYPT AND ISRAEL ACCOUNTED MORE THAN NEARLY \$2 BILLION IN ECONOMIC SUPPORT FUNDS, OR MORE THAN 93 PERCENT OF THE TOTAL FOR FY 1999.

IN THIS PRESENTATION, ASSISTANT SECRETARY INDIK LISTED TWELVE "MOST IMPORTANT AND ENDURING OBJECTIVES" FOR U.S. POLICY IN THE REGION, ONE OF WHICH WAS TO "[E]NCOURAGE MOVEMENT TOWARD DEMOCRATIC POLITICAL PROCESSES, RESPECT FOR THE RULE OF LAW, GREATER RESPECT FOR HUMAN RIGHTS, IMPROVED OPPORTUNITIES FOR WOMEN, AND EXPANSION OF CIVIL SOCIETY INSTITUTIONS." THE REMAINDER OF THE DOCUMENT, AS WELL AS ACTUAL POLICY, INDICATED THAT THE ADMINISTRATION'S CHIEF PRIORITIES WERE TO SUSTAIN NEGOTIATIONS BETWEEN ISRAEL, THE PALESTINIAN AUTHORITY, AND THE ARAB STATES, TO GUARANTEE FULL AND SECURE ACCESS TO PERSIAN GULF ENERGY RESOURCES, TO MAINTAIN THE SECURITY OF ALL REGIONAL PARTNERS, AND TO REDUCE BARRIERS TO U.S. INVESTMENTS IN AND EXPORTS TO THE REGION.

THE PRESENTATION DOCUMENT SAID THAT THE ADMINISTRATION HAD "INCREASED THE EMPHASIS THE U.S. PLACES ON HUMAN RIGHTS, DEMOCRATIZATION AND RULE OF LAW," BUT SUCH EMPHASIS WAS DIFFICULT TO DISCERN IN THE BUDGET OR IN U.S. POLICIES DURING 1999. THE ADMINISTRATION CITED IN THIS CONNECTION THE INTERNATIONAL MILITARY EDUCATION AND TRAINING (IMET) PROGRAM, IN WHICH SMALL NUMBERS OF MILITARY OFFICERS FROM ALGERIA, SAUDI ARABIA, EGYPT, JORDAN, LEBANON, MOROCCO, OMAN, TUNISIA, AND YEMEN WERE BROUGHT TO THE U.S. FOR INSTRUCTION THAT INCLUDED HUMAN RIGHTS TRAINING, AND THE MIDDLE EAST REGIONAL DEMOCRACY FUND, WHICH SHOWED AN INCREASE OF FUNDING FROM \$750,000 IN FY 1997 TO AN ESTIMATED \$5 MILLION IN FY 1999. THE FUND PROVIDED ELECTORAL ASSISTANCE, SUCH AS POLL MONITORING, AND SMALL GRANTS "TO STRENGTHEN DOMESTIC NGOS" IN THE REGION. IT WAS UNCLEAR AS OF OCTOBER WHAT AMOUNT OF THIS HAD BEEN COMMITTED OR DISBURSED. THE U.S. PROVIDED AN ESTIMATED \$94 MILLION FOR REFUGEE ASSISTANCE IN THE REGION IN FY 1999, MOSTLY THROUGH UNRWA. THIS FUNDING ALSO SUPPORTED PROGRAMS OF THE UNHCR AND THE ICRC.

THE STATE DEPARTMENT ALSO SAID IN ITS PRESENTATION THAT IT AIMED TO "[E]NSURE THAT THE NEED FOR ADHERENCE TO DEMOCRATIC PRACTICES AND RESPECT FOR HUMAN RIGHTS ARE PROMINENT ASPECTS OF U.S. PUBLIC/MEDIA MESSAGE." IN THE U.S. CONDUCT OF PUBLIC MIDDLE EAST DIPLOMACY, HOWEVER, HUMAN RIGHTS WAS ANYTHING BUT PROMINENT. IN 1999 VICE-PRESIDENT AL GORE AND SECRETARY OF DEFENSE WILLIAM COHEN VISITED SAUDI ARABIA, EGYPT, AND ISRAEL, AND SECRETARY OF STATE ALBRIGHT WENT TO ISRAEL AND THE

PALESTINIAN-CONTROLLED AREAS. PRESIDENT CLINTON AND SECRETARY OF STATE ALBRICHT CONFERRED IN WASHINGTON WITH THE LEADERS OF SAUDI ARABIA, ISRAEL, BAHRÁIN, THE PALESTINIAN AUTHORITY, AND OTHERS FROM THE REGION. STUART EITZENSTAT, UNDER SECRETARY OF STATE FOR ECONOMIC AFFAIRS, WENT TO TUNISIA AND ISRAEL, AND ASSISTANT SECRETARY INDYK MADE A NUMBER OF TRIPS TO THE REGION. THE ADMINISTRATION CHOSE NOT TO USE ANY OF THESE DIPLOMATIC ENCOUNTERS TO SIGNAL PUBLICLY ITS CONCERN WITH THE DEPLORABLE HUMAN RIGHTS PRACTICES OF THESE STATES.

THE PRESENTATION TO CONGRESS STATED THAT HUMAN RIGHTS WERE "IMPORTANT ELEMENTS OF OUR DIPLOMATIC DIALOGUE WITH GOVERNMENTS OF THE REGION." IN SOME COUNTRIES, HOWEVER, THERE APPEARED TO HAVE BEEN FEW DEMARCHES ON SPECIFIC CASES OR ABUSES, AND MENTION OF HUMAN RIGHTS WAS APPARENTLY CONFINED TO PASSING ENDORSEMENT OF PRINCIPLE OR, AT MOST, EXPRESSIONS OF "CONCERN ABOUT THE INTERNAL SITUATION." IN AT LEAST ONE CASE, BAHRÁIN, IT APPEARED THAT THE U.S., BY FAILING TO RAISE SPECIFIC ABUSES WITH THE GOVERNMENT, UNDERMINED THE DEMARCHES THE BRITISH GOVERNMENT MADE ABOUT THOSE CASES IN 1998.

Regional Governments

THERE WAS VIRTUAL SILENCE FROM GOVERNMENTS ACROSS THE REGION WHEN IT CAME TO COMMENTING ON EACH OTHERS HUMAN RIGHTS PERFORMANCES. MOST WERE READY TO CRITICIZE ISRAEL'S HUMAN RIGHTS RECORD OF OCCUPATION, AND ISRAEL WAS QUICK TO RECIPROCATE, BUT ARAB GOVERNMENTS REFRAINED FROM HOLDING EACH OTHER ACCOUNTABLE FOR GROSS VIOLATIONS. IN LIGHT OF THE HUMAN RIGHTS CRISIS IN ALGERIA IT WAS TROUBLING TO SEE THE GOVERNMENTS OF THE REGION REMAIN SILENT WHILE THE INTERNATIONAL COMMUNITY, INCLUDING THE UNITED NATIONS AND THE EUROPEAN UNION, EXPRESSED CONCERN. FOLLOWING A SERIES OF LARGE MASSACRES IN EARLY JANUARY, ARAB LEAGUE ENVOY MUHAB MUQBEL VISITED ALGERIA AND ECHOED THE GOVERNMENT'S REJECTION OF INTERNATIONAL INVOLVEMENT. "MY MAIN MISSION WAS TO SUPPORT ALGERIA... AND REJECT ANY FOREIGN INTERVENTION IN ALGERIA BECAUSE THIS IS AN INTERNAL MATTER," HE SAID.

IN JANUARY, THE COUNCIL OF ARAB INTERIOR MINISTERS, MEETING PRIVATELY IN TUNIS, UNANIMOUSLY ENDORSED A WIDE-RANGING AGREEMENT TO COOPERATE IN A JOINT "ANTI-TERRORISM" EFFORT, AN INITIATIVE THAT EGYPT AND ALGERIA FIRST PROPOSED SEVERAL YEARS AGO. THE FORTY-THREE-ARTICLE PACT, KNOWN AS THE ANTI-TERRORISM AGREEMENT, WAS FORMALLY ADOPTED ON APRIL 22, AT AN EXTRAORDINARY JOINT MEETING OF ARAB INTERIOR AND JUSTICE MINISTERS IN CAIRO. THE TREATY OBLIGATED SIGNATORIES TO VARIOUS ACTIONS, RANGING FROM TIGHTER BORDER CONTROLS TO PREVENT INFILTRATION OF PERSONNEL AND WEAPONS TO INFORMATION EXCHANGE AND EXTRADITION PROCEDURES.

THE INDEPENDENT, CAIRO-BASED ARAB CENTER FOR THE INDEPENDENCE OF THE JUDICIARY AND THE LEGAL PROFESSION (ACJLP) CRITICIZED THE AGREEMENT, FINDING THAT IT HAD "UNJUSTIFIABLY EXPANDED THE NOTION OF TERRORIST CRIMES." IT ALSO THREATENED THE RIGHT TO "FREEDOM AND PERSONAL SECURITY" BY OBLIGATING GOVERNMENTS TO WORK TOWARD EXTRADITION ARRANGEMENTS WHEREBY THEY COULD "PREVENTIVELY" DETAIN PERSONS FOR UP TO THIRTY DAYS UPON A SIMPLE WRITTEN REQUEST FROM ANOTHER STATE PARTY, AND FOR UP TO SIXTY DAYS EVEN IF THE FORMAL EXTRADITION REQUEST IS INCOMPLETE. THE ACJLP FEARED THAT THE EXTRADITION PROVISIONS COULD BE ABUSED BY STATES "TO HARASS THEIR POLITICAL OPPONENTS BY USING PREVENTIVE CUSTODY FOR LONG PERIODS AS VIRTUAL DETENTION."

SEVERAL COUNTRIES FROM THE REGION SIGNED THE INTERNATIONAL TREATY BANNING THE PRODUCTION AND USE OF ANTI-PERSONNEL LANDMINES, INCLUDING ALGERIA, JORDAN, QATAR, AND TUNISIA, BUT ONLY YEMEN RATIFIED THE TREATY. IN JULY JORDAN HOSTED A REGIONAL MEETING OF THE LANDMINE SURVIVORS NETWORK, AT WHICH QUEEN NOOR ANNOUNCED A JORDANIAN CABINET DECISION TO RATIFY THE TREATY.

GOVERNMENTS FROM THE REGION PARTICIPATED IN THE DIPLOMATIC CONFERENCE IN ROME IN JUNE-JULY THAT APPROVED BY A VOTE OF 120 TO SEVEN AN INTERNATIONAL TREATY ESTABLISHING AN INTERNATIONAL CRIMINAL COURT FOR THE PROSECUTION OF WAR CRIMES, GENOCIDE, AND CRIMES AGAINST HUMANITY. DURING PREPARATORY MEETINGS AND THE ROME NEGOTIATIONS MIDDLE EASTERN STATES WERE AMONG THOSE WHICH OBJECTED TO PROVISIONS THAT STRENGTHENED THE INDEPENDENCE AND EFFECTIVENESS OF THE COURT, IN PARTICULAR ITS CAPACITY TO DEAL WITH WAR CRIMES IN INTERNAL CONFLICTS AND WITH GENDER-RELATED CRIMES, BUT MOST MODIFIED THESE OBSTRUCTIVE POSITIONS DURING THE CONFERENCE AND MANY SUBSEQUENTLY EXPRESSED SUPPORT FOR THE TREATY THAT EMERGED, AS DID THE ARAB LEAGUE. OF THE STATES VOTING AGAINST THE TREATY, FIVE WERE FROM THE REGION: IRAQ, ISRAEL, LIBYA, QATAR, AND YEMEN, ALONG WITH CHINA AND THE U. S. AS OF MID-OCTOBER, ONLY JORDAN FROM THE REGION WAS AMONG THE FIFTY-EIGHT STATES THAT HAD ACTUALLY SIGNED THE TREATY.

The Work of Human Rights Watch

THE MIDDLE EAST AND NORTH AFRICA DIVISION INCREASED THE LEVEL AND SCOPE OF OUR COUNTRY MONITORING, EXPERIMENTED WITH NEW ADVOCACY TECHNIQUES, AND DEVELOPED WORK ON INTER-AND INTRA-REGIONAL HUMAN RIGHTS ISSUES. WE INCREASINGLY LOOKED BEYOND THE U.S. TO EUROPEAN GOVERNMENTS AND OTHERS FOR SOURCES OF INFLUENCE ON HUMAN RIGHTS OFFENDERS IN THE REGION. WE ALSO ATTEMPTED TO MAINTAIN A BALANCE BETWEEN THE WORK ON GROSS VIOLATORS AND REPORTING ON INCREASING RESTRICTIONS IMPOSED IN COUNTRIES THAT CLAIMED TO HAVE CURTAILED ABUSIVE PRACTICES AND ALLOWED THE EXERCISE OF BASIC RIGHTS. IT WAS ONLY BY DOCUMENTING THE RANGE OF ABUSES ACROSS THE REGION THAT A PICTURE OF ITS DIVERSITY AND COMPLEXITY COULD EMERGE.

WE REACHED OUT IN 1998 TO BROADER SEGMENTS OF THE REGION'S POPULATION THROUGH FASTER AND WIDER DISSEMINATION OF OUR PUBLISHED MATERIALS, IN PRINT, RADIO, AND ON THE INTERNET. WE ISSUED MANY REPORTS AND COMMUNIQUEES IN ARABIC, FARSI, AND FRENCH, SUBSTANTIALLY IMPROVING THEIR COVERAGE IN MAJOR REGIONAL AND LOCAL MEDIA. GREATER EMPHASIS WAS PLACED ON CONSULTATION AND COORDINATION WITH LOCAL AND REGIONAL HUMAN RIGHTS ORGANIZATIONS TO ENSURE THAT OUR PRIORITIES REFLECTED THE CONCERNS IN THE REGION AND TO FORMULATE JOINT STRATEGIES FOR PRESSURING GOVERNMENTS TO END ABUSES. WHERE POSSIBLE, WE CONSULTED WITH DOMESTIC NGOs BEFORE LAUNCHING ADVOCACY CAMPAIGNS, A STRATEGY WHICH ALSO HELPED FOSTER THE EXCHANGE OF INFORMATION AND ADVOCACY STRATEGIES AMONG DOMESTIC NGOs IN DIFFERENT COUNTRIES.

ABOVE ALL WE SOUGHT TO DEFEND THOSE WHO WERE PERSECUTED FOR THEIR HUMAN RIGHTS WORK AND TO PROTECT AND ENLARGE THE POLITICAL SPACE IN WHICH INDEPENDENT INSTITUTIONS OF CIVIL SOCIETY COULD EXPRESS DIVERSE-AND DISSENTING-VIEWS. WE SPOKE OUT ON BEHALF OF IRANIAN ADVOCATES OF REFORM IN FAMILY LAW WHO WERE IMPRISONED OR THREATENED WITH VIGILANTE VIOLENCE AND MADE JOINT INTERVENTIONS WITH OTHER INTERNATIONAL HUMAN RIGHTS NGOs ON BEHALF OF PERSECUTED OR THREATENED HUMAN RIGHTS ADVOCATES THERE. WE PROTESTED THE PROSECUTION AND HARASSMENT OF TUNISIAN HUMAN RIGHTS DEFENDERS, INCLUDING KHEMAÏS KSIÏLA AND RADHIA NASRAOUI, AND THE ARREST OF THE SON OF ALGERIAN HUMAN RIGHTS LAWYER MAHMOUD KHELILI, AND URGED U.S. OFFICIALS AND E.U. PARLIAMENTARIANS TO RAISE THESE CASES IN MEETINGS WITH TUNISIAN COUNTERPARTS. WE PROTESTED THE BAN PLACED BY MOROCCAN AUTHORITIES IN SEPTEMBER ON A MARCH ORGANIZED BY MOROCCAN AND OTHER HUMAN RIGHTS ACTIVISTS FROM THE REGION IN SOLIDARITY WITH KSIÏLA. WHEN NEWS REACHED THE OUTSIDE WORLD IN SEPTEMBER THAT SYRIAN HUMAN RIGHTS ACTIVIST NIZAR NAYOUF, SENTENCED TO TEN YEARS IMPRISONMENT IN 1992, WAS SUFFERING FROM HODGKIN'S DISEASE AND BEING DENIED MEDICAL CARE, WE LAUNCHED AN INTERNET CAMPAIGN CALLING FOR HIS IMMEDIATE RELEASE ON HUMANITARIAN GROUNDS.

THROUGHOUT THE YEAR, THE DIVISION PROTESTED HARSH RESTRICTIONS OF FREE EXPRESSION, ASSOCIATION, AND ASSEMBLY IN BAHRÁIN, EGYPT, IRAN, JORDAN, AND LEBANON. WE SENT A SERIES OF COMMUNICATIONS TO THE BAHRÁINI GOVERNMENT ASKING FOR CLARIFICATION OF THE BASIS FOR THE MARCH MINISTERIAL DECREE THAT REPLACED THE ELECTED BOARD OF THE BAHRÁINI LAWYERS SOCIETY WITH ITS OWN APPOINTEES. WE RAISED THIS AND OTHER ABUSES PUBLICLY WHEN BAHRÁIN'S RULER VISITED PRESIDENT CLINTON IN WASHINGTON AND WHEN BRITAIN'S MINISTER OF STATE VISITED BAHRÁIN. MOUNTING RESTRICTIONS ON PRESS FREEDOM IN EGYPT PROMPTED A PUBLIC LETTER TO PRESIDENT MUBARAK IN APRIL, AND IN JUNE WE SENT ANOTHER PUBLIC LETTER OUTLINING CONCERNS ABOUT A PROPOSED LAW THAT WOULD ALLOW THE STATE TO IMPOSE FURTHER RESTRICTIONS ON THE ACTIVITIES OF NGOs BEYOND THOSE ALREADY PERMITTED IN THE 1964 LAW.

WE INTERVENED REPEATEDLY TO PROTEST IRANIAN AUTHORITIES' CLOSURE OF INDEPENDENT NEWSPAPERS AND THE ARREST OF JOURNALISTS AND EDITORS. WE ALSO PROTESTED RESTRICTIONS ON IRANIAN DISSIDENTS, RANGING FROM AYATOLLAH MONTAZERI TO EBRAHIM YAZDI, AND CONTINUED TO DENOUNCE THE ACTIVITIES OF VIGILANTES WHO BROKE UP PEACEFUL GATHERINGS AND ATTACKED PROMINENT DISSIDENTS.

In communications with members of Jordan's lower and upper houses of parliament we expressed concern about provisions of the proposed press and publications law that were inconsistent with international free expression standards and urged their cancellation. In April, we publicly protested the ban on press coverage of the state security court trial of leading dissident Leith Shubailat, and criticized the open-ended ban on all rallies and demonstrations in Jordan in a public letter sent to the prime minister. We sent a public protest to Lebanese Prime Minister Rafiq Hariri, in December 1997, about the continuing ban on public demonstrations in Lebanon and the suppression of a peaceful demonstration in Beirut that month, which was organized to protest the banning of a television interview with exiled General Michel Aoun.

Algeria was a major focus for the division in 1999. We attended the European Parliament's November 1997 hearing on human rights in Algeria, and maintained contact with various E.U. bodies during a year of heightened European engagement with that country. In January we helped organize in Brussels a press conference to highlight the essential human rights elements of upcoming official E.U. visits. Our February report on state-sponsored "disappearances," which contained instructions on how to report suspected "disappearances" to the U.N., was useful in our campaign to highlight Algerian abuses and lack of accountability in the U.S. and Europe and at U.N. fora such as the Commission on Human Rights. Much of our U.N. advocacy on Algeria was in collaboration with Amnesty International, the International Federation for Human Rights, and Reporters sans frontières. In Washington, Human Rights Watch testified before congressional committees and worked with congressional aides and administration officials to get the U.S. to press Algerian authorities publicly on the human rights situation there. We also protested the Algerian government's decision to prevent a group of children affected by political violence from participating in a summer program in Europe.

Much of the division's U.N. advocacy included consultation and coordination with local and international human rights NGOs on submissions to U.N. committees, working groups, and special rapporteurs. In March we submitted to the Commission on Human Rights a memorandum detailing Saudi Arabia's human rights violations against migrant workers, and recommending a joint investigation by the U.N. special rapporteurs on racism and violence against women. In a separate submission to the commission, we urged the Working Group on Arbitrary Detention and the special rapporteur on the right to freedom of opinion and expression to investigate the situation in Bahrain. In May we submitted to the U.N. Committee against Torture a memorandum urging the committee to review Israel's practice of administrative detention and hostage-taking—holding individuals as "bargaining chips," in the words of the Israeli Supreme Court ruling—as a violation of the Convention Against Torture. At the July session of the U.N. Human Rights Committee, we submitted a memorandum rebutting the reports submitted to the committee by the Algerian and Israeli governments, and in August we published reports analyzing the committee's conclusions and recommendations on both countries. When U.N. Secretary-General Kofi Annan visited Iran for the November 1997 Organization of the Islamic Conference meeting, we presented him with a summary of human rights concerns to raise with the authorities, including freedom of expression and the situation of religious and ethnic minorities. In February the Iranian government denied Human Rights Watch permission to participate in a U.N. workshop on human rights held in Tehran.

Throughout the year we campaigned for the inclusion and enforcement of human rights mechanisms in all E.U. trade agreements, focussing on the E.U. Association Agreements concluded or under negotiation with Algeria, Egypt, Israel, Jordan, Lebanon, Morocco and Syria. The only Association Agreement that had been fully ratified and taken effect was that with Tunisia. Prior to the first meeting of the official E.U.-Tunisia Association Council in July, we urged E.U. officials both privately and publicly to use the occasion to press Tunisia to cease its intense repression of dissidents and human rights activists. We also wrote to the European Parliament, on the eve of meetings with Tunisian parliamentarians in September, rebutting Tunisia's official position on a number of human rights cases. In May we organized workshops for Egyptian human rights activists in Cairo to discuss advocacy strategies in connection with the association agreements.

Human Rights Watch wrote to the Swiss government and the Palestinian Liberation Organization (PLO) in May, urging them to ensure that Swiss-sponsored meetings between Israel and the PLO to discuss the application of the Geneva Conventions in the territories occupied by Israel did not lead to agreements that would weaken the universality or enforceability of the Geneva Conventions or undermine the rights guaranteed to persons protected by them.

Human Rights Watch did not receive permission to visit Algeria, Bahrain, Iran, Iraq and Syria during 1999, but our representatives were able to visit Egypt, Israel and the West Bank and Gaza, Morocco, and Tunisia to carry out research, attend conferences, and consult with activists from around the region.

ALGERIA

Human Rights Developments

Algeria's human rights emergency provoked more international concern and diplomatic activity during 1999 than at any time since the violence became endemic in 1992. The catalyst for the international outcry was a series of large-scale massacres, officially attributed to armed Islamist groups but with disturbing evidence suggesting possible collusion by the security forces. Other human rights violations committed by the security forces, including "disappearances" and torture, also received a higher profile, due to the efforts of relatives of victims and their advocates, greater local press attention to these issues, the willingness of some deputies to raise them in parliament, and interventions by human rights groups and visiting foreign delegations.

In January 1999, Prime Minister Ahmed Ouahia gave the first official death toll from the six years of strife: 26,536 through the end of 1997. The U.S. State Department, around the same time, cited an estimate of 70,000, a figure in line with the prevailing estimates by Western observers. Thousands more were killed during 1999.

Most civilian casualties in 1999 occurred not in the massacres that grabbed headlines but rather in smaller-scale attacks, including bomb explosions in markets and other public places, and assaults on cars and buses traveling the country's roads. In most of these cases the responsibility of Islamist armed groups was not questioned.

There was overwhelming evidence, including the testimony of survivors, that Islamist armed groups had since 1992 carried out the murder of thousands of individuals singled out for opposing or defying Islamist demands—from refusing to contribute money or provisions to armed groups, to refusing, in the case of women, to adhere to a dress code—or merely because they were related to members of targeted categories, such as security force members. Islamist groups killed whole families, sometimes abducting young women to be held in sexual servitude in guerrilla camps; survivors who escaped some attacks of this kind told Human Rights Watch of religious harangues preceding the murder of their families.

The string of large-scale massacres that began in August 1997 continued into the new year. Massacres in mostly isolated villages in the west of the country claimed at least 900 lives in late December 1997 and early January 1999. An attack on the night of January 11-12 on Sidi Hamed, thirty kilometers south of Algiers, left at least one hundred dead. In Chouarbia, a village in Medea province, more than forty persons were reported killed during three hours of carnage on April 27.

The Islamic Salvation Front (Front Islamique du Salut, FIS), the now-outlawed political movement that was on the verge of winning the 1992 parliamentary elections before they were halted, condemned the massacres of civilians through its spokespersons in exile. Its own armed wing, the Islamic Salvation Army (Armée Islamique du Salut, AIS), was said to have largely observed a truce it began on October 1, 1997, although occasional clashes between the AIS and certain other armed groups reportedly continued.

Domestic and international outrage at the massacres was directed both at the shadow perpetrators—initially identified as the Islamic Armed Group (Groupe Islamique Armé, GIA)—and at the security forces' failure to protect civilians. In some instances, massacres occurred within a few hundred meters of security force barracks and posts. Even though the slaughter lasted for hours, generating fire, smoke, explosions, and cries for help, no effort was made by the authorities to intervene to halt the attack or to apprehend the attackers as they withdrew, according to interviews with survivors.

The GIA, a group or groups with a record of brutal attacks on security personnel and terror attacks on civilians, had no visible political structure that commented authoritatively on its program or actions. Increasingly extreme edicts were issued in its name, which authorities permitted to be published in the press despite a strict censorship regime that encompassed statements by FIS leaders. Since the killing in 1994 and 1995 of the GIA's original leaders, mass killings increasingly became part of the pattern of atrocities attributed to it.

Nearly all of the massacres occurred in isolated or semi-rural communities that had voted for the FIS in the elections of 1990 and 1991 and some of whose residents had provided support to the armed groups since 1992. The attacks were in some cases explained as retaliation by the GIA for communities having withdrawn support from the more extremist group.

The attackers exhibited spectacular cruelty. In addition to guns, they used crude weapons such as knives and saws to behead or disembowel men, women, and children. The attackers sometimes abducted women, raping and enslaving them. The extent of the practice was difficult to gauge. According to interior ministry sources cited in the August 5 issue of the Algerian daily *al-Khabar*, 2,994 women had reported being raped by armed Islamist groups between 1993 and 1999. Among women who were kidnapped, 319 were still missing.

The succession of massacres between August 1997 and January 1999 were concentrated near the heavily militarized outskirts of Algiers and in the province of Relizane near the western oil port of Arzew. The precinct of Beni Massous on the outskirts of Algiers, where about eighty persons were killed, according to press reports, on September 5, 1997, was virtually surrounded by military installations. Survivors told Algerian reporters the day after the Chouardja massacre that even though a paramilitary gendarme post was located only one kilometer away, security forces did not arrive until four and one-half hours after the killing ended.

Doubts that all of the killings attributed to the GIA were the responsibility of a single organization acting alone were fueled by the posture of the security forces toward the perpetrators of the massacres in 1997 and 1999 and by a series of statements by former security officials in exile claiming Algeria's military intelligence apparatus, the *Securité Militaire*, had both deployed forces masquerading as Islamists and manipulated GIA groups through infiltration.

The questions surrounding the massacres received no conclusive answers. Through September, no independent Algerian body had conducted a thorough inquiry. The government allowed no international human rights organization or U.N. human rights rapporteur to investigate the violence.

The suspicions, however, were reinforced by interviews conducted by Human Rights Watch outside of Algeria and by others on the ground with survivors, witnesses from neighboring communities, rescue workers, journalists, and former security personnel. The attackers, numbering sometimes 200 or more, were found to have moved in and killed and departed freely through militarized areas, without any effort on the spot by the security forces to protect civilians or make arrests. At Raïs, where the death toll on the night of August 29, 1997 reportedly reached 335, the killings began when men in military uniforms brazenly arrived in two open-backed trucks, firing on men playing dominoes at the entrance to the community, according to accounts that survivors gave to a rescue worker who arrived shortly after the attackers withdrew.

The attackers who killed over 250 people at Bentahia on the night of September 23, 1997 entered the community on foot through orange groves, but according to at least one account, some also arrived in open-backed trucks. Even after the arrival of the army, police, and communal guard on the perimeter of village, the killers were reportedly able to load spoils into trucks before departing unchallenged.

In Bentahia, as elsewhere, the attackers acted with apparent confidence that the security forces on the scene would not attack them. One of the survivors, who had fled to a rooftop with other residents, told Human Rights Watch he saw two military armored-personnel carriers arrive: "They came up to about one hundred meters away from where we were being attacked. Then they turned on their floodlights—don't know why, since they didn't rescue us. The people started to shout that the military had come to their rescue, but the [leaders] responded by saying, 'work calmly, the military will not come, don't worry.'"

At about 11:30pm on August 29, 1997, about the time that the first shots were fired in Raïs, rescue workers who regularly recovered the bodies after massacres were ordered to stand by for work. A rescue worker told us his Algiers team was instructed to drive twenty ambulances to a staging point near Raïs, but was then held there for up to two hours by the gendarmerie, before proceeding into the devastated community at about 2 a.m. Although official sources often cited the danger of mines and ambushes laid by the armed groups to explain the lack of response to massacres in progress, the rescue team's police escort showed no concern for mines or booby traps as they entered Raïs, and no interest in identifying or preserving evidence of the crimes committed there. By the rescue worker's account, there was no military presence when they arrived, although the army brought in the press at dawn. He said the gendarmerie intervened to prevent the few survivors from speaking to rescue workers and afterwards, to outsiders. He added that he and his colleagues removed 335 bodies from the scene and identified all but some 40 of the dead, more than three times the official death toll of 99 that was announced.

The massacres in Relizane took place in villages located near a junction of the principal oil and gas pipelines leading from the production areas of the far south to the port of Arzew and the spur pipelines to Algiers. The armed wing of the FIS, the AIS, had reportedly been operating in this strategically sensitive area since 1993, and AIS troops reportedly assisted survivors to bury their slain kin in the massacre's aftermath.

Survivors from Relizane—one of whom had been forced to guide the attackers before escaping into a ravine—told Algerian interviewers that the attackers were strangers to the area, most of whom did not speak the local dialect, and included some men wearing military uniforms. Villagers who were interviewed by an Algerian human rights activist stated that on the morning of one of the massacres, communal guards and gendarmes at the regional market warned them to leave their homes that very day; otherwise, said one, "You will count the lives of your children tonight in front of us."

There continued to be reports of reprisal killings and extrajudicial executions committed by the security forces and the thousands of armed civilian "self-defense" groups that operated mostly in rural areas, ostensibly under military and police supervision. In April, the authorities arrested two mayors in Relizane who, the press reported, were suspected of leading government-backed "self-defense" groups that had executed more than seventy persons, mostly civilians, between 1995 and 1997. The mayors were released pending trial after a few days in detention.

The vast majority of human rights violations went unpunished in Algeria. Despite numerous requests, authorities never provided specific information to human rights organizations about how alleged abuses were handled; such information appeared only rarely in Algerian media. Algeria's report to the U.N. Human Rights Committee said that through December 1997, the courts had punished 128 members of the security forces and self-defense groups for "excesses in the performance of their duties," but provided no verifiable details. A U.N. delegation reported receiving official lists of such cases; these lists had not been reviewed by Human Rights Watch at the time this report went to press.

There were many fewer killings by armed groups of intellectuals, cultural figures, foreigners, clergymen, and journalists than during the mid-1990s. One prominent personality who was almost certainly killed for his outspoken views was singer and Berber activist Lounes Matouf. A few days after he was gunned down in June, the press reported that the GIA had claimed responsibility. Matouf was both critical of the government and vehemently anti-Islamist.

Algerians continued to "disappear" during 1999. Despite official denials, evidence pointed to government responsibility in the many cases in which witnesses saw the victims being seized by groups of armed men they took to be security-force members, or in which family members heard unofficially that the missing person had been sighted in a detention facility.

The U.N. delegation visiting Algeria in July–August met with families of the "disappeared" and their advocates and raised the issue with officials. Three weeks after the delegation's departure, the interior ministry, without acknowledging government culpability, announced the establishment of offices countrywide to handle complaints concerning missing persons. On October 9, the interior ministry said in a statement that it had received inquiries about 1,735 missing persons, but by the end of October had provided little if any concrete information about the fate of individuals. One week later, an association of families of the "disappeared" said it had documented more than 3,000 cases of presumed "disappearances"; other estimates were much higher.

Security forces commonly tortured security-related detainees during the period when they were held in pre-arraignment detention. The torture was facilitated by the holding of detainees incommunicado and for prolonged periods in unacknowledged detention sites, and by the willingness of judges to convict on the basis of confessions even when there was evidence they had been obtained through improper coercion.

Authorities banned many demonstrations and gatherings using a state of emergency decree in force since 1992. Following local elections in October 1997, which were won by a pro-government party, more than 15,000 supporters of other major parties took to the streets to protest alleged fraud. Police prevented a second march a few days later. Peaceful marches by supporters of the legal opposition Socialist Forces Front party (Front de Forces Socialistes, FFS) were forcibly dispersed on February 12 and June 30.

While two Islamist parties held seats in parliament and one held government portfolios, the FIS remained outlawed. Those of its leaders who had been released from prison remained under various restrictions, including a ban on making public statements or meeting with visiting delegations. Imprisoned FIS deputy chief Ali Belhadj spent much of the year held in a secret location. In September, he saw his family for the first time in two years.

Algeria's private press and its state-controlled television and radio exhibited more breadth of coverage in 1999. Authorities withdrew the Interior Ministry-guided "reading committees" empowered to censor newspapers prior to publication, and enforced with less rigor the requirement that authorization be obtained to publish any security-related item.

However, after the publication of a slew of unprecedentedly harsh articles targeting certain government ministers, the state-run printing presses announced they would halt printing four private dailies that ran the articles unless they paid their outstanding bills within forty-eight hours. These four dailies and three others launched an open-ended strike on October 17 to protest what they said was a politically motivated reprisal by the government that violated existing agreements between the papers and the presses.

Television remained primarily a government mouthpiece. But opposition and critical viewpoints received more air time due partly to the broadcast of parliamentary debates and the sometimes sharp questioning of ministers by deputies. Private newspapers provided bolder first-hand reporting of massacres and more coverage of rights abuses committed by the security forces and "self-defense" groups. But their reports on clashes generally omitted mention of security-force casualties and referred to those they killed simply as "terrorists" without furnishing their names, ages, or circumstances of their death. Many Algerians watched European or Middle Eastern newscasts via satellite.

Defending Human Rights

In addition to two independent human rights leagues and an official human rights monitoring body (L'Observatoire national des droits de l'homme, ONDH), Algeria boasted a variety of women's rights and victim's rights groups, and a number of lawyers who focused on human rights cases. All of these received some coverage in Algeria's private press, though some were ignored by the state media.

The biggest impediments to human rights work were not so much acts of repression directed at activists as obstacles placed in the way of information. These included restrictions on access to the scenes of mass killings, and intimidation that dissuaded persons from speaking to outsiders. The reluctance of witnesses to testify was prompted sometimes by fear of the security services or of armed groups, or both. The government provided little or no information in response to démarches from human rights organizations and lawyers concerning the whereabouts of "disappeared" persons and other human rights matters.

One of Algeria's leading human rights lawyers, Rachid Mesli, remained behind bars, serving a three-year sentence after an unfair trial in 1997 on charges of "encouraging" and "providing apologetics" for "terrorism." In February 1999, the mentally disabled son of human rights lawyer Mahmoud Khelili was detained without charge for eight days in an apparent act of harassment directed at his father.

The ONDH served mainly as a conduit to the government for citizen complaints and initiated no in-depth investigations. Its public credibility suffered from a tendency to minimize governmental abuses and a poor record in obtaining results for those who filed complaints about abuses such as torture or "disappearances." However, the ONDH's annual report for 1997 did evoke the gravity of the "disappearances" problem: it reported logging 706 complaints during the year and cautioned, "The procedure for pre-arraignment detention must not under any circumstances become a device for placing persons secretly in places that Algerian law did not specify for this purpose."

During 1999, the government continued to deny requests to visit from Human Rights Watch, Amnesty International, and the International Federation of Human Rights, and from the U.N. special rapporteurs on torture and summary executions (see below).

The Role of the International Community

United Nations

Declarations in September 1997 by U.N. Secretary-General Kofi Annan and Human Rights Commissioner Mary Robinson about the bloodshed in Algeria set the stage for increased, though wavering, U.N. attention to the country's human rights situation.

Perhaps the year's biggest disappointment was the report prepared by a delegation of eminent persons, led by former Portuguese President Mario Soares, that Annan had dispatched to Algeria at the government's invitation. Asked simply "to gather information on the situation and present a report to [the secretary-general]," the "Soares delegation" was the first U.N. visit relating to Algeria's internal troubles that the government had accepted.

Aside from a government-imposed ban on meeting leaders of the outlawed Islamic Salvation Front, the delegation enjoyed considerable freedom of movement during their July 22–August 4 visit. They met with a wide range of people, including human rights lawyers and victims, visited a prison, and traveled to two villages where massacres had occurred.

The delegation's report, issued September 16, vehemently denounced terrorism but offered no direct criticism of the authorities responsible for torture, "disappearances," and other abuses. It urged the government to strengthen the rule of law and handle abuse complaints expeditiously, but these recommendations were quite general and seemed secondary to the plea to the international community to support Algeria in fighting terrorism and "consolidating democracy." By soft-pedaling the concerns expressed by the U.N.'s Human Rights Committee (see below), the report exemplified the frequent failure by U.N. political bodies to incorporate into their analysis the findings of U.N. human rights institutions and mechanisms.

Before and during the delegation's visit, Algerian authorities had insisted that Soares and his colleagues had no investigative mandate. The delegation itself acknowledged this. But upon seeing the report, Foreign Minister Ahmed Attaf spoke as if the delegation had conducted a definitive fact-finding investigation. The report, he said on September 16, has "refuted any doubt about the sources of terrorism" and "reaffirmed the Algerian government's assertions that there is no human rights crisis in Algeria, only a number of isolated abuses and individual cases which have been dealt with in accordance with the stipulations of Algerian law."

At the March-April session of the Commission on Human Rights, no member state introduced a resolution on Algeria, and no formal discussion took place of the need to investigate human rights conditions there. This despite Annan's remarking to reporters during the session that he hoped Algeria would admit the rapporteurs and Robinson telling the press she would favor a resolution to that effect. At the human rights sub-commission session in August, a resolution urging Algeria to accept rapporteurs was defeated.

In July, the U.N. Human Rights Committee, after scrutinizing the government's report and oral presentation on the state of civil and political rights covering 1992-99, delivered the most severe indictment ever by a U.N. body of Algeria's human rights practices. The committee declared that it was "appalled at the widespread massacre of men, women and children in a great number of villages and towns," and the sexual violence directed against women. It also expressed concern about the "lack of timely or preventive measures of protection to the victims [of massacres] from police or military officials in the vicinity and at the persistent allegations of collusion of members of the security forces in terrorist attacks"; at the "persistent allegations of systematic torture," and at "the failure of the state to respond adequately, or indeed at all" to "disappearances." The committee urged independent investigations into abuses and asked that "access be given as soon as possible to the ICRC and other independent observers."

The committee urged Algeria to conduct independent investigations, and "in all cases of massacres to conduct an independent enquiry into the conduct of the security forces, from the lowest to the highest levels, and where appropriate, to subject them to penal and disciplinary sanctions."

Release of the Soares report helped to heal the wound inflicted on the government's image by the Human Rights Committee. It remained to be seen what steps the secretary-general would take in response to these divergent sets of findings. Commissioner Robinson said on September 22 that she hoped the Soares mission would encourage Algeria to be more open toward the rapporteurs on torture and summary executions.

The European Union

Beginning in late 1997, the E.U. became more engaged in the Algerian crisis than at any time since it erupted. During the year that followed, E.U. thinking evolved in a fashion that could only have pleased the Algerian authorities. E.U. officials and members of the European Parliament (M.E.P.s) spoke of the need to support the government's efforts to build democracy and fight terrorism, albeit "within the rule of law and consistent with human rights." A succession of European officials distanced themselves from two positions that Algiers viewed as inadmissible: allegations that the security forces were implicated in the massacres, and the call for an international inquiry into human rights violations. These shifts in thinking occurred even as Algiers tightly controlled the agenda and the movements of visiting E.U. troika and M.E.P. delegations and rejected frequent entreaties for greater transparency on human rights issues. Algiers also insisted that Europe's alleged tolerance of Algeria-linked terrorist networks rank high on the agenda of any bilateral discussion.

The human rights subcommittee of the European Parliament helped to focus attention on human rights by holding hearings on Algeria on November 24-25, 1997. The witnesses, from Algeria and international organizations, presented a wide range of views. On November 27 Foreign Minister Attaf appeared before the subcommittee. Asked about "disappearances," he replied, "There are some, but less than you allege, and those cases are followed up."

On January 19-20, 1998, the troika's junior foreign ministers (representing the preceding, current, and next presidents of the European Council) conducted the first official E.U. political mission to Algeria since 1992. Their whirlwind visit was heavily circumscribed by the authorities, who turned down their request to visit a massacre site and offer a symbolic gesture of sympathy to the victims.

The troika ministers failed to convince the government to accept humanitarian aid or immediate access for the U.N. rapporteurs on torture and summary executions. The European Council responded by calling on January 26 for "greater transparency on the part of the government of Algeria about the situation in which terrorist groups continue to perpetrate cowardly and brutal attacks on innocent civilians." It "regretted" that Algeria "felt unable to provide unhindered access for international organisations, NGOs and the media."

A February 8-12 visit to Algeria by a nine-member ad hoc delegation of European parliamentarians also encountered heavy-handed control. The delegation was largely confined to an official guest-house in Algiers, where nearly all of its meetings took place. The government determined the schedule of meetings and prevented the delegation from meeting with some of the Algerians that the delegation had requested, including two human rights lawyers and a dissident journalist.

Members of the delegation submitted contrasting reports on their mission, although they concurred on the need to engage with democratic forces in Algeria, including the multiparty national assembly. The delegation leader, André Soulier, urged Europeans to bury the "notorious" idea of an international human rights investigation and the question of who is doing the killing. The army's hands may not be "totally clean," he said, but it was not implicated in mass killings. Soulier argued that human rights issues could be best addressed through interparliamentary channels.

Two dissenting delegates placed greater emphasis in their reports on human rights abuses by the security forces and on the constraints imposed by authorities on the delegation. One, Anne André-Léonard, attempted to present a list of Algerians who had reportedly "disappeared," only to have this démarche refused.

The E.U. introduced no resolution on Algeria at the meeting of the U.N. Commission on Human Rights, and in the end none was tabled. However, the E.U. issued a nonbinding declaration critical of Algeria's refusal to allow U.N. rapporteurs, and promised to revisit the issue at the U.N. General Assembly and next year's commission meeting "if there has been no progress."

The E.U. voiced support for the delegation sent by U.N. Secretary-General Kofi Annan to Algeria and welcomed its findings, saying it hoped "the report will help the Algerian government in its efforts to develop the rule of law and to strengthen the democratic process and reforms to which Algeria is committed."

On October 21, the E.U. president, Wolfgang Schüssel of Austria, drew a link between human rights and the anti-terrorism fight that Algeria wished to highlight in its bilateral relations. After holding what he called frank discussions with Algerian Foreign Minister Attaf, Schüssel pointed out that "more transparency and more insisting on the rule of law and legality and sensitivity for human rights could also be a very important element to fight terrorism."

There were certain constants during the year, including Europe's predominance as a consumer of Algeria's exports, primarily hydrocarbons, and the slow progress in negotiating an Association Agreement, which would lower tariffs between Europe and Algeria and provide modest aid to Algeria.

France

THERE WERE NO MAJOR SHIFTS IN FRENCH POLICY TOWARD ALGERIA DURING Socialist Lionel Jospin's first year as prime minister. France remained quietly supportive of the Algiers government while letting the E.U. and U.N. attempt diplomatic initiatives. France carried through on its 1997 pledge to liberalize visa policies, making it easier for Algerians fearing violence at home to remain in France.

France also sought to maintain its primacy among exporters to Algeria and avoid actions that might risk a resumption of deadly bomb attacks on French soil that occurred in 1995 and were traced to the conflict in Algeria.

The tone of French policy was conveyed by Foreign Minister Hubert Vedrine in a television interview December 7, 1997. "Questions raised two or three years ago about the lifetime of the Algerian regime no longer apply today," he said. Alluding to Algeria's multiparty national assembly, Vedrine said Algeria was undergoing "a fragile, complicated process" of political reconciliation. "We encourage the Algerian authorities to complete this institutional process with a process of true democratization, by way of reforms."

France responded to massacres in Algeria with vigorous and repeated condemnations of terrorism but said little publicly on human rights abuses committed by the Algerian government during the year. However, on January 5, the foreign ministry spokesperson provoked a sharp reaction from Algiers by invoking the Algerian people's "legitimate right to be protected" from armed groups, saying, "The duty of any government is to enable its citizens to live in peace and security."

France offered no support for the call, made by human rights organizations and some Algerian opposition forces, for an international investigation into human rights abuses in Algeria. Foreign Minister Vedrine, in a statement published in the *Journal officiel* of September 14, praised Algeria for accepting missions by European parliamentarians and the troika, as well as the U.N. delegation.

United States

The U.S. embraced cautiously the political reforms undertaken by President Zeroual and hinted that warmer relations could result if the government showed more openness on human rights. While denouncing acts of terrorism throughout the year, the U.S. showed more willingness than the E.U. or France to criticize patterns of security force abuses.

The U.S. was Algeria's second largest partner for both exports and imports, according to data for 1997. American companies were particularly active in the hydrocarbon sector, often benefitting from EYMBANK loan guarantees to their Algerian customers. However, the U.S. gave Algeria no military or bilateral aid and maintained a policy of rejecting licenses for the sale to Algeria of equipment produced by American companies that could be used by the security forces in an offensive capacity. High-level diplomatic meetings were rare; Assistant Secretary of State for Near East Affairs Martin S. Indyk was the most senior official to visit Algeria during the first ten months of 1999. At no point during that period did President Clinton or Secretary of State Madeleine Albright publicly involve themselves in, or make high-profile statements on, the Algeria crisis.

The year got off to a wobbly start on human rights policy when the U.S. first seemed to endorse, then distance itself from a call for an international investigation into the violence. Questioned about a string of massacres at the turn of the year, State Department spokesman James Rubin on January 5 urged the Algerian government to "do more to protect its civilians" and said, "We would like to see an international enquiry get to the bottom of it."

On January 6, the Algerian foreign ministry summoned U.S. ambassador Cameron Hume to convey its "categorical rejection" of the U.S. call, according to the official Algerian news agency. On January 9, the State Department's spokesperson explained that the U.S. was not seeking an international commission of enquiry but rather access for U.N. special rapporteurs and human rights organizations. About one week later, Ambassador Hume visited and spoke with survivors in Sidi Hamed, where at least one hundred persons were massacred the night of January 11-12.

While Assistant Secretary for Human Rights John Shattuck insisted on January 30, "The need for a credible international fact-finding mission is clear," the administration one week later invited the Algerian government to come up with its own plan for showing openness. On February 5 before a House of Representatives International Relations subcommittee, Deputy Assistant Secretary of State for Near Eastern Affairs Ronald E. Neumann testified, "As long as there continue to be differing accounts of what is going on, and many questions about why civilians are not better protected, the need for greater openness remains." The focus should be on "the quality of information, not the particular means by which that transparency is obtained."

The U.S. continued to publicly urge Algeria to accept visits by the U.N. special rapporteurs on torture and summary executions, but declined to introduce a resolution on Algeria at the U.N. Commission on Human Rights, helping to keep one of the world's most pressing human rights crises off the agenda.

The U.S. characterizations of abuses committed by the government were blunt, both in the State Department's Country Reports on Human Rights Practices for 1997 and in public remarks by officials. Neumann, in his February 5 testimony, said the GIA was responsible for the great majority of the atrocities and the government did not "have a policy of sending out death squads." But, he added, "Some security forces personnel may also be involved to some extent in some of the killings." Neumann also said that, despite the local and national elections that had taken place between 1995 and 1997, the government "had a long way to go" before Algerians felt a sense of "credible participation" in their political system.

Assistant Secretary Indyk raised concerns about killings by security forces when he met with Algerian officials on March 14, according to a State Department official who briefed reporters on March 19. Secretary of State Albright held a brief meeting with Foreign Minister Ahmed Attaf in Washington on September 29 but made no public statement afterward.

The U.S., like the E.U., has sought greater engagement with Algeria's civil society and parliament. Washington funded U.S. visits by members of each in recent years. Also, small grants from the Regional Democracy Fund were allocated to technical training programs for these sectors.

In early October, the U.S. and Algerian forces conducted a modest naval rescue exercise in the Mediterranean. Although the U.S. downplayed the significance of the first-ever joint military exercise between the two countries, the Algerian press heralded it as an indication of Washington's increased regard for the Algiers government.

Relevant Human Rights Watch reports:

Algeria—"Neither Among The Living Nor The Dead" 2/99

(E1003) Algeria—Algeria's Human Rights Crisis, 9/99

BAHRAIN

Human Rights Developments

The government of Bahrain continued to engage in serious human rights violations in 1999. The family of a young Bahraini man who died on July 21, two days after being arrested, reported that his body bore marks of torture. Street clashes between security forces and protesters calling for political reform, which had been intermittent in the first part of 1999, increased in the wake of this incident. In 1999 the government tightened already severe restrictions on the right to freedom of association and freedom of expression.

In February, the government appointed Shaikh Khalid bin Muhammad Al Khalifa, a nephew of the ruler, to head the Special Investigation Service. He replaced Ian Henderson, a Briton who had served as Bahrain's top intelligence and internal security official since 1966. Henderson presided over a security establishment within which officials committed serious human rights abuses, including arbitrary and prolonged detention and torture. The seventy-year-old Henderson remained in Bahrain as a special adviser to the minister of interior. Another British citizen, David Jump, was employed as legal advisor to the minister.

Human Rights Watch had received reports of at least seven deaths due to torture, mistreatment, or medical neglect of detainees since the political unrest began four years ago, in December 1994. The most recent victim, Nuhi Khalil Abdullah al-Nuhi, twenty-three, was reported to be in good health when he was detained in the al-Naim district of Manama by members of the security forces on July 19. When his body was returned to his family for burial two days later, on July 21, it reportedly bore marks of torture. According to press reports, a government spokesperson said that "no one had died in prison or under torture," but British Minister of State Derek Fatchett, responding to a parliamentary question, said the government had responded to British embassy inquiries by claiming that "the matter was still under investigation." The authorities did not respond to a letter from Human Rights Watch requesting information about the case.

The government continued to rebuff calls by the People's Petition Committee and other critics inside the country for the release or fair trial of persons detained without trial or convicted by the State Security Court in unfair trials, the return of persons forcibly exiled, relaxation of restrictions on free expression and association, and future elections to a restored National Assembly, the partially-elected parliament which was suspended by decree in 1975. According to relatives who had met with Shaikh Abd al-Amir al-Jamri, a detained leader of the committee, the authorities subjected him to a week of intensive interrogation and rough physical treatment in April and then brought him before an investigating judge for the purpose of signing a prepared confession alleging that he had ordered arson and sabotage attacks and had acted on behalf of a foreign power. Shaikh al-Jamri refused to sign the document and remained in detention. The Shaikh, who was sixty years old and was hospitalized on several occasions in 1999, had been in continuous detention since January 1996 under the State Security Law of 1974, which allowed for up to three years of detention without trial. As of October the government had not publicly produced any evidence that Shaikh al-Jamri or the other seven Shi'a community leaders detained at the same time had participated in or advocated political violence.

The government continued its policy of providing no information concerning the numbers or identities of persons arrested, tried, convicted, acquitted or released under the State Security Law or brought before the State Security Court, where procedures did not meet basic fair trial standards and verdicts were not subject to appeal. Shaikh Muhammad bin Khalifa al-Khalifa, the minister of interior, insisted in a May 17 interview in *Al-Khobar al-Khaliji*, a pro-government daily, that "incidents of sabotage and rioting were few and isolated. A few hundred people were involved. Even at the peak of disturbances a little over 1,000 were held." The International Committee of the Red Cross (ICRC) reported in June that in 1997 it had visited 2,111 persons detained for security reasons in twenty-three places of detention. In keeping with ICRC policy, its findings and recommendations to the government were not made public.

The authorities continued to suppress free expression in the country. For example, persons convicted by the State Security Court included those charged with offenses such as "chanting slogans against the existing political system" and spreading "false rumors liable to undermine state security." Abdullah Fakhroo, an elderly resident of the capital, Manama, was arrested in February after he raised questions regarding political conditions in Bahrain at a lecture by a visiting Sunni religious dignitary, reportedly in the presence of the minister of justice. After being detained for a month under the State Security Law, he was released at the end of March but rearrested several hours later. In September, while still in detention, Fakhroo was reportedly transferred to a hospital security wing after suffering heart or respiratory problems. He was reportedly released from custody in late September.

Public criticism of government officials and policies remained off-limits. The BBC reported in September that its Arabic-speaking Bahraini stringer had not been allowed to file stories for the past year. *Al-Quds al-Arabi*, a London-based pan-Arab paper, reported on May 9 that the Bahraini government had conveyed to Hafeedh al-Shaikh, a columnist for the pro-government daily *Al-Ayam*, that he could no longer write for publication inside or outside Bahrain after he submitted a column criticizing the militarization of the education sector and questioning the policies of the president of the University of Bahrain, Jasim al-Ghatam, a former military officer.

Bahrainis could, to a limited degree, express themselves and receive information on the Internet. The government apparently appreciated the importance of Internet access for the country's position as a regional business hub, and the state-controlled telecommunications monopoly, Batelco, reportedly generated considerable revenue from Internet users, including persons who phoned in from Saudi Arabia, which had no public access. Bahraini authorities, however, apparently continued to block access to some websites, including that of the London-based Bahrain Freedom Movement (BFM), an opposition group, and to seek ways to improve its capacity to monitor political speech on the Internet. Jalal Alawi Sharif, a Batelco engineer who was arrested in March 1997, reportedly on the grounds that he was transmitting information to the BFM via the Internet, remained in detention without charge or trial in September 1999.

Despite the guarantee of freedom of association in Article 27 of Bahrain's constitution, authorized civic associations, clubs, and professional societies were closely monitored and effectively prevented from conducting discussions or activities that touched upon Bahraini politics. The Bahraini Lawyers' Society had been a very partial exception, on the grounds that the duties of the legal profession required lawyers to interpret legislation and to represent clients in politically sensitive trials. Building on this margin of exemption, the society occasionally held "internal events," which did not require prior government permission and to which non-lawyers were invited. In a January 1999 meeting, according to participants, the discussion ventured into matters such as income distribution in Bahrain and the absence of democracy. In the days immediately following, security forces reportedly visited the society's office to interrogate the staff about participants and speakers, and the ministers of justice and interior separately called in Lawyers' Society President Abbas Hilal to question him about the meeting. On February 29, Minister of Labor and Social Affairs Abd al-Nabi al-Shu'ala informed the society's elected board that the general assembly meeting scheduled for March 19, at which new elections were to be held, would not be allowed to take place, and that their membership on the board had been terminated. The minister then issued Decree 4 of 1999, which charged the society with violating the law governing societies and clubs and appointed a new board.

More than seventy members filed a legal challenge to the government's action. The government appointed Shaikh Khalifa bin Rashid Al Khalifa, a member of the ruling family and the head of the State Security Court, to hear the case. The minister of labor reportedly met with lawyers leading the court challenge to press them to drop the appeal, to agree to seek permission for all society activities including internal meetings three months in advance, and to refrain from any participation in politics. The lawyers were also instructed to remain silent about these meetings. Court hearings in June, September, and October were postponed at the government's request, effectively leaving the government-appointed board in charge of the society.

A statement from Bahrain's embassy in Washington, D.C., in an April 15 response to Human Rights Watch asserted that "a significant portion of the Society's members" had appealed to the Ministry of Labor to intervene in the organization's internal affairs owing to alleged "serious financial mismanagement" and discontent "over the course that the previous Board seemed intent on following." This statement and a subsequent letter from Ambassador Muhammad Abdul Ghaffar in Washington failed to specify what activities the government considered to be seriously enough in breach of the law as to require the removal of the board less than three weeks before already scheduled general elections. As of October, Human Rights Watch's requests for clarification on these and other points went unanswered.

Defending Human Rights

No human rights organizations were permitted to operate in Bahrain. The government continued to deny requests by international human rights organizations to conduct fact-finding missions, and reportedly threatened defense lawyers with disbarment if they provided information about arrests and security court trials to the press or to international human rights monitors. The Bahrain Human Rights Organization (BHRO) and the Committee for the Defense of Human Rights in Bahrain (CDHRB), operating abroad, compiled information on detainees, deaths in custody, and other issues, and campaigned for resolutions critical of the government's practices at meetings of the U.N. Commission on Human Rights and other fora.

In February 1999, in a publication entitled "Human Rights in Perspective," the government asserted that "for the last three-and-a-half-years Bahrain has faced a classic twentieth century insurrection," which it "has handled throughout with considerable restraint and evenhandedness by the rigorous application of the rule of law, balancing the interests of public order with the need to uphold individual human rights and dignities." It went on to state that "there is particular concern at the abuse of the exercise of basic human rights such as freedom of speech as a cover for the dissemination of inflammatory rhetoric and the deceptions of fraudulent terrorist propaganda groups claiming to promote human rights within the international human rights movement."

The Role of the International Community

United Nations

Bahrain became a non-permanent member of the Security Council in January, assuming the "Arab seat" for a routine two-year period.

In February the government ratified—with reservations—the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). At the August meeting of the U.N. Sub-Commission, in response to the prospect of a resolution critical of its human rights practices for a second year in a row, Bahrain publicly agreed to a visit by the U.N. Working Group on Arbitrary Detention and to consider withdrawing its reservation to Article 20 of the CAT, which would allow the Committee against Torture to conduct confidential investigations into allegations of torture in Bahrain in cooperation with the government.

In a note verbale to the U.N. Economic and Social Council, dated October 13, 1997, and released on December 5, 1997, the government asserted that a submission on Bahrain by Human Rights Watch at the March 1997 session of the Commission on Human Rights was "based on information and allegations that are neither credible nor accurate," but provided no specifics. "The allegations of human rights abuses are directed from propagandists with close ties to terrorist organizations," the government stated.

The Arab World and Iran

Arab governments did not publicly criticize Bahrain's human rights policies. A Kuwaiti court in March sentenced five Bahraini opposition figures to prison terms of up to three years and fines of up to 500 Kuwaiti dinars (U.S.\$1,640) for possessing leaflets and statements harmful to Kuwait's relations with Bahrain and, in the case of one defendant, possessing a falsified driver's permit. Fifteen other Bahrainis arrested in Kuwait at the same time were acquitted and three were convicted in absentia. According to Kuwaitis familiar with the case, Kuwait was responding to pressure from Bahrain to crack down on the flow of remittances from Bahrainis working in Kuwait, some of which, according to the authorities, went to opponents of the government.

Relations with Iran, which Bahrain had previously accused of instigating political unrest, appeared to improve in the wake of better ties between Saudi Arabia and Iran and the March visit to Bahrain of former Iranian president Ali Akbar Hashemi Rafsanjani, now head of the Expediency Council, an official body established to resolve disputes between the Iranian parliament and Council of Guardians.

The European Union

United Kingdom Foreign Minister Robin Cook, in a January 29 meeting with the Bahraini foreign minister and crown prince, "raised the issue of a dialogue between the Bahraini authorities and the Committee for Popular Petition," according to government spokesperson Baroness Symons of Vernham Dean, who further stated that "we have discussed Shaikh al-Jamri's continuing detention without charge with the Bahraini authorities on a number of occasions. We have called on them to release or charge all those held in detention. We will continue to do so."

In November 1997, Bahrain announced the State Security Court conviction in absentia of five exiled Bahraini opposition personalities living in London and several others residing in Iran on charges of propagating false news, harming the image of Bahrain abroad, and belonging to an illegal organization seeking to overthrow the government by force. They received prison sentences of up to fifteen years and large fines. Three of the London residents, Ali Salman, Hamza al-Dairi, and Haider al-Sifri, were forcibly exiled by the Bahraini authorities in January 1995. In July 1999 Britain granted them political asylum and permanent residence. On September 17, Bahrain's interior minister visited Home Secretary Jack Straw to request the arrest of the five under the terms of the Criminal Justice (Terrorism and Conspiracy) Act just passed by the U.K. Parliament, provisions of which make it a criminal offense to conspire in the U.K. to commit abroad any act which would be an offense in the U.K.

Derek Fatchett, minister of state for foreign affairs with responsibility for the Middle East, wrote in August that the British embassy had made several inquiries to the government of Bahrain concerning the death in custody of Nuh Khalil Abullah al-Nuh (see above). Fatchett visited Manama on September 14-15, where he said that he had explained the steps taken to tighten further laws "against those conspiring to commit crimes overseas." He also noted that there was no extradition treaty between Bahrain and the U.K. and that there was "no proposal on the table" for such a treaty.

United States

Bahrain continued to serve as headquarters for the U.S. Fifth Fleet. Bahrain's importance for U.S. policy in the region was heightened when in January it began a two year term as a non-permanent member of the U.N. Security Council. In its presentation of funding requests to Congress for Fiscal Year (FY) 1999, the administration stated that the U.S. "has a demonstrable and enduring national security interest in maintaining its access to Bahraini military facilities in order to

preserve the stability of the Persian Gulf," and that "Bahrain's support on the Security Council will be instrumental in advancing the full range of USG foreign policy interests."

In February, when a confrontation between Iraq and the UN Security Council threatened to lead to military attacks by a U.S.-led coalition, the U.S. military presence in Bahrain increased sharply. Bahrain initially indicated it would allow aircraft and naval vessels based on its territory to be used in an attack on Iraq. As the crisis intensified, however, Bahrain followed the lead of Saudi Arabia and retracted this permission.

Bahrain's ruler, Shaikh Isa, and other top officials visited Washington briefly in early June and met with President Bill Clinton, Secretary of Defense William Cohen, and Secretary of State Madeleine Albright. There were no public appearances or press briefings by the amir following any of these meetings, and he did not speak at a private dinner given in his honor by a number of large corporations. U.S. officials told Human Rights Watch that specific human rights concerns were raised with the amir and the foreign minister "at the highest levels," but provided no details.

Other U.S. officials told Human Rights Watch that while human rights was on the agenda of some embassy meetings with Bahraini government officials, the U.S. seldom raised specific requests or concerns, such as the death in custody of Nuh Khalil Abdullah al-Nuh or the prolonged incarceration without charge of Shaikh al-Jamri.

U.S. Foreign Military Sales and Construction Agreements with Bahrain, which totaled U.S.\$54 million in FY 1997, were estimated by the administration at U.S.\$519 million for FY 1998 and U.S.\$100 million for FY 1999. Commercial U.S. military sales were estimated at U.S.\$1.9 million for FY 1998 and U.S.\$4.5 million for FY 1999. U.S. support for Bahrain in FY 1998 also included U.S.\$250,000 in International Military Education and Training (IMET) funds for training in the U.S. of approximately thirty Bahraini officers.

EGYPT

Human Rights Developments

Wide-ranging human rights violations continued to blemish the government of President Hosni Mubarak, which ruled under a quasi-permanent state of emergency, currently in force until May 2000. Authorities showed no sign of loosening the tight grip of the security apparatus, and documentation of its impunity—including torture, deaths in custody, "disappearances," and abysmal prison conditions—filled the pages of reports published by Egyptian human rights organizations. Nor did the government take any significant steps to provide additional space to independent institutions, or peaceful political opponents and critics. In an ominous trend, there were harsh restrictions on the press in 1999, and as of late October six journalists had been sentenced to prison terms. The ruling National Democratic Party, which swept the consultative Shura Council elections in June, continued to dominate the country's static legal political landscape, and in May the Islamist-led *Hayz al-Wasaf* (Center Party) lost its only and final legal appeal for a license to operate. The circulation of a draft law governing private associations raised fears that the state sought to impose significant curbs on the activities of independent nongovernmental organizations (NGOs), and local human rights organizations mobilized vigorously during the year to meet the challenge.

The massacre at the Temple of Hatshepsut in Luxor on November 17, 1997, in which fifty-eight tourists and four Egyptians were killed in a forty-five minute attack by a small group of men armed with guns and knives, was the most devastating carnage since the military wing of the Islamic Group launched its sustained if sporadic campaign of violence in 1992. The indiscriminate slaughter brought to an abrupt end the tenure of General Hassan el-Ali, who had served as interior minister since 1993. He was replaced by General Habib el-Adli, former head of State Security Investigation (SSI), the elite internal security force whose personnel have historically enjoyed impunity for torture and other human rights abuses.

Suspected Islamist militants again faced unfair trials before state security and military courts, and were sentenced to death and executed, without the right to appeal to a higher tribunal as required under international human rights law. In February, ECHR expressed concern about "the increased use of the death sentence by military courts despite the fact that most of the cases referred to these courts do not contain specific charges of violence or terrorism." As of July 29, forty-one death sentences were handed down in 1999 and thirty-two criminal and political prisoners had been executed, according to Amnesty International.

Senior government officials repeatedly emphasized to the international community the threat posed by Egyptian militants based abroad, seeking their extradition and even extra-legal return, but remained unresponsive publicly to calls from militant and moderate Islamists inside Egypt for a halt to politically motivated violence. In January, leaders of the Islamic Group held in Tora High Security Prison reiterated their appeal, first made in July 1997, for a suspension of all attacks. In a handwritten statement, they challenged Islamic Group leaders abroad "to issue a clear statement for an end to military activity." The same month, Mustafa Mashur, the supreme guide of the Muslim Brotherhood, said that his beleaguered group sought a "dialogue with the various parties to firmly oppose violence and terrorism and end extremism." He argued that the state's "lifting of limits on freedom of expression and political action would be the best way to fight against the deviant thought" of the armed militants. Suspected Muslim Brotherhood activists continued to be detained for membership in an illegal organization and "possessing leaflets opposed to the regime."

At least twice during the year, ordinary Egyptians were prompted to violent confrontations with police by alleged torture deaths in police custody. On April 9, residents of Belqas, in Daqahliyah province, clashed with police following the death of twenty-four-year-old Wahid el-Sayid Ahmed Abdullah, who was arrested on suspicion of theft. He was brought to the local police station, bound, and then "whipped and beaten with sticks and the butt of a machine gun," and electric-shocked on "the ears, nipples and penis," according to a detailed ECHR report. An officer and other policemen returned the body to the family, saying only that Wahid had lost consciousness. When the family realized that he was dead, they brought the body back to the police station, where authorities initially refused to accept it and prepare a report. Family members, including Wahid's grandmother and three aunts, were arrested before police permitted the body to be buried under tight security. During the burial, several hundred residents assembled at the police station, calling for the prosecution of the officer who had ordered the torture. Angry citizens threw stones at the police and public buildings and burned fires in the streets. Security forces shot rubber bullets and tear gas and beat residents with clubs and gun butts. One man was killed, others, including police, were injured, and at least thirty-three were arrested.

On August 21, residents of al-Hamoul village in Kafr al-Sheikh, reacted violently to the death in police custody of Samir Ramadan, who was arrested when he went to the local police station the previous day to visit his son who was detained there. On learning that Ramadan's body had been brought to the local hospital bearing signs of torture, residents stoned policemen and set fire to public buildings and vehicles, and thirty-six people reportedly were arrested. Following the longstanding practice of security forces when suspicious deaths in custody occur, police buried Ramadan's body under heavy security and the official death certificate attributed his death to natural causes.

The lack of accountability of the security apparatus remained a major human rights problem. Continuing the pattern from past years, security forces shot dead known or suspected militants in operations that remained shrouded in secrecy. ECHR noted in a November 1997 report that the circumstances of the killings of some of the victims "indicate that they may have been extra-judicially executed." In March alone in Upper Egypt, there were at least twelve officially reported shooting deaths of men whom the government claimed were "terrorists." The official news agency MENA provided little information about these killings, other than the names of the victims, the weapons allegedly found at the scene, and assertions that in each case security forces did not open fire first.

The files also remained open on tens of cases of individuals who "disappeared" in the 1990s, most of them taken into custody by police or security forces. In August, both ECHR and the Human Rights Center for the Assistance of Prisoners (HRCAP) issued reports on the subject. Written complaints that HRCAP sent last year to Egyptian government officials about eleven men who "disappeared" between 1992 and 1996 went unanswered. Authorities did not publicly release any information relevant to the reported cases; the only official response to families who submitted written inquiries was that their relatives were not being held in any Egyptian prison.

ECHR continued to campaign against police abuse of ordinary citizens. In a report issued in May, following the violence in Belqas, it charged that "torture and ill-treatment have become systematic and widely practiced by policemen during the interrogation of suspects....The most widespread acts of torture are the use of electric currents and hanging the victim in the position of a slaughtered animal." ECHR also noted that police abuse also included the detention and torture of relatives both to obtain information and force the surrender of suspects.

Some 2,000 Islamist prisoners were quietly released between February and April, "all of them detained without charge and most of them sick," according to one knowledgeable Egyptian human rights lawyer. Appalling prison conditions remained a problem of staggering dimensions. Reports of ECHR and HRCAP made clear that medical care for prisoners was grossly inadequate, particularly for inmates suffering from serious illnesses, and that the negligence of medical professionals in prisons required urgent remedy. In "Doctors Indicted," published in February, HRCAP noted, for example, that the only doctor at Fayoum prison, which housed about 4,000 inmates, visited prisoners once a month. "Inmates have to stand up facing the wall and with their hands raised above their head until the doctor comes and asks if there are any sick prisoners," HRCAP reported. "Then he examines them verbally. Prisoners remain four meters away from him and they are insulted and accused of pretending to be sick." The work of both groups demonstrated the link between abysmal conditions—such as severe overcrowding, poor ventilation and sanitation, inadequate daily diets—and the development and spread of diseases such as tuberculosis. Thousands of inmates at four prisons—Fayoum, Liman Abu Za'bel, Tora Istiqbal, and Tora High Security—remained completely isolated from the outside world because the interior ministry continued its punishing ban on visits by lawyers and families.

There were major setbacks for freedom of expression during the year as books and newspapers were banned, and journalists criminally prosecuted and imprisoned. Twice during the year authorities confiscated and banned books that official or self-appointed censors deemed insulting to Islam. On January 14, two books by Khalil Abdel Kerim were seized by police at a publishing house, on the order of the higher state security prosecutor, because religious authorities at the Islamic Research Academy of al-Azhar disapproved of their content. Censors also banned the March 19 issue of the fortnightly *Cairo Times*, which carried an interview with the author. On May 13, Minister of Higher Education Mufeed Shehab officially requested that the American University in Cairo remove from its curriculum *Muhammed*, a biography of the prophet written by French scholar Maxime Rodinson. The minister said that the book, which is freely available in Egypt, contained "fabrications harmful to the respected prophet and to the Islamic religion," the state news agency reported. The action swiftly followed journalist Salah Muntasser's criticism of passages of the book as insulting to Islam in a column in *al-Ahram*, Egypt's leading daily newspaper.

Independent newspapers and journalists also came under serious pressure. On February 26, information ministry censors informed the independent weekly *al-Dustour*, which was licensed abroad, that its license to print and distribute in Egypt had been revoked, effectively banning the newspaper. On March 7, President Mubarak signalled his dissatisfaction with the free-wheeling independent press, charging that some journalists were "destroying our country." He indicated that unfavorable press coverage of certain foreign governments was not welcome, asserting that "someone has contacted a cheap newspaper and paid it a monthly fee in order to curse Saudi Arabia." In the wake of his comments, censors banned the March 19 issue of the *Cairo Times*, which is licensed abroad and thus subject to pre-publication censorship, for several articles found objectionable, including the review of a book about life in Saudi Arabia written by Ibrahim Abdel Meguid and published by the American University in Cairo Press. On August 12 and August 19, authorities did not approve the distribution in Egypt of the first and second editions of *Alf Letla*, the newly launched cultural weekly that was licensed in Cyprus as a foreign publication and was widely viewed as *Dustour's* successor.

Six journalists were sentenced to prison terms in 1999 for libel offenses: Magdi Hussein, editor-in-chief, and Muhamed Helmi of *al-Sha'b* Gamal Fahmy, deputy editor of the banned *al-Dustour* Amir Nasif of *al-Usbou*'s and Mustafa Bakri and Mahmoud Bakri for articles that appeared in *al-Ahram*. For example, on February 24, an appeals court upheld the 1997 libel conviction of Hussein and Helmi, and imposed sentences of one year with hard labor and fines for damages to Alaa al-Alfi, the son of former interior minister Hassan al-Alfi. The case stemmed from articles published in *al-Sha'b* in 1996 accusing the younger Mr. al-Alfi of influence-peddling in his business dealings in Egypt. The newspaper has been repeatedly targeted by authorities for its investigative reporting, particularly on issues related to corruption. Hussein and Helmi were released from prison after the Court of Cassation on July 2 overturned the appeals court decision.

The government continued to restrict freedom of association, including the right of Egyptians to form political parties. Political parties cannot operate legally in Egypt unless a license is secured from the Political Parties Committee of the Shura Council, a government-controlled body that since its establishment in 1977 has never approved the licensing of a new political party, often on the stated grounds that the programs of fledgling political groups were not sufficiently different from those of existing political parties. Decisions of the committee can be appealed to the Political Parties Court of the Higher Administrative Court. On May 9, the court rejected the Wasat Party's appeal for a license on the grounds that it "did not offer any idea which would give it a distinctive feature which would represent a new addition to political action and distinguish it from the programmes of other parties," MENA reported. Wasat activists, determined to continue their quest for legal status, two days later submitted an application for a license for a new party, the Egyptian Center Party, with what they described as a distinctive new platform. On September 21, the committee rejected this application because it again said that the platform was "not unique."

Local and international human rights groups had long criticized Law No. 32 of 1964, which governed private associations in Egypt, calling for its replacement with less restrictive legislation. The law had been used to close down independent NGOs and deny legal status to others. In 1999, a draft law to replace Law No. 32 was circulated and became the subject of intense criticism by Egyptian rights organizations, and heated discussions between NGOs and the ministry of social affairs. The draft law included a categorical prohibition of "any political activities regardless of their nature," and empowered the state to object to the proposed activities of any NGO. It criminalized any activity occurring outside the framework of legally registered organizations; permitted the ministry of social affairs to veto candidates for election to boards of directors and to add government representatives to boards; and required government approval before soliciting funds inside Egypt or abroad, sending funds abroad, or joining non-Egyptian organizations. Penalties for violating the law included temporary closure or dissolution, imprisonment of up to two years, and fines. As of this writing, a draft law had not yet been submitted to parliament.

Discriminatory treatment of the predominantly Coptic Christian minority remained a sensitive and controversial issue inside Egypt. In January, an issue of the Arabic daily newspaper *al-Naba'* (London) was banned because of an article about the situation of minorities in the region, written by Suleiman Neguib, an Egyptian Christian. Authorities defended the longstanding prohibition on church construction and repair without the express permission of senior government officials. In a speech in al-Arish on June 11, President Mubarak said that the regulations were in place because "we want to be sure that we do not give any Christian or Muslim extremist the chance to exploit the situation." As in past years, Christians in some areas of Upper Egypt were targeted and killed by suspected Islamist militants, and the perpetrators escaped unapprehended, generating fear in these villages.

In a positive development for women's and children's rights, on December 29, 1997, the State Council, Egypt's highest administrative court, upheld the Ministry of Health ban on female circumcision, which a lower court ruled illegal last year. The high court found that "circumcision of girls is not an individual right under Islamic law because there is nothing in the Koran which authorizes it and nothing in the Sunna...henceforth, it is illegal for anyone to carry out circumcision operations, even if the girl or her parents agree to it." (See Women's Rights Division, below, for additional information.)

Defending Human Rights

An impressive network of independent NGOs addressed a wide range of local and regional human rights issues, focusing on civil and political rights as well as economic and social rights.

The Cairo-based Land Center for Human Rights broke new ground with reports about the environmental and human rights, and working conditions for children in impoverished rural areas.

The press releases and reports of Egypt's human rights groups were freely distributed in Egypt and internationally, in print and electronically. The Center for Human Rights Legal Aid and the Legal Research and Resource Center for Human Rights maintained informative Internet sites. During the year, the groups joined together in informal coalitions to oppose publicly any tightening of restrictions on freedom of association, particularly the ability of NGOs to organize and operate without state interference.

Specially assigned personnel from State Security Investigation (SSI) continued direct and overt monitoring of the activities of the local human rights community, although the groups told Human Rights Watch that SSI maintained contact with them in a polite and professional manner. Restrictions on freedom of assembly remained in place. Rights groups could not host press conferences or public meetings at locations other than their own small offices without the permission of SSI, which was rarely granted. On October 15 at three o'clock in the morning, police raided the Cairo office of the Arab Program for Human Rights Activists (APHRA), an independent NGO that has campaigned on behalf of persecuted human rights activists across the region, including most recently Nizar Nayouf (see Syria chapter) and Khemais Ksila (see Tunisia chapter). The officer in charge questioned an employee about the group's activities and its Arab and foreign visitors. It appeared that the police were particularly concerned that APHRA was organizing events in Cairo in support of Tunisian human rights activists.

The Role of the International Community

European Union

Negotiations continued between Egypt and the E.U. on the terms of a Euro-Mediterranean Association Agreement, which include "respect for human rights and democratic principles." As of October, outstanding issues remained, including European market access for Egyptian agricultural exports. Egypt also strongly objected to the inclusion of language in agreements now being negotiated which allows the E.U. to interrupt the operation of the treaty unilaterally in response to serious human rights violations. Under the earlier treaties negotiated with Tunisia, Israel, and Morocco such issues must first be taken up by foreign ministry officials of both parties.

Embassy staff of some E.U. member states—Denmark, Netherlands, and the United Kingdom—met with counterparts from the U.S., Canada, and Sweden as an informal "like-minded group" to discuss human rights issues, such as the draft law governing private associations. Human Rights Watch was not aware, however, of any public E.U. demarches in the November 1997–October 1999 period regarding the human rights situation.

In March, U.K. Foreign Minister Robin Cook announced a program to train Egyptian security forces. According to British officials, the program is intended to teach "more humane ways of fighting terrorism," and in particular to protect high-level officials. U.K. Prime Minister Tony Blair visited Cairo in April, but human rights issues were not raised publicly. Nor were there any indications that the French government raised such concerns when President Mubarak visited Paris in May.

U.S. Policy

Military cooperation, commercial and trade ties, and close diplomatic coordination on regional issues — particularly the Arab-Israeli peace negotiations — remained cornerstones of the bilateral relationship between the U.S. and Egypt. U.S. government officials, including Ambassador Daniel C. Kurtzer in Cairo, refrained from vigorous public advocacy on any human rights issue, continuing the unstated policy that has been in place for years.

The Clinton Administration's *Congressional Presentation for Foreign Operations for Fiscal Year (FY) 1999* described Egypt as "the most prominent player in the Arab world and a key U.S. ally in the Middle East." It noted that "[a] strong relationship with Egypt affords us political and security benefits that no single other Arab state can provide." The administration's FY 1999 appropriation request for aid to Egypt was \$2.116 billion, encompassing \$1.3 billion in Foreign Military Financing (both a grant and loan program), \$915 million in Economic Support Funds, and \$1 million from the International Military Education and Training program, which provides training for Egyptian military officers.

The *Presentation* stated that military assistance to Egypt is part of the administration's strategy of maintaining continued availability of Persian Gulf energy resources. It noted that the aid "assists in providing security to the Suez Canal, which serves both as an important international oil route and as a critical route for U.S. warships transiting to the Gulf." It added that the close relationship with Egypt "helps assure critical permission for the overflight of U.S. aircraft bound for the Gulf." At a press conference in Cairo on April 19 with Egyptian defense minister Field Marshal Gen. Muhamed Tantawi, Secretary of Defense Cohen said that the "strong strategic partnership" was "based on our shared commitment to stability in the Middle East." He added that at his meeting earlier that day with President Mubarak, "I assured him that the U.S. will continue to support Egypt's program to modernize its military. This year we are going to provide 1.3 billion dollars in grants and our troops are going to continue to exercise and train together."

The U.S. is the world's largest supplier of goods and services to Egypt, with 1996 sales estimated at \$3 billion, according to the State Department's *1997 Country Reports on Economic Policy and Trade Practices*. In a speech to the American Chamber of Commerce in Alexandria on March 19, Ambassador Kurtzer noted that the U.S.-Egypt Partnership for Economic Growth and Development, launched in 1994, was designed to "stimulate the creation here of a free market economy which is export-oriented and in which trade, business development, and commerce become the engines that drive economic change." The bilateral trade relationship is weighted overwhelmingly in favor of the U.S. The annual \$200 million Commodity Import Program of USAID provided financing to Egyptian companies to purchase U.S. products including food and agricultural goods, fertilizers and chemicals, and construction and transportation equipment. U.S. exports were also facilitated by another \$900

million annually in other USAID projects, and \$165 million annually from U.S. Department of Agriculture programs. In addition, the report noted that "[a] substantial portion" of the annual U.S. military assistance to Egypt financed U.S. exports to the country.

IRAN

Human Rights Developments

Human rights failed to improve, and in some areas deteriorated, as the power struggle intensified between supporters of President Khatami's reformist program and those seeking to maintain the grip on power of a closed circle of clerical rulers associated with the leader of the Islamic Republic, Ayatollah Khamene'i. While the political rivalry between these increasingly polarized factions helped highlight important human rights issues, it nevertheless appeared to drive and even promote violations of human rights as hardliners in the judiciary and the parliament sought to undermine President Khatami's efforts to normalize Iran's relations with the West and the United States by speaking out in support of fundamental rights and the rule of law. Efforts for reform were met with repression and threats of further violence. For example, the head of the Revolutionary Guards Corps, General Yahya Rahim Safavi warned reformers in April, "we are seeking to root out counterrevolutionaries wherever they are. We have to cut the throats of some and cut off the tongues of others." A few days later he threatened, "we will go after them when the time is ripe...fruit has to be picked when it is ripe. The fruit is unripe now."

Executions after unfair trials proliferated, including cases of stoning to death in public. For the first time since 1992 a follower of the Baha'i faith was executed in prison. Other religious minorities, including Sunni Muslims, evangelical Christians, and Jews were subjected to discrimination and persecution. Prominent dissidents, including writers and editors, were subjected to arbitrary detention and independent newspapers were closed down. New laws were passed discriminating against women and aimed at restricting debate about women's rights. Torture was widespread during interrogation, and the government failed to take steps to halt violent attacks by vigilante groups which serve as enforcers for conservative clerics, known as the partisans of the Party of God (*Ansar-e Hezbollah*). As tensions with the Taliban rulers of neighboring Afghanistan mounted, Afghan refugees, more than a million of whom have lived in Iran for many years seeking refuge from civil war, were attacked and beaten by crowds leading to several deaths.

Hundreds of people were executed after trials that failed to comply with minimum international standards. In June, the daily newspaper *Hamshahri*, reported the public hanging of four young men in the city of Ahvaz, in the south, for "insulting" Leader Khamene'i and "armed robbery." Seven people were reported by opposition groups to have been convicted of adultery and stoned to death in October 1997 and six more were reported to have been sentenced to stoning in January.

On July 21, Ruhollah Rowhani was executed in the city of Mashhad on charges of converting a Muslim to the Baha'i faith. This execution marked a deterioration in the situation of this intensely persecuted minority. At least fifteen other Baha'is were held in prison and seven were facing death sentences because of their faith. There were further detentions of Baha'is in September when dozens were detained in a new wave of repression. In May, Jewish businessman Ruhollah Kakhodah-Zadeh was arrested and later hanged in prison. His crime was never declared in public and any legal proceedings which occurred did so in secret. In June, Moulavi Imam Bakish Narouie, prayer leader of a Sunni mosque in the town of Miyankang in Sistan va Baluchestan province in south-eastern Iran was killed, leading to protests from the local community who believed that the authorities were responsible. Sunni Muslims form a minority in predominantly Shi'a Iran, but a majority of ethnic Kurds and Baluchis are Sunni, which exacerbates their already tense relations with the central authorities in a state in which Shi'a Islam is the established religion.

Attempts by the judiciary and other supporters of the status quo in Iran to discredit leading associates and supporters of President Khatami focused national and international attention on long-standing human rights problems. For example, the prosecution on corruption charges, of the mayor of Tehran, Gholam Hossein Karbaschi, exposed the widespread torture of suspects during investigation. Judicial officials reportedly tried to build a case against the mayor on the basis of coerced statements taken from detained municipality officials, including elected district mayors and deputy mayors. On being released, the detained mayors complained about their ill-treatment and produced medical evidence to substantiate their allegations. Their statements were widely reported in newspapers sympathetic to President Khatami and the mayor.

In March, responding to hostile questions from reporters about the treatment of the officials, Ayatollah Yazdi, the head of the judiciary, stated the allegations were "all a political campaign aimed at the police and the judiciary" and threatened to prosecute reporters for "making unfounded accusations against the judicial branch."

In May, the former editor of *Adineh* magazine, Faraj Sarkouhi (see *Human Rights Watch World Report 1999*), who had been released from his one-year jail term for "circulating harmful propaganda" and permitted to travel to Germany to be reunited with his family, was able to reveal information about torture and ill-treatment he had suffered while in detention, including mock-execution. Together with the testimony of the mayor of Tehran's associates, Sarkouhi's experience made public the continuing prevalence of torture in Iranian prisons.

The Tehran mayor's trial, in open court in the presence of international reporters exposed other long-standing problems in the criminal justice system. The defense in the June hearing challenged the impartiality of the judge, arguing that "it is not in accordance with the principles of justice for you to occupy the positions of investigating magistrate and trial judge in the same case." In the General Courts, first introduced in 1994, the function of the prosecutor was doubled up with that of the trial judge, removing fair trial safeguards (see *Human Rights Watch World Report 1995*). The mayor also called attention to the torture of his officials, and the inacceptability of "anything written under duress while these people were in prison." The mayor was convicted and sentenced to lashes and five years in prison, but was at liberty pending an appeal.

The mayor's prosecution brought to the fore dissension between Iran's leaders, often played out at a cost to human rights protection. In April, after the detention of the mayor, Minister of the Interior Abdollah Nouri criticized the judiciary's "arbitrary" action and announced that his ministry was setting up a defense committee for the mayor. Nouri's criticism of the judiciary led to a vote of no confidence in him from the parliament, and his dismissal from office on June 26. President Khatami responded by appointing Nouri to the position of deputy-president for development and social affairs.

Nouri had also provoked conservative anger by calling for the elimination of the role of the Council of Guardians in vetting and excluding candidates for election to the parliament, the presidency, and the Assembly of Experts - an eighty-six member body responsible for choosing the leader of the Islamic Republic. The Council of Guardians vetoed almost all of the candidates associated with the reformers in the October election. In May, Nouri had granted a permit to students to demonstrate in favor of reforming laws governing participation in elections. The peaceful rally of several thousand students in Tehran's Laleh Park was violently broken up by a group of Hezbollahi vigilantes while police stood by. In August, under pressure from conservatives, the cabinet declined to submit a bill to parliament to restrict the powers of the Council of Guardians.

WHILE THE TREATMENT OF ABDULLAH NOURI HIGHLIGHTED VIOLATIONS OF THE RIGHT TO PARTICIPATION IN PUBLIC AFFAIRS, FREEDOM OF ASSEMBLY, AND THE ILLEGAL ACTIVITIES OF VIGILANTES, MINISTER OF CULTURE AND ISLAMIC GUIDANCE AYATOLLAH MOHAJERANI BECAME IDENTIFIED WITH INCREASING THE DIVERSITY OF THE IRANIAN PRESS BY ISSUING PERMITS TO NEW PUBLICATIONS WITH INDEPENDENT VIEWS. MOHAJERANI'S EFFORTS WERE COUNTERED BY THE INCREASED ZEAL OF THE JUDICIARY TO CLOSE DOWN INDEPENDENT PUBLICATIONS AND IMPRISON AND PROSECUTE JOURNALISTS AND EDITORS; BY ATTACKS FROM VIGILANTES ON NEWSPAPER OFFICES; AND BY NEW LAWS PASSED BY THE PARLIAMENT SEEKING TO BAN PUBLICATIONS DEALING WITH WOMEN'S RIGHTS AND THE REFORM OF FAMILY LAW.

NEWSPAPERS CONTINUED TO BE SUBJECT TO HARASSMENT AND CLOSURE ORDERS BOTH THROUGH THE LEGAL CHANNELS OF THE PRESS COURTS AND EXTRA-LEGAL ADMINISTRATIVE ACTS OR ATTACKS FROM VIGILANTE GROUPS. AKBAR GANJI, THE EDITOR OF *RAH-E NO* WEEKLY NEWSPAPER WAS HELD IN INCOMMUNICADO DETENTION FOR THREE MONTHS FOLLOWING A SPEECH HE MADE IN SHIRAZ CRITICAL OF GOVERNMENT POLICY. IN JANUARY, A NEWLY ESTABLISHED JOURNALISTS UNION ACCUSED THE HEAD OF THE JUDICIARY OF "OBSTRUCTING THE FREEDOM OF THE PRESS" AFTER HE HAD DECLARED THAT THE JUDICIARY WAS UNDER NO OBLIGATION TO EXPLAIN TO THE MEDIA WHY PEOPLE WERE DETAINED. IN FEBRUARY, THE NEWSLETTER PUBLISHED BY HOSSEIN PORMAN, HEAD OF THE UNRECOGNIZED ISLAMIC MILITANT MOVEMENT PARTY, WAS BANNED AND HE WAS FINED AFTER PROCEEDINGS THAT DID NOT MEET INTERNATIONAL STANDARDS OF DUE PROCESS. IN APRIL THE OFFICES OF *HAMSHAHRI*, IRAN, AND THE *IRAN DAILY NEWS*, DAILY NEWSPAPERS WHICH HAD BEEN SUPPORTIVE OF THE MAYOR OF TEHRAN, WERE RAIDED BY POLICE IN AN OPERATION WHICH FAILED TO COMPLY WITH MECHANISMS ESTABLISHED UNDER THE PRESS LAW FOR INVESTIGATING ALLEGED VIOLATIONS BY NEWSPAPERS. IN JULY, THREE OTHER NEWSPAPERS, *PANSHAMBAHA*, *GOZARESH-E ROUZ*, AND *KHONNEH*, WERE CLOSED UNDER OFFICIAL PRESSURE. THE EDITORS OF *GOZARESH-E ROUZ* AND *KHONNEH* WERE EACH IMPRISONED FOR A WEEK FOR INTERROGATION.

IN AUGUST, *JAMEH*, WHICH WITHIN A FEW MONTHS HAD GAINED A REPUTATION AND A WIDE READERSHIP FOR ITS CHAMPIONING OF REFORM, WAS CLOSED DOWN, ALTHOUGH THE JURY IN THE PRESS COURT HAD ADVISED MINIMAL PUNISHMENT. IN AN APPARENT TURNABOUT MINISTER OF CULTURE AND ISLAMIC GUIDANCE MOHAJERANI STATED, "THE OPPONENTS AND ENEMIES OF LIBERTY CAN ALSO BE THOSE WHO DO NOT RESPECT THEIR LIMIT." WITHIN A FEW DAYS OF THE CLOSURE, A NEWSPAPER APPEARED UNDER THE TITLE *TOUS* WHICH WAS ACCUSED OF BEING *JAMEH* UNDER ANOTHER NAME. HEAD OF THE JUDICIARY YAZDI OBJECTED, "THE PUBLICATION OF A PREVIOUSLY FORBIDDEN NEWSPAPER UNDER A NEW NAME IS ILLEGAL. WE ARE ASKING THE MINISTRY OF CULTURE TO TAKE ACTION BEFORE SOMEONE ELSE DOES." AYATOLLAH YAZDI'S WORDS WERE FOLLOWED BY AN ATTACK BY HEZBOLLAHI ON THE EDITORIAL OFFICES.

CONSERVATIVE PRESSURE ON *TOUS* DID NOT RELENT ON SEPTEMBER 15 AYATOLLAH KHAMENE'I THREATENED TO USE EXTRA-LEGAL FORCE TO SILENCE INDEPENDENT NEWSPAPERS WHICH HE CHARACTERIZED AS "A DANGEROUS, CREEPING CULTURAL MOVEMENT...WRITING AGAINST ISLAM," UNLESS GOVERNMENT OFFICIALS TOOK ACTION AGAINST THEM. THE NEXT DAY, *TOUS* MANAGERS HAMID REZA JALEI-POUR AND MOHAMMAD JAVADI HESSAR, EDITOR MASHALLA SHAMSOL-VA-EZIN, AND STAFF WRITER EBRAHIM NABAVI, WERE ARRESTED BY ORDER OF THE REVOLUTIONARY COURTS ON CHARGES OF PUBLISHING ARTICLES "AGAINST SECURITY AND GENERAL INTERESTS." THE NEWSPAPER WAS ORDERED CLOSED. THE FOUR JOURNALISTS WERE ALL RELEASED IN OCTOBER, AND NO LEGAL REASON FOR THEIR DETENTION WAS PROVIDED BY THE AUTHORITIES.

ALSO IN SEPTEMBER, THE INDEPENDENT NEWSPAPERS *RAH-E NO* AND *TEHRANA* WERE ORDERED CLOSED BY ADMINISTRATIVE DECREE. THE JUDICIARY DECLARED THAT IT WAS CREATING A SPECIAL BODY TO MONITOR THE CONDUCT OF THE PRESS AND TO REFER WRITERS TO REVOLUTIONARY COURTS. THE MINISTRY OF CULTURE AND ISLAMIC GUIDANCE PROTESTED THIS MOVE AND INSISTED THAT, "IT IS NECESSARY TO DEAL WITH PRESS VIOLATIONS ACCORDING TO THE LAW AND IN ORDINARY COURTS AND WITH THE PRESENCE OF A JURY."

FREEDOM OF EXPRESSION WAS RESTRICTED IN OTHER WAYS. IN NOVEMBER 1997, AFTER GRAND AYATOLLAH MONTAZERI HAD DELIVERED A LECTURE IN QOM CRITICIZING AYATOLLAH KHAMENE'I'S INTERPRETATION OF THE DOCTRINE OF *VELAYAT-E FAQIH* (RULE OF THE SUPREME JURIST), ON WHICH THE POSITION OF THE LEADER OF THE ISLAMIC REPUBLIC RESTS, HEZBOLLAHI RANSACKED HIS RESIDENCE. THROUGHOUT THE YEAR, GRAND AYATOLLAH MONTAZERI, THE FORMER DESIGNATED SUCCESSOR TO THE LATE AYATOLLAH KHOMEINI AS LEADER, WAS SUBJECT TO HOUSE ARREST AND BANNED FROM TEACHING AND COMMENTING ON PUBLIC AFFAIRS. IN FEBRUARY, A SPECIAL COURT FOR THE CLERGY ORDERED THE FREEZING OF ASSETS CONTROLLED BY AYATOLLAH MONTAZERI ASSETS, INCLUDING FUNDS RECEIVED IN FIFTHS FROM SHI'ITES IN IRAN AND THROUGHOUT THE WORLD. SCORES OF HIS RELATIVES AND SUPPORTERS WERE IMPRISONED FOR THEIR VIEWS. FOR EXAMPLE, IN DECEMBER 1997, THE LEADER OF THE IRAN FREEDOM MOVEMENT, EBRAHIM YAZDI, WAS DETAINED FOR ELEVEN DAYS, APPARENTLY FOR HIS ROLE IN ORGANIZING SUPPORT FOR A PUBLIC LETTER, SIGNED BY FIFTY-FIVE PEOPLE, PROTESTING THE RESTRICTIONS PLACED ON AYATOLLAH MONTAZERI. IN APRIL, ABOUT FORTY BAZAAR SHOPKEEPERS AND TEACHERS WERE DETAINED FOR LEADING PROTESTS AGAINST THE RESTRICTIONS ON AYATOLLAH MONTAZERI IN HIS HOME TOWN OF NAJAFABAD IN CENTRAL IRAN. AYATOLLAH MONTAZERI'S SON-IN-LAW, HADI HOSSEINI WAS DETAINED IN MAY AND HELD INCOMMUNICADO. MOHAMMAD MOVAHEDI SAVOZI, THE SON OF A MEMBER OF PARLIAMENT, WAS ALSO ARRESTED IN MAY AND CONDEMNED TO TWENTY MONTHS IMPRISONMENT IN SEPTEMBER FOR SPEAKING OUT AGAINST THE HARSH TREATMENT OF AYATOLLAH MONTAZERI.

IN JUNE, INDEPENDENT LEGAL SCHOLAR HOJATOLESLAM MOHSEN SAEDIYADEH WAS DETAINED, APPARENTLY BECAUSE OF HIS PUBLIC CRITICISM OF THE STATUS OF WOMEN IN FAMILY LAW. HE WAS NOT ABLE TO CHALLENGE THE LEGAL BASIS FOR HIS DETENTION BEFORE A COURT AND HE WAS DENIED ACCESS TO HIS LAWYER, HE REMAINED IN CUSTODY AT THE TIME OF WRITING.

OPPOSITION VIEWS OUTSIDE THE DIFFERING FACTIONS OF THE CLERICAL LEADERSHIP, INCLUDING THOSE OF POLITICAL PARTIES LIKE THE FREEDOM MOVEMENT AND THE IRAN'S NATION PARTY, CONTINUED TO BE DENIED EXPRESSION. OPPOSITION PUBLICATIONS WERE BANNED AND THEIR MEETINGS WERE FREQUENTLY ATTACKED BY VIGILANTES. IN CONTRAST, THE MINISTRY OF THE INTERIOR'S COMMITTEE ON POLITICAL PARTIES AGREED IN MAY TO LICENSE THE SERVANTS OF CONSTRUCTION (*KARGUZARAN SAZANDECHI*), LED BY SUPPORTERS OF CLERICAL LEADERS ASSOCIATED WITH ECONOMIC REFORM, AS A FIRST POLITICAL PARTY.

VIOLENT VIGILANTES RESTRICTED FREEDOM OF ASSOCIATION AND LIMITED POLITICAL DEBATE UNCHECKED BY THE AUTHORITIES. IN NOVEMBER 1997, HEZBOLLAHI DISRUPTED A SPEECH BY THE DISSIDENT PHILOSOPHER ABDOL-KARIM SOUROSH AND CAUSED EXTENSIVE DAMAGE TO STUDENT UNION OFFICES AT AMIR KABIR UNIVERSITY. ON THE SAME DAY, THE SAME MOB BEAT HOSSEIN TABATABAEE, A RADICAL STUDENT LEADER, FOR HIS CALL FOR THE LEADER OF THE ISLAMIC REPUBLIC TO BE ELECTED BY DIRECT SUFFRAGE, AND FOR LIMITS TO BE PLACED ON THE LEADER'S POWERS. IN MARCH, HEZBOLLAHI BROKE UP A PEACEFUL DEMONSTRATION BY STUDENTS IN TEHRAN CRITICIZING THE ROLE OF THE COUNCIL OF GUARDIANS IN EXCLUDING CANDIDATES FROM PARLIAMENTARY BY-ELECTIONS. IN MAY, AFTER STATEMENTS THREATENING SUCH ACTION BY PARLIAMENTARIANS, ATTACKERS BEAT A SPEAKER AND DISRUPTED A CONFERENCE OF SURGEONS WHICH HAD CRITICIZED A PROPOSED LAW TO SEGREGATE HEALTH CARE ALONG GENDER LINES. EVENTUALLY, ON SEPTEMBER 11, REACTING TO THE BEATING OF A MINISTER AND A VICE-PRESIDENT BY HEZBOLLAHI..., PRESIDENT KHATAMI DECLARED: "THE AUTHORITIES MUST NOT DITHER OR SHOW MERCY IN DEALING WITH THIS VULY VENGEANCE AGAINST THE RULE OF LAW AND FREEDOM. THE LAW BREAKERS, WHO ARE EITHER IGNORANT OR HAVE A MISSION, UNDERSTAND NO LOGIC BUT FORCE." NO ACTION WAS TAKEN AGAINST THOSE RESPONSIBLE FOR THE PUBLIC ATTACK ON SENIOR GOVERNMENT OFFICIALS.

WOMEN'S RIGHTS WERE ALSO A BATTLEGROUND IN THE CONFRONTATION BETWEEN REFORMERS AND SOCIAL CONSERVATIVES. IN NOVEMBER, REFORMERS ACHIEVED SOME SUCCESS WITH THE PASSAGE OF A LAW BY THE PARLIAMENT ALLOWING JUDGES TO AWARD CUSTODY OF MINOR CHILDREN TO THE MOTHER IN DIVORCE CASES IF THE BEST INTERESTS OF THE CHILD WOULD BE SERVED BY SO DOING. THIS WAS AN ENCOURAGING MOMENT IN A MIXED YEAR FOR WOMEN'S RIGHTS IN IRAN, BUT A YEAR IN WHICH ACTIVISM FOR CHANGE IN THE DISCRIMINATORY TREATMENT OF WOMEN, ESPECIALLY IN THE FAMILY, ACHIEVED CONSIDERABLE PUBLIC PROMINENCE.

CONSERVATIVES RESPONDED TO INCREASED ACTIVISM FOR WOMEN'S RIGHTS BY TRYING TO BAN IT. IN APRIL THE PARLIAMENT PASSED A BILL, YET TO BECOME LAW, MAKING IT A CRIME "TO CREATE DIVISION BETWEEN WOMEN AND MEN THROUGH DEFENDING [WOMEN'S] RIGHTS OUTSIDE THE LEGAL AND SHARIA FRAMEWORKS." THE PROPOSED LAW ALSO SOUGHT TO BAN PICTURES OF UNVEILED WOMEN APPEARING IN THE PRESS. MINISTER OF CULTURE MOHAJERANI OPPOSED THE BILL, BUT HIS OBJECTIONS WERE OVERRULED BY THE CONSERVATIVE MAJORITY IN THE PARLIAMENT. THE BILL PASSED A SECOND READING IN PARLIAMENT IN AUGUST.

IN A SIMILAR VEIN, THE PARLIAMENT OVERRULED OBJECTIONS FROM MINISTERS, SEVERAL WOMEN MEMBERS OF PARLIAMENT, AND THE MEDICAL PROFESSION TO PASS A BILL SEEKING TO ENFORCE GENDER SEPARATION IN THE PROVISION OF MEDICAL CARE. MANY COMMENTATORS POINTED OUT THE IMPRACTICALITY OF THE PROPOSED LAW GIVEN THE LACK OF SUFFICIENT

women doctors to meet even the minimum medical requirements of Iran's women. Some observed that it would require the recruitment and training of thousands of new women doctors, and male gynecologists objected that they would be unemployed. The bill was widely viewed as a show of force by conservative parliamentarians who intended to put an end to efforts to reform family law. In October, the Council of Guardians sent the bill back to the parliament without its approval.

Enforcement of the dress code for women varied with the political climate. Women detained for failing to cover their hair and to wear a flowing garment hiding the shape of their bodies were subjected to fines, up to seventy-four lashes or to prison terms of up to three months. Detentions increased during May, the period of *Moharram*, associated with mourning and increased piety in Shi'a Islam. Celebrations following the Iranian national soccer team's qualification for the soccer world cup in France in June were characterized by public mixing between the sexes and open flouting of the dress code.

Defending Human Rights

No independent domestic human rights monitoring organizations were permitted to operate and individual advocates were subjected to threats, intimidation, and arbitrary imprisonment. Human rights organizations with links to the government, like the Islamic Human Rights Commission, issued mild statements critical of some aspects of domestic human rights conditions, and gave the false impression that Iran tolerated human rights activists. Human Rights Watch and other independent international organizations were denied permission to visit the country.

In September former deputy prime minister Abbas Amir Entezam was imprisoned after he made statements criticizing torture and ill-treatment of prisoners. His remarks were prompted by the assassination, claimed by the armed opposition group, the People's Mojahedine Organization of Iran, of the former head of Iran's Prisons' Organization, Assadollah Lajevardi, who presided over mass executions and widespread torture during his tenure of office. Entezam had been released conditionally from a life prison term, but the official reason for his reimprisonment was not announced. He was not permitted to have access to his lawyer.

The Role of the International Community

United Nations

The government continued to deny access to the U.N. special representative on Iran, Maurice Copithorne of Canada. In his report to the U.N. Commission on Human Rights in April, Copithorne stated that "the situation is continuing to worsen...the new government must recognize the importance and urgency of reversing the present trend." He emphasized the high number of executions in the report, but acknowledged governmental efforts to ease censorship. A resolution passed by the commission in April expressed its concern that "human rights continue to be violated in Iran."

A slightly different tone was struck by U.N. High Commissioner for Human Rights Mary Robinson, who visited Tehran in March during a regional governmental human rights conference, which Human Rights Watch was denied permission to attend. Although her scheduled meeting with President Khatami was canceled, the high commissioner observed that she found "certain trends that are encouraging" and noted that "the debate about human rights is developing in Iran."

European Union

The Iranian government dissociated itself from the reward offered by an Iranian foundation for the killing of the British novelist Salman Rushdie, clearing the way for the resumption of full diplomatic relations between Iran and the U.K. Despite continuing threats against the novelist from parliamentarians and conservative leaders, E.U. relations with Iran warmed throughout the year. E.U. ambassadors withdrawn in protest over the Mykonos restaurant killings in Germany (see Human Rights Watch World Report 1999) returned to Tehran in November 1997. In January, British Foreign Secretary Robin Cook said that isolating Iran is not the right response because, "isolating Iran politically won't help the advocates of change there... [and] isolating Iran economically won't hit the target we want: Iran's attempts to acquire weapons of mass destruction." In February the E.U. abandoned its ban on ministerial level contacts with Iran. In announcing the resumption of official dialogue E.U. ministers called on the Iranian government to address concerns in a number of areas, including human rights and the situation of Salman Rushdie. Germany had special concerns about German national Helmut Hofer, condemned to death for illicit sexual relations with a Muslim woman. In July, Italian Prime Minister Romano Prodi became the highest level western official to visit Tehran in six years. European governments continued to object to U.S. law calling for sanctions against non-United States companies involved in sizeable investment activities in Iran. In May, overriding objections from some members of congress, the Clinton Administration waived sanctions against Total of France and two other energy companies which have invested in the capital starved Iranian energy sector, apparently wishing to avoid an open breach with the E.U. over the issue.

United States

While not reaching the levels of normalization achieved between Europe and the Iranian government, official U.S. rhetoric towards Iran also mellowed throughout the year, although sanctions prohibiting trade with Iran remained in place. The thrust of U.S. policy towards Iran did not emphasize human rights in Iran; rather Iran's pursuit of weapons of mass destruction and its alleged sponsorship of international terrorism were cited as the primary U.S. concerns. U.S. leaders, including President Clinton and Secretary of State Albright, made public statements to invite the Iranian government to begin an official dialogue with the U.S. on issues of concern—a request the Iranian side declined to take up. The Congress was decidedly more hostile to Iran than the administration, appropriating funds intended to destabilize the Iranian government, and passing resolutions condemning Iran's policies. In May, the State Department listed Iran among state's sponsoring terrorism, including in its list of "terrorist acts" attacks on supporters of armed opposition groups living in northern Iraq. Nevertheless, the State Department also included the armed opposition group, the People's Mojahedine Organization of Iran on its list of "terrorist organizations."

IRAQ

Human Rights Developments

The Iraqi government continued to engage in a broad array of human rights violations, including mass arrests, torture, summary executions, "disappearances," and forced relocations. In Iraqi Kurdistan armed Kurdish political parties and Iraqi security forces were also responsible for a wide variety of human rights violations, including the arbitrary detention of suspected political opponents, torture, and extrajudicial executions. The United Nations economic sanctions against

IRAQ ENTERED THEIR NINTH YEAR. THE SECURITY COUNCIL'S RESOLUTION 1153 INCREASED THE AMOUNT OF OIL IRAQ COULD EXPORT TO MEET HUMANITARIAN NEEDS, BUT THE PUBLIC HEALTH CRISIS FACING THE IRAQI POPULATION CONTINUED.

Human Rights Developments in Government-Controlled Iraq

OPPOSITION GROUPS IN EXILE AND THE U.N. REPORTED MASS ARRESTS AND SUMMARY EXECUTIONS OF DETAINEES. U.N. SPECIAL RAPPORTEUR FOR IRAQ MAY VAN DER STOEL REPORTED THAT IN NOVEMBER AND DECEMBER 1997 THE GOVERNMENT EXECUTED MORE THAN 1,500 POLITICAL DETAINEES IN ABU GHRAIB AND RADWANAYAH PRISONS AS PART OF THE "PRISON CLEANSING CAMPAIGN" FOLLOWING VISITS THERE BY QUSAY SADDAM HUSSEIN, THE PRESIDENT'S SON. ALL PRISONERS WITH SENTENCES OF MORE THAN FIFTEEN TO TWENTY YEARS WERE REPORTEDLY SUMMARILY EXECUTED AND SOME OF THE BODIES RETURNED TO FAMILIES WERE SAID TO HAVE SHOWN SIGNS OF TORTURE. THE TEHRAN-BASED SUPREME COUNCIL FOR ISLAMIC REVOLUTION IN IRAQ (SCIRI) REPORTED A MASS EXECUTION OF SIXTY PEOPLE IN FEBRUARY AND CLAIMED ONE HUNDRED DETAINEES AT RADHWANIYA PRISON WERE "BURIED ALIVE," BUT DID NOT IDENTIFY ANY OF THE ALLEGED VICTIMS BY NAME OR PROVIDE OTHER INFORMATION TO SUPPORT THE CHARGE. THE LONDON-BASED IRAQI COMMUNIST PARTY REPORTED THE EXECUTION IN MAY OF THIRTY-FIVE SHI'A PRISONERS, ORIGINALLY ARRESTED DURING A FAILED UPRISING IN 1991. THESE AND SIMILAR REPORTS COULD NOT BE VERIFIED DUE TO IRAQI'S RESTRICTION ON TRAVEL, FREE EXPRESSION, AND CONTACTS WITH FOREIGNERS.

NO DETAILS WERE AVAILABLE ABOUT THE FATE OF THE APPROXIMATELY 16,500 PEOPLE REPORTED "DISAPPEARED" IN THE LAST TEN YEARS, MAINLY ETHNIC KURDS AND SHI'AS BUT INCLUDING THE APPROXIMATELY 600 KUWAITIS REPORTED TO HAVE BEEN IN IRAQI CUSTODY BUT UNACCOUNTED FOR SINCE THE 1991 GULF WAR. ALTHOUGH THE IRAQI GOVERNMENT CLAIMED THAT IT HAD ESTABLISHED A COMMITTEE TO DEAL WITH THE ISSUE, LITTLE INFORMATION WAS AVAILABLE ABOUT ITS ACTIVITIES AND IRAQ DID NOT ALLOW THE U.N. WORKING GROUP ON ENFORCED OR INVOLUNTARY DISAPPEARANCES TO VISIT THE COUNTRY.

THE REPRESSION OF THE SOUTHERN SHI'A POPULATION CONTINUED. TEHRAN-BASED SCIRI REPORTED A GOVERNMENT CAMPAIGN OF HOUSE BURNING INTENDED TO SUPPRESS RESISTANCE IN THE SOUTHERN MARSHES. TWO SHI'A CLERICS, ONE AN IRANIAN, WERE KILLED IN APRIL AND JUNE. THE IRANIAN, AYATOLLAH ALI AL-GHARAVI, HAD AN EXTENSIVE FOLLOWING IN THE SOUTHERN REGION, AND HAD BEEN THREATENED BY GOVERNMENT OFFICIALS IN THE PAST. THE GOVERNMENT CONDUCTED NO PUBLIC INVESTIGATION AND PROHIBITED A FUNERAL PROCESSION OR ANY PUBLIC MOURNING.

FREEDOM OF THE PRESS AND EXPRESSION WERE SUPPRESSED. IRAQ'S MAJOR MEDIA OUTLETS, INCLUDING NATIONAL TELEVISION, RADIO, AND THE MAIN NEWSPAPERS WERE GOVERNMENT OWNED AND PRIVATE MEDIA WAS SUBJECTED TO STRICT CONTROL AND SEVERE PENALTIES. DAWOUD AL-FARHAN, A PROMINENT JOURNALIST, WAS ARRESTED IN AUGUST AND DETAINED FOR TWO MONTHS AFTER WRITING COLUMNS THAT HINTED AT GOVERNMENT CORRUPTION. MOST FOREIGN PUBLICATIONS AND THE OWNERSHIP OF SATELLITE DISHES WERE BANNED.

THE U.N. SECURITY COUNCIL RESOLUTION 687 (1991) SUSTAINED THE ECONOMIC SANCTIONS AGAINST IRAQ, NOW IN THEIR NINTH YEAR FOLLOWING IRAQ'S 1990 INVASION OF KUWAIT. SANCTIONS REMAINED IN THE FACE OF IRAQ'S REFUSAL TO COMPLY WITH CONDITIONS FOR THEIR LIFTING MADE IN THE RESOLUTION, INCLUDING THE DESTRUCTION OF ITS CHEMICAL, BIOLOGICAL, AND NUCLEAR WEAPONS PROGRAM AND ALLOWING UNOBSTRUCTED INVESTIGATIONS OF POSSIBLE WEAPONS SITES. IN SEPTEMBER THE SECURITY COUNCIL'S RESOLUTION 1194 RESPONDED TO IRAQ'S SUSPENSION OF COOPERATION WITH THE UNITED NATIONS SPECIAL COMMISSION AND INTERNATIONAL ATOMIC ENERGY AGENCY WEAPON'S INSPECTORS BY REMOVING THE PERIODIC SIXTY DAY REVIEW OF IRAQI COMPLIANCE WITH U.N. CONDITIONS FOR THE LIFTING OF SANCTIONS, RENDERING THEM EFFECTIVELY INDEFINITE. THE SANCTIONS CONTRIBUTED TO A MASSIVE PUBLIC HEALTH CRISIS, MARKED BY MALNUTRITION, INCREASING LEVELS OF INFANT MORTALITY, AND THE REEMERGENCE OF ERADICATED DISEASES.

THE APPROVAL PROCESS FOR HUMANITARIAN CONTRACTS UNDER RESOLUTION 986 (1995), WHICH ALLOWED THE ANNUAL SALE OF \$4 BILLION OF OIL FOR THE PURCHASE OF FOOD SUPPLIES, CONTINUED TO BE PROBLEMATIC, WITH THE IRAQI GOVERNMENT MAINTAINING ITS OPPOSITION TO U.N. CONDITIONS. IN SEPTEMBER, THE EXECUTIVE DIRECTOR OF THE U.N. OFFICE OF THE IRAQ PROGRAM, BENON SERAN, REPORTED THAT THE CALORIE LEVEL OF FOODSTUFFS PER DAY WAS 2,000, UP FROM 1,300 TO 1,400 CALORIES PER PERSON WHEN THE ENHANCED DISTRIBUTION PROGRAM STARTED IN 1995. DENIS HALLIDAY, THE U.N. RELIEF COORDINATOR FOR IRAQ, RESIGNED IN JULY AND MADE STATEMENTS HIGHLY CRITICAL OF THE LONG-TERM SANCTIONS POLICY. IN SEPTEMBER, AT A NEWS CONFERENCE IN THE U.S., HALLIDAY SAID HE FELT UNHAPPY THAT THE U.N. WAS RESPONSIBLE FOR IMPLEMENTING TRADE SANCTIONS AT THE SAME TIME IT OPERATED A HUMANITARIAN PROGRAMME, AND THAT THE IMPOSITION OF SANCTIONS DOES NOT IMPACT ON GOVERNANCE EFFECTIVELY AND INSTEAD IT DAMAGES THE INNOCENT PEOPLE OF THE COUNTRY."

IN FEBRUARY THE SECURITY COUNCIL PASSED RESOLUTION 1153, ALLOWING IRAQ TO EXPORT \$5.26 BILLION IN OIL EVERY SIX MONTHS, UP FROM THE PREVIOUS \$2 BILLION UNDER THE ORIGINAL "OIL-FOR-FOOD" RESOLUTION 986 (1995). HOWEVER, IRAQI OIL FIELDS, ALREADY DERELICT AND DAMAGED DURING THE GULF WAR, REPORTEDLY COULD NOT PRODUCE MORE THAN \$3 BILLION OF OIL DURING A 180-DAY PERIOD. IN LATE JUNE THE SECURITY COUNCIL AUTHORIZED IRAQ TO IMPORT THE PARTS AND EQUIPMENT NEEDED TO INCREASE ITS EXPORTS TO MEET THE \$5.26 BILLION TARGET. A GROUP OF U.N.-SPONSORED OIL EXPERTS SURVEYED IRAQI OIL FIELDS DURING THIS TIME AND REPORTED THAT EVEN IF THE SPARE PARTS WERE ORDERED IMMEDIATELY, IRAQ WOULD NOT BE ABLE TO INCREASE ITS EXPORT CAPACITY UNTIL DECEMBER 1999, AND ONLY THEN TO \$3.9 BILLION EVERY SIX MONTHS. IRAQ HAD NOT RECEIVED ANY OF THE SPARE PARTS REQUIRED BY SEPTEMBER. THE LOW PRICE OF OIL COMPOUNDED IRAQ'S DIFFICULTY IN INCREASING ITS EXPORT REVENUES.

THE LIMITED NUMBER OF U.N. MONITORS ALLOWED INTO THE COUNTRY, AS WELL AS INFRASTRUCTURAL PROBLEMS SUCH AS FUEL SHORTAGES, MADE IT DIFFICULT FOR MONITORS TO DETERMINE IF DISTRIBUTION OF HUMANITARIAN SUPPLIES WAS EQUITABLE. IN SOME INSTANCES, THE GOVERNMENT USED RATIONS AS A TOOL OF POLITICAL LEVERAGE UPON THE POPULATION. MALE CITIZENS WERE REQUIRED TO ATTEND BATH PARTY "TRAINING CENTERS" OR FORGO THEIR FOOD RATIONS: ONE U.N. OFFICIAL DESCRIBED THE PURPOSE OF THE CENTERS AS CREATING "BATTALIONS OF FIGHTERS." IN THE SOUTHERN MARSHES THOUSANDS OF PEOPLE WERE REPORTEDLY DENIED RATIONS FOR ALLEGED COOPERATION WITH THE OPPOSITION.

UNICEF REPORTED IN OCTOBER 1997 THAT ONE MILLION CHILDREN WERE CHRONICALLY MALNOURISHED AND THAT THE DEATH RATE OF CHILDREN UNDER FIVE IN 1996 WAS EIGHT TIMES GREATER THAN BEFORE THE GULF WAR. "WHAT WE ARE SEEING IS A DRAMATIC DETERIORATION IN THE NUTRITIONAL WELL-BEING OF IRAQI CHILDREN SINCE 1991," SAID PHILIPPE HEFFINCK, UNICEF REPRESENTATIVE IN BAGHDAD. "AND WHAT CONCERNS US NOW IS THAT THERE IS NO SIGN OF ANY IMPROVEMENT SINCE SECURITY COUNCIL RESOLUTION 986 CAME INTO FORCE." IN SEPTEMBER, FORMER U.N. COORDINATOR DENIS HALLIDAY OBSERVED THAT "4,000 TO 5,000 CHILDREN DYING UNNECESSARILY EVERY MONTH DUE TO THE IMPACT OF SANCTIONS BECAUSE OF THE BREAKDOWN OF WATER AND SANITATION, INADEQUATE DIET AND THE BAD INTERNAL HEALTH SITUATION."

ACCORDING TO AMNESTY INTERNATIONAL THE GOVERNMENT'S "ARABIZATION" POLICY IN THE OIL-RICH PROVINCE OF KIRKUK CONTINUED, AS 1,468 KURDISH FAMILIES WERE EYELLED TO THE KURDISH-CONTROLLED REGION IN THE NORTH BETWEEN 15 APRIL AND JUNE. A NUMBER OF RELATIVES OF THE TARGETED FAMILIES WERE APPARENTLY DETAINED IN PREPARATION FOR THE EXPULSION AND THE FOOD RATIONING TICKETS AS WELL AS PROPERTIES OF THE TARGET FAMILIES WERE REPORTEDLY CONFISCATED BY THE IRAQI AUTHORITIES.

Human Rights Developments in Iraqi Kurdistan

IRAQI KURDISTAN REMAINED UNDER THE CONTROL OF THE TWO MAIN POLITICAL FACTIONS, THE PATRIOTIC UNION OF KURDISTAN (PUK), LED BY JALAL TALABANI, AND THE KURDISTAN DEMOCRATIC PARTY, (KDP) HEADED BY MASOUD BARTANI. THE PUK-KDP RIVALRY AND CONFLICT INCREASINGLY HOBBOLED THE KURDISH-CONTROLLED REGION, WHICH WAS ALSO WRACKED BY FREQUENT TURKISH MILITARY INCURSIONS TARGETING THE BASES OF WORKERS PARTY OF KURDISTAN (PKK), IN NORTHERN IRAQ. THE NORTHERN AIRSPACE WAS PATROLLED BY THE U.S. AND THE U.K. AS PART OF THE "NO-FLY ZONE" ESTABLISHED AFTER THE GULF WAR.

IN NOVEMBER, UNDETERRED BY THE U.S. POLICED NO-FLY ZONE, 2,000 TURKISH TROOPS LAUNCHED AN ATTACK AGAINST THE PKK, IN KDP-CONTROLLED AREAS KILLING OVER 1,200 PEOPLE AND DISPLACING THOUSANDS OF CIVILIANS FROM THEIR HOMES. BOTH IRAQ AND THE PUK ALLEGED THAT TURKEY DROPPED NAPALM BOMBS IN INDISCRIMINATIVE ATTACKS ON PUK AREAS DURING THE OFFENSIVE, RESULTING IN CIVILIAN CASUALTIES. THE TURKISH ARMY CONTINUED TO ATTACK THE REGION AT WILL DURING 1999.

THE PUK-KDP FIGHTING AND TURKISH MILITARY OFFENSIVES RESULTED IN A SIGNIFICANT DISPLACEMENT OF CIVILIANS, AGGRAVATING THE REGION'S CHRONIC HUMANITARIAN CRISIS. IN ONE MONTH ALONE AT THE END OF 1997, 23,000 KURDS FLED FROM THE "SAFE-HAVEN" INTO TURKEY. MANY ETHNIC KURDS WERE EXPELLED FROM THEIR HOMES BECAUSE OF PRESUMED SUPPORT FOR ONE PARTY OR THE OTHER OR DISPLACED FROM GOVERNMENT-CONTROLLED IRAQ DUE TO THE GOVERNMENT'S "ARABIZATION" POLICIES. IN AUGUST, INSTITUTIONS BELONGING TO THE TURKMAN MINORITY IN IRBIL, INCLUDING NGO AND POLITICAL PARTY OFFICES, WERE ATTACKED BY KDP FIGHTERS. TURKMEN GROUPS ALLEGE THAT THESE ATTACKS WERE PART OF WHAT THEY DESCRIBE AS "ETHNIC-CLEANSING" DIRECTED AGAINST THIS MINORITY BY THE KDP. RELATIONS BETWEEN THE TURKMENS AND THE KDP WERE REPORTED TO IMPROVE AFTER THE KDP PERMITTED TURKMAN INSTITUTIONS TO REOPEN IN EARLY SEPTEMBER AND PAID COMPENSATION FOR DAMAGE CAUSED IN THE ATTACKS. ON SEPTEMBER 19, BARTANI AND TALLABANI MET IN WASHINGTON D.C. AND AGREED TO NEW POWER SHARING ARRANGEMENTS DESIGNED TO PUT AN END TO FACTIONAL FIGHTING IN THE NORTH.

Defending Human Rights

DUE TO THE STRICT CONTROLS ON FREEDOM OF ASSOCIATION AND EXPRESSION, NO INDEPENDENT HUMAN RIGHTS ORGANIZATIONS FUNCTIONED IN GOVERNMENT-CONTROLLED IRAQ. THE RENEWED IRAQI SECURITY PRESENCE IN THE NORTH SINCE 1996 ALSO SEVERELY LIMITED HUMAN RIGHTS MONITORING IN IRAQI KURDISTAN. ALTHOUGH MEMBERS OF MOST KURDISH HUMAN RIGHTS ORGANIZATIONS FLED THE AREA, SOME MONITORS REMAINED, ADOPTING A LOWER PROFILE. TURKEY REFUSED TO ALLOW JOURNALISTS INTO NORTHERN IRAQ DURING ITS MILITARY ATTACKS, MAKING VERIFICATION OF OFFICIAL REPORTS BY TURKISH AUTHORITIES AND THE KURDISH GROUPS DIFFICULT. OPPOSITION GROUPS IN EXILE CONTINUED TO MONITOR HUMAN RIGHTS ABUSES FROM ABROAD.

WHILE THE GOVERNMENT OFTEN GRANTED VISAS TO FOREIGN CORRESPONDENTS, AND ALLOWED U.N. MONITORS TO OBSERVE THE IMPLEMENTATION OF RESOLUTION 986 (1995), THE CLIMATE OF FEAR AND THE PRESENCE OF GOVERNMENT-APPOINTED MINDERS PREVENTED REPORTS AND MONITORS FROM GATHERING INFORMATION ON HUMAN RIGHTS ABUSES.

The Role of the International Community

United Nations

THE CONTINUING ACTIVITIES OF THE U.N. SPECIAL COMMISSION (UNSCOM) CHARGED WITH THE TASK OF DESTROYING IRAQI WEAPONS OF MASS DESTRUCTION WAS THE CAUSE OF FRICTION BETWEEN THE IRAQI GOVERNMENT AND THE INTERNATIONAL BODY. IN JANUARY, IRAQ SUSPENDED THE ACTIVITIES OF THE ENTIRE INSPECTION TEAM ON THE GROUNDS THAT THE IMBALANCE IN THE TEAM'S COMPOSITION (FOURTEEN OUT OF SIXTEEN INSPECTORS WERE UNITED STATES CITIZENS OR BRITISH) LED TO BIASED REPORTS THAT SUPPORTED THE U.S./BRITISH SANCTIONS POLICY. IN MARCH, AFTER INTERVENTION BY THE U.N. SECRETARY-GENERAL HAD AVERTED THE PUNITIVE BOMBARDMENT OF IRAQ, THE SECURITY COUNCIL PASSED RESOLUTION 1154, THREATENING IRAQ WITH THE "SEVEREST CONSEQUENCES" IF IT FAILED TO COOPERATE WITH UNSCOM UNDER THE COMMITMENTS MADE IN A MEMORANDUM OF UNDERSTANDING.

RUSSIA, CHINA, AND FRANCE SUPPORTED CLOSING THE WEAPONS' FILES — WHICH INCLUDE INVESTIGATION OF NUCLEAR, BIOLOGICAL, CHEMICAL, AND MISSILE SYSTEMS — INDIVIDUALLY, TO GIVE IRAQ INCENTIVES FOR FURTHER COOPERATION. RUSSIA DEPUTY FOREIGN MINISTER VIKTO POSWELYUK SAID IN MARCH THAT "RUSSIA IS CALLING FOR [IRAQ] TO BE SHOWN THE LIGHT AT THE END OF THE TUNNEL..." THE UNITED STATES AND UNITED KINGDOM OPPOSED THIS ACTION, AND THE U.S. MAINTAINED THAT IRAQ MUST MEET ALL REQUIREMENTS BEFORE SANCTIONS CAN BE ALTERED.

THE GOVERNMENT CONTINUED TO DENY ACCESS TO THE U.N. SPECIAL RAPPORTEUR ON IRAQ, A POLICY IN FORCE SINCE 1992, AND TO REJECT THE U.N. COMMISSION ON HUMAN RIGHTS' PROPOSAL TO STATION OF HUMAN RIGHTS MONITORS INSIDE IRAQ.

United States

IN FEBRUARY, THE UNITED STATES THREATENED MILITARY ACTION AGAINST IRAQ FOR ITS NONCOMPLIANCE WITH UNSCOM ARMS INSPECTIONS. THE U.S. CONTINUED TO POLICE "NO-FLY" ZONES IN NORTHERN AND SOUTHERN IRAQ, ALONG WITH THE U.K., BUT FAILED TO DETER REPEATED TURKISH INCURSIONS INTO THE NORTH.

CONGRESS AUTHORIZED \$39 MILLION TO SUPPORT THE IRAQI OPPOSITION ABROAD AND INITIATED THE MOST ACTIVE CAMPAIGN IN SUPPORT OF THE OPPOSITION IN RECENT YEARS. PART OF THE FUNDS WERE USED FOR OPPOSITION RADIO BROADCAST FROM PRAGUE, AND A PERMANENT REPRESENTATIVE WAS ESTABLISHED AT THE U.S. EMBASSY IN LONDON TO LIAISE WITH OPPOSITION GROUPS BASED THERE. IN ADDITION, IN OCTOBER, THE U.S. SENATE PASSED THE "IRAQ LIBERATION ACT OF 1999" WHICH WOULD AUTHORIZED GRANTS OF \$2 MILLION FOR BROADCASTING, AND UP TO \$97 MILLION IN MILITARY ASSISTANCE.

THE U.S. CONTINUED TO DENY ANY RESPONSIBILITY FOR THE HUMANITARIAN COST OF ECONOMIC SANCTIONS. IN MAY, UNDER SECRETARY FOR POLITICAL AFFAIRS THOMAS PICKERING EMPHASIZED THAT U.S. NATIONAL INTERESTS, WHICH INCLUDE THE FREE FLOW OF OIL, ARE THE FUNDAMENTAL GOAL OF IRAQ POLICY, SAYING THAT "AS FAR AS THE U.S. IS CONCERNED, SANCTIONS WILL BE A FACT OF LIFE FOR THE FORESEEABLE FUTURE" AND THAT "THE IRAQI GOVERNMENT IS FULLY RESPONSIBLE FOR THE IRAQI PEOPLE'S SUFFERING." IN SEPTEMBER, SCOTT RITTER, A UNITED STATES SENIOR WEAPONS INSPECTOR WITH UNSCOM, RESIGNED FROM THE SPECIAL COMMISSION ALLEGING U.S. AND OTHER GOVERNMENT WERE UNDERMINING THE EFFECTIVENESS OF UNSCOM BY AT TIMES ASKING TO DELAY UNANNOUNCED INSPECTIONS FOR POLITICAL CONSIDERATIONS. RITTER'S CLAIMS WERE DENIED BY ADMINISTRATION OFFICIALS, BUT INFORMATION ABOUT HIGH-LEVEL U.S. CONTACTS WITH UNSCOM HEAD RICHARD BUTLER DID EMERGE.

European Union

THE E.U. CONTINUED TO BE THE LARGEST PROVIDER OF HUMANITARIAN AID TO IRAQ. FRANCE SUPPORTED A REEVALUATION OF THE SANCTIONS POLICY WITH THE AIM OF A SLOW PHASE-OUT, WHILE THE U.K. AND GERMANY PROMOTED KEEPING SANCTIONS IN PLACE UNTIL THE ORIGINAL TERMS OF RESOLUTION 687 (1991) WERE MET.

EUROPEAN COMMISSIONER FOR HUMANITARIAN AFFAIRS, FISHERIES, AND CONSUMER POLICY EMMA BONINO WARNED IN APRIL THAT RESOLUTIONS 986 AND 1153 WOULD NOT ALONE ALLEVIATE ALL OF IRAQ'S HUMANITARIAN PROBLEMS, SAYING THAT "ALL THE EVIDENCE SHOWS THAT MOST IRAQIS ARE STILL FACING UNBEARABLE HARDSHIPS BROUGHT ABOUT BY THE CONTINUING DETERIORATION OF THEIR RIGHTS TO SECURITY, TO HEALTH, TO EDUCATION, AND TO WORK." WHILE BONINO NOTED THAT THE HUMANITARIAN CRISIS WAS IN PART "ATTRIBUTABLE TO LOCAL POLITICAL CIRCUMSTANCES," SHE SAID THE IRAQI EXPERIENCE SUGGESTS THE INTERNATIONAL COMMUNITY SHOULD RECONSIDER THE NATURE OF ECONOMIC SANCTIONS.

THE E.U. ISSUED AN ACTION PLAN IN JANUARY, IN RESPONSE TO A SIGNIFICANT INCREASE IN THE NUMBER OF KURDISH "MIGRANTS" ENTERING THE E.U., WHICH RESTRICTED ACCESS TO E.U. MEMBER STATE TERRITORIES AND RAISED CONCERNS OVER THE RISK OF REFULEMENT OF KURDISH REFUGEES WHO WERE FORCED TO REMAIN IN TURKEY FOR PROTRACTED PERIODS PENDING APPROVAL OF THEIR CLAIMS FOR ASYLUM IN E.U. STATES.

Israel, the Occupied West Bank, Gaza Strip, and Palestinian Authority Territories

Human Rights Developments

The 1992 Basic Law: Human Dignity and Liberty, Israel's main law addressing human rights, defined Israel as a religious state and did not prohibit discrimination or guarantee equality before the law. Many laws and practices openly discriminated against ethnic and religious minorities and against women on issues ranging from housing and employment to personal status. Israeli law did not guarantee freedom of religion, and as of mid-October Israel had still not fully implemented a two-year-old law allowing civil burial, and had no provisions for civil marriage. On May 20 a Knesset bill providing for a three-year prison sentence or NIS 50,000 (U.S.\$13,700) fine for "preaching with the intent of causing another person to change his religion" passed its first reading.

The U.N. Human Rights Committee concluded in July that discrimination against Palestinian citizens of Israel had produced "significantly lower levels of education, access to health care, [and] access to housing, land and employment" compared to Jewish Israelis. According to the Legal Center for Arab Minority Rights in Israel (Adalah), the police response to demonstrations in September against Israel's confiscation of Palestinian citizens' land near Um al-Fahm left 400 injured, some by live ammunition. Deputy Commander Elihu Ben-On explained the police actions, telling reporters, "In the territories it's common in such situations to fire live munitions with intent to harm." In July the interior ministry acknowledged that from 1984 to 1990 Israel had revoked Palestinian women's Israeli citizenship if they married non-citizen Palestinians and lived with them in the occupied territories or Jordan.

Israel revoked permanent residency permits of Palestinian residents of East Jerusalem who could not produce the many documents required to prove that their "center of life" was within Jerusalem municipal boundaries. According to interior ministry officials, 1,641 Palestinians and their families lost their right to reside in Jerusalem between 1996, when the policy began, and August 1999. Five hundred other cases were under review. Individuals who lost residency rights also lost health insurance and social benefits, and risked being barred from reentering Jerusalem.

On March 13 Mordechai Vanunu was transferred to regular custody, after spending more than eleven years in solitary confinement, a form of punishment characterized by the U.N. Human Rights Committee as constituting torture. Vanunu was serving an eighteen year sentence for providing evidence of Israel's nuclear capability to the press.

Workers' groups like the Tel Aviv-based Kav La'Oved/Workers' Hotline continued to criticize government labor policies which left foreign and Palestinian workers vulnerable to exploitation by employers and labor contractors. In March Labor Minister Eli Yishai announced plans to reduce the number of foreign workers in the labor force from 10 percent to 1 percent by 2005, replacing them with Palestinian workers from the West Bank and Gaza Strip. The number of foreign workers had significantly increased after 1993 when Israel severely limited West Bank and Gaza Palestinians' access to Israel and East Jerusalem. Yishai promised to increase deportations of unregistered workers to up to 2,000 per month and reduce processing of deportation orders to "about ten days." Israel jailed migrants pending deportation and workers who could not pay their repatriation costs sometimes spent up to six months in prison, without judicial oversight, awaiting deportation.

Israel exercised full or partial control over 97 percent of the West Bank and 40 percent of the Gaza Strip, while the Palestinian Authority (PA), established in 1994 pursuant to the Oslo Accords, had full control over the rest. Although most Palestinians lived in areas under some degree of PA control, Israel exercised extensive control over the freedom of movement of all West Bank and Gaza Strip Palestinians, impeding the exercise of those rights dependent on freedom of movement.

Israel had barred Palestinians living in the West Bank and Gaza Strip who lacked hard-to-obtain permits from entering or transiting through Israel or East Jerusalem since March 1993. The closure obstructed Palestinian economic activity and access to health care, schools and universities, places of worship, and family members in other parts of the territories or in Israeli prisons. Despite Israeli claims that closure was a justified security measure, the arbitrary nature of the procedures and criteria for issuing permits and the policy's imposition in an indiscriminate fashion on an entire population made it an act of collective punishment.

Roadblocks used to enforce closure were a frequent point of friction, leading to several deaths and numerous injuries. Two Palestinian infants died during a closure and curfew imposed on Hebron in August, after soldiers blocked their mothers from reaching hospitals. The Israeli Defense Force (IDF) characterized the deaths as the result of "wrong judgment" and "an unfortunate misunderstanding." Even when IDF regulations were followed, the closure policy sometimes resulted in deaths, as when three Palestinian workers were killed and six others wounded on March 10 at a roadblock at Tarqumiya. Soldiers fired on their van after it went out of control, apparently because of a mechanical failure. General Uzi Dayan, then head of the army's Central Command, told reporters "during the two years that I have had this assignment, no soldier has been brought to trial because of events that occurred when he was in the field," and in May a military prosecutor closed the investigation without bringing charges.

Despite rules of engagement intended to minimize civilian injuries, the IDF and border police were implicated in at least twelve other deaths and numerous injuries during the first ten months of the year. On May 14 five Palestinians were killed and as many as 300 wounded, some seriously, by soldiers using live ammunition and rubber-coated bullets to disperse demonstrations in the West Bank and Gaza. According to the Gaza-based Palestinian Center for Human Rights (PCHR), forty-six of the seventy-one Palestinians injured in Gaza that day were shot with live ammunition, and fifty-two were shot in the upper body.

As of mid-October Israel had not released the bodies of Adel 'Awadallah, thirty-one, and his brother, Imad 'Awadallah, twenty-seven, killed by a police special forces unit on September 10. Both were wanted by Israel for suspected activities with the armed wing of the militant Islamic Resistance Movement, HAMAS. The exact circumstances of the killings remained unclear, and Israel refused requests for an independent forensic investigation. Imad had been in PA custody from March 29 to August 15, when he was reported to have escaped from an unlocked cell. Brig. Gen. Yitzhak Eitan responded to early questions about whether the men had an opportunity to surrender, saying "What do you want me to do? Knock on the door?" West Bank commander Major General Moshe Yaalon later denied charges by PA chief of intelligence Amin al-Hindi and others that the two had been assassinated, saying "They tried to shoot the [police] dogs and our men killed them."

As of August, more than 3,000 Palestinians from the West Bank and Gaza Strip were held in Israeli prisons, in violation of the Fourth Geneva Convention. Almost 1,400 were serving life sentences. Many were held in poor conditions with inadequate health care. In addition to these prisoners, as of mid-September at least fifty-three other persons were held as administrative detainees under similar conditions. Many had been held for years, without charge or trial and without effective judicial review of their detention. The Supreme Court ruled in November 1997 that administrative detention could be used to hold Lebanese nationals as "bargaining chips"—in effect, hostages—even though the detainees were not themselves a threat to state security. The longest-held administrative detainee, Ahmad Qatamesh, was released on April 15, after being held almost six years without charge.

Torture or ill-treatment during interrogation by the General Security Services (GSS) continued to be widespread and systematic. In January and May a nine-member panel of the Supreme Court heard arguments on GSS interrogation methods, but postponed ruling on whether these methods constituted torture under Israeli law, although the U.N. found them to violate two treaties prohibiting torture (see below). The Knesset also debated legislation that would codify these methods in a new GSS Law, in effect legalizing torture, but as of October the bill had not passed its final reading.

Israel's demolition of Palestinian homes built without permits continued around Israeli installations in the West Bank including East Jerusalem, displacing hundreds. Building permits were almost impossible for Palestinians to obtain, and according to Israeli officials as many as three thousand homes in the West Bank could be subject to demolition. At the same time Israel targeted Palestinian homes for destruction, Israel authorized massive housing construction, tax incentives,

and roads and related infrastructure for Jewish settlements in the West Bank, including East Jerusalem. Government approval of new construction often immediately followed attacks by Palestinians on settlers, as in the decision in August to expand the Yitzhar and Tel Rumeida settlements, and to allot NIS 90 million to build new settlements and expand existing ones. In response to a survey in August by Peace Now that found 5,992 new units under construction in 142 settlements, while 2,998 completed units stood empty, the Housing Ministry admitted that almost a quarter of all units built by the government in the West Bank between 1999 and 1992 had never been occupied.

Israel pressured the Palestinian Authority (PA) to extradite to it approximately thirty-six "suspects and defendants" as a condition of progress in Oslo Accord negotiations. The transfer of persons protected by the Geneva Conventions to the territory of the occupying power is illegal, and extradition to a state where there is substantial risk of torture is prohibited by the Convention against Torture, which Israel has ratified.

Palestinian Authority

The Palestinian Authority (PA) failed to institutionalize important safeguards against human rights abuses that included patterns of arbitrary detention without charge or trial, torture and ill-treatment during interrogation, grossly unfair trials, and persecution of its critics. PA President Yasir 'Arafat's refusal to ratify the Basic Law, passed by the Palestinian Legislative Council in October 1997, left Palestinians without any clear statement of their rights, or of the duties and responsibilities of the executive, judicial, and legislative branches of government. Officials with specific responsibilities to safeguard human rights, like the attorney general, as well as judges, often found themselves under pressure to follow the executive's wishes, and unable to enforce their own rulings.

Palestinian security forces arbitrarily arrested and detained individuals for long periods without charge and sometimes without access to lawyers or family visits, even in cases where the attorney general or courts ordered access to lawyers. As many as 150 arrests followed the March 29 killing of Hamas activist Mohiyadin al-Sharif. As of October many detainees from these and other arrests were still being held without charge or trial, including Mahmud Muslih, arrested on September 14, 1997; Dr. 'Abd al-'Aziz al-Rantisi, arrested on April 9; Dr. Ibrahim Maqadama, arrested on April 10; and Ghassan al-Adassi, arrested on March 29.

Lawyers reported difficulty in seeing their clients, despite receiving permits from the attorney general or court orders allowing visits. Detainees at several prisons held hunger strikes demanding trial or release. In cases where the High Court did order a detainee released, the security services sometimes refused to act on the order. As of mid-October security forces still held Muslih, ordered released on November 30, 1997, al-Rantisi, ordered released on June 4, and al-Adassi, ordered released on October 6. Attorney General Fayez Abu Rahmei, who had promised to investigate cases of arbitrary arrest and detention when he was appointed in July 1997, resigned on May 1 and as of mid-October the post remained unfilled. In explaining his resignation, Abu Rahmei criticized the justice minister for "trying to limit my role and my powers," and security officials for not consulting him when detaining political prisoners.

Trials often lacked minimal due process guarantees, and judges who complained about judicial abuses sometimes faced retaliation. In January Chief Justice Qusai al-Abdallah was reportedly forced to "retire" after publication of an interview critical of the judicial system. The State Security Courts (SSC) and military courts lacked almost all due process rights, including the right to appeal, and were responsible for the majority of the twenty-three death sentences issued since 1994. Sentences in these courts were sometimes issued only hours after arrest. On August 30 brothers Muhammad and Ra'ed Abu Sultan, both military intelligence agents, became the first persons executed by the PA after being convicted of the murder three days earlier of two brothers and the wounding of a third during a dispute between their two families. The death sentence of another Abu Sultan brother, Faris, was commuted to life imprisonment. The trial took place in a military court presided over by former attorney general Khaled al-Qirba, who had been removed from that office in 1997. Despite the extreme speed of the trial and execution, Minister of Justice Fathi Abu Meadin said he was "100 percent satisfied" with the legal proceedings.

Security forces were repeatedly implicated in torture and corruption. On August 11 President Arafat appointed a prosecutor to investigate the death in General Intelligence (GI) custody of Walid Mahmud al-Qawasm, forty-eight, on August 9. It was the twentieth known death in custody since 1994. Al-Qawasm had reportedly been arrested in Hebron in July, released, then rearrested in Jericho in August. According to the Jerusalem-based Palestinian Society for the Protection of Human Rights and the Environment (LAW), al-Qawasm told his son during an August 7 visit that he was being tortured, and an autopsy revealed skull fractures and internal bleeding. In September Palestinian sources reported Hussein Abu Ghali, fifty-five, died after being beaten by the chief of Presidential Security, Jazar al-Ghul. According to family members, Abu Ghali had gone to the president's office to ask for help obtaining a travel permit for his son's medical treatment. The police told them a few hours later to pick up his body at the hospital; the family then found footprints on his clothing and blood around his nose and mouth.

Press freedom remained restricted. On April 9 police ordered Reuters' Gaza office closed for three months after it broadcast a taped interview with 'Adeh 'Awadallah (see above). Police Chief Ghazi al-Jabali explained the closure, saying "The Reuters correspondent intentionally broadcast news and subjects which spread divisions in Palestinian society." The office reopened on April 15 but 'Abbas al-Mumani, the journalist who received the tape, was arrested on May 5 and held until May 14, when he was released after a visit by Reuters representatives. Al-Mumani alleged he was tortured while in General Intelligence custody. On March 19 the Supreme Court ordered al-Risala, a weekly newspaper of the Khalas party, reopened, and on July 11 al-Istiqbal, a weekly newspaper affiliated with Islamic Jihad, issued its first edition since its closure in 1996.

Defending Human Rights

Israel for the most part permitted human rights organizations to collect and disseminate information in the areas under its control, but closures often kept Palestinian human rights workers and lawyers, including those with Israeli citizenship or Jerusalem identity cards, from traveling freely within the West Bank, the Gaza Strip, and Israel. Palestinians who had been previously detained or served sentences were also refused access to prisons and detainees.

Sha'wan Jabarin, fieldwork coordinator at the Ramallah-based al-Haq, was released from administrative detention on January 25 after being held two years without charge or trial.

The PA allowed human rights groups to operate in the areas under its jurisdiction, but their legal status remained unclear. As of mid-October President 'Arafat had not signed the draft law regulating nongovernmental organizations submitted to him on August 19. The two bodies with the clearest mandate to investigate human rights abuses, the Palestinian Independent Commission on Civil Rights, created by a presidential decree in 1994, and the Palestinian Legislative Council, continued to face difficulties investigating complaints.

On August 25 security forces violently dispersed a demonstration by human rights groups protesting the house arrest of the 'Awadallah family after 'Imad 'Awadallah's escape from custody (see above). The family was prevented from leaving the house or receiving visitors. According to LAW, security forces assaulted Palestinian Legislative Council members and journalists, and at least one person was hospitalized. Legislative Council members who attempted to visit the family the following day were also assaulted, and two more persons hospitalized. On August 31 the Council created a committee to investigate the attack, charging that the PA's response was inadequate.

The PA denied human rights activists and lawyers regular access to prisons and detainees and sometimes detained or threatened activists who criticized the PA. Lawyer Ahmad Yasin was detained on September 2 on a charge of obstructing justice after the magazine "Peoples' Rights" published his account of police ill-

treatment of himself and his client. In March security forces detained Shawqi 'Issa and Samih Muhsin of LAW INCOMMUNICADO FOR ELEVEN HOURS FOLLOWING PUBLICATION OF AN ARTICLE CRITICAL OF POLICE CHIEF GHAZI AL-JABALI IN THE SAME MAGAZINE. THEY WERE ASKED TO SIGN A PLEDGE NOT TO CRITICIZE THE PA, WHICH THEY REFUSED.

The Role of the International Community

United Nations

In March Kofi Annan made the first official visit by a United Nations secretary-general to Israel and the West Bank and Gaza Strip, and in June issued a statement deploring Israel's expansion of the boundaries of Jerusalem. The Security Council adopted a presidential statement on July 13 calling on Israel not to proceed with its plan to expand Jerusalem's boundaries and urging it to abide by its Fourth Geneva Convention obligations.

Hannu Halinen, U.N. special rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, noted in his March report to the U.N. that his work had been limited by the uncooperativeness of the Israeli government, which failed to provide direct information or to allow him to visit prisons in Israel.

The Committee on the Elimination of Racial Discrimination reviewed Israel's periodic report on March 4 and 5, and found the convention to be "far from fully implemented in Israel and the Occupied Palestinian Territory." The committee recommended Israel introduce legislation to implement its obligations under Articles 4 and 5, which address the prohibition of racial and ethnic discrimination and the guarantee of equality under the law, and give high priority to ensuring the right of Palestinians to return and possess their homes in Israel or claim compensation.

The Committee against Torture reviewed Israel's periodic report on May 14 and 19, and reiterated its position that Israeli interrogation practices violated Articles 1, 2, and 16 of the convention, which define torture and cruel, inhuman or degrading punishment or treatment and the state's obligation to prevent it. It called upon Israel to incorporate the convention's provisions into Israeli law, and publish its "Landau" interrogation procedures. The committee also recommended Israel review its practice of administrative detention in the occupied territories to ensure conformity with Article 16, which obligates states to prevent cruel, inhuman or degrading treatment or punishment.

The Human Rights Committee reviewed Israel's first report on its implementation of the International Covenant on Civil and Political Rights on July 15 and 16. The committee identified twenty-one areas of concern, including practices discriminating against Palestinians living in the Occupied Territories, Arab Israelis, women, and Bedouin; the use of rubber-coated bullets in dispersing demonstrations; the use of prolonged solitary confinement; and the lack of provision for civil marriage and burial. It found Israel's interrogation and administrative detention practices, including holding persons as "bargaining chips," to violate the convention's non-derogable prohibition of torture and all forms of cruel, inhuman or degrading treatment or punishment, and it criticized Israel's failure to incorporate the covenant into domestic law and to fully apply it in all the territories it controlled, including those in Lebanon.

The General Assembly, meeting in Emergency Special Sessions on November 13, 1997 and March 17, 1999, passed resolutions calling for the high contracting parties of the Fourth Geneva Convention to convene a conference on measures to enforce the convention in the occupied Palestinian territories. The resolutions recommended Switzerland convene a meeting of experts to prepare for the conference, and set February and then April as target dates for the meeting. In July the Swiss sponsored a closed meeting of Israel, the Palestine Liberation Organization, and the International Committee of the Red Cross to discuss matters related to the convention's effective application in the territories, but as of mid-October had not set a date for a conference of high contracting parties.

The General Assembly voted on July 7 to upgrade Palestine's status in the U.N., increasing its delegation to six members, and granting it additional rights and privileges to participate in the General Assembly and U.N. conferences. The new status did not include the right to vote or nominate candidates.

European Union

European Union foreign ministers expressed concern with the stalemate in negotiations between Israel and the Palestinian Authority and sharply criticized Israeli settlement policies, but rarely publicly raised human rights concerns. In February the E.U. Council of Ministers expressed "grave concern" over closures and other Israeli obstacles to Palestinian economic development. Following Britain's assumption of the E.U. presidency, Prime Minister Tony Blair noted the negative economic impact of "restrictions on the free movement of Palestinian goods and people," but did not address the closures as a form of collective punishment prohibited under international humanitarian law. In mid-May the European Commission criticized Israel for interfering with the operation of an interim E.U. trade agreement with the PA and for attempting improperly to market in Europe as "made in Israel" goods originating in Israeli settlements in the occupied territories under the preferential provisions of an interim Israel-E.U. trade agreement.

As of October, France and Belgium had yet to ratify the Euro-Mediterranean Association Agreement between the E.U. and Israel.

The E.U. continued to be the largest single donor to the PA, including funding of security forces and a counterterrorism program. Between 1993 and 1997, the E.U. allocated ECU 1.68 billion (U.S. \$ 1.98 billion) for the Palestinian-controlled areas and the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA). The Council of Ministers, in its statement following the February 23 meeting, underlined E.U. concern regarding the PA's adherence to commitments regarding transparency and accountability. On March 6, U.K. Foreign Minister Robin Cook, then president of the E.U. Council of Ministers, announced an extension of E.U. funding to the PA, continuing at the rate of approximately ECU 90 million per year, and ECU 30 million to UNRWA. On March 17, Foreign Minister Cook announced the establishment of a European Union/Palestinian Joint Permanent Security Committee, towards which the E.U. was contributing LS 5 million (U.S. \$0.3 million). A Joint Declaration on E.U./Palestinian Security Cooperation, which remained classified, was signed at British Prime Minister Tony Blair's meeting with PA President Yasser 'Arafat in Gaza in April. On July 9 Foreign Minister Cook said that the U.K. had also seconded a security advisor to the staff of E.U. Special Envoy Miguel Moratinos.

United States

Israel remained the largest recipient of U.S. bilateral aid, receiving approximately U.S.\$3 billion in economic and military assistance. The U.S. continued to be the principle third party in the Israeli-PLO negotiations, where its diplomatic efforts focussed on meeting Israeli security concerns, further Israeli troop redeployments, movement toward permanent status talks, and what Secretary of State Albright termed "a time-out on unhelpful unilateral steps." In practice, this meant U.S. criticism of "provocative" actions it saw as undermining the negotiations, such as Israel's June decision to expand Jerusalem's borders, but almost no discussion of Israeli human rights abuses.

The U.S. continued to pressure the PA to act decisively against anti-Israeli violence. U.S. pressure was often applied in a manner that, in light of the past record of the PA, condoned arbitrary arrests and other abuses in the name of containing this violence. In December 1997 the U.S. drafted a memorandum of understanding on principles to govern PA performance on security and counterterrorism, which was incorporated into the Wye Memorandum, signed by Israel and the PA on October 23. The memorandum, a result of nine days of high level U.S.-sponsored negotiations, included Israeli and PA commitments to "take all measures

NECESSARY IN ORDER TO PREVENT ACTS OF TERRORISM, CRIME, AND HOSTILITIES." PA IMPLEMENTATION OF THE SECURITY ASPECTS OF THE MEMORANDUM WAS TO BE SUPERVISED BY U.S. CENTRAL INTELLIGENCE AGENCY OFFICIALS. THE AGREEMENT DID NOT INCLUDE A CLEAR COMMITMENT BY ALL SIDES TO SAFEGUARD HUMAN RIGHTS.

THE U.S. PROVIDED AN ANNUAL U.S.\$100 MILLION IN ECONOMIC SUPPORT FUNDS TO THE WEST BANK AND GAZA, MOST FOR PROGRAMS SUPPORTING ECONOMIC DEVELOPMENT AND STRENGTHENING ADMINISTRATIVE AND POLICY-MAKING INSTITUTIONS.

Relevant Human Rights Watch reports:

Israel's Record of Occupation: Violations of Civil and Political Rights, 9/99

Saudi Arabia

Human Rights Developments

THE GOVERNMENT OF SAUDI ARABIA, AN ABSOLUTE MONARCHY, CONTINUED TO VIOLATE A BROAD ARRAY OF CIVIL AND POLITICAL RIGHTS, ALLOWING NO CRITICISM OF THE GOVERNMENT, NO POLITICAL PARTIES, NOR ANY OTHER POTENTIAL CHALLENGES TO ITS SYSTEM OF GOVERNMENT. ARBITRARY ARREST, DETENTION WITHOUT TRIAL, TORTURE, AND CORPORAL AND CAPITAL PUNISHMENT REMAINED THE NORM IN BOTH POLITICAL AND COMMON CRIMINAL CASES, WITH AT LEAST TWENTY-TWO EXECUTIONS AND THREE JUDICIAL AMPUTATIONS OF THE HAND CARRIED OUT BY MID-OCTOBER. HUMAN RIGHTS ABUSES WERE FACILITATED BY THE ABSENCE OF AN INDEPENDENT JUDICIARY AND THE LACK OF PUBLIC SCRUTINY BY AN ELECTED REPRESENTATIVE BODY OR A FREE PRESS.

WOMEN CONTINUED TO FACE INSTITUTIONALIZED DISCRIMINATION AFFECTING THEIR FREEDOM OF MOVEMENT AND ASSOCIATION AND THEIR RIGHT TO EQUALITY IN EMPLOYMENT AND EDUCATION. MUSLIM RELIGIOUS PRACTICES DEEMED HETERODOX BY GOVERNMENT-APPOINTED ISLAMIC SCHOLARS AND ALL NON-MUSLIM RELIGIOUS PRACTICES WERE BANNED AND SUBJECT TO CRIMINAL PROSECUTION. IN JULY THE PHILIPPINES EMBASSY IN RIYADH REPORTED THAT TWELVE FILIPINO NATIONALS WHO HAD BEEN DETAINED IN EARLY JUNE ON CHARGES OF PROSELYTIZING AND HANDING OUT BIBLES WERE DEPORTED TO THE PHILIPPINES. A DUTCH CITIZEN ARRESTED AT THE SAME TIME WAS ALSO DEPORTED.

LABOR LAWS BANNED THE RIGHT TO ORGANIZE AND BARGAIN COLLECTIVELY AND GAVE EMPLOYERS CONTROL OVER FOREIGN WORKERS' FREEDOM OF MOVEMENT. MANY FOREIGN WORKERS WERE DENIED PROMISED WAGES AND BENEFITS AND SUFFERED UNDER OPPRESSIVE LABOR CONDITIONS. LABOR PROTECTIONS DID NOT EXTEND TO DOMESTIC WORKERS, AND LABOR COURTS RARELY ENFORCED THE FEW PROTECTIONS PROVIDED BY LAW WHEN WORKERS SOUGHT TO HAVE THE TERMS OF THEIR CONTRACTS HONORED OR PURSUED SIMILAR CLAIMS. IN JULY THE COUNCIL OF MINISTERS ISSUED A DECISION PLACING NEW LIMITS ON FOREIGNERS HOLDING PUBLIC SECTOR JOBS AND PROHIBITING FOREIGN WORKERS WITH LESS THAN TEN YEARS IN SAUDI ARABIA FROM "ACQUIRING NEW EXPERTISE." THE RESTRICTIONS FOLLOWED A CAMPAIGN TO LIMIT THE NUMBER OF FOREIGN WORKERS BEGUN IN JULY 1997, AND IN AUGUST THE GOVERNMENT ANNOUNCED THAT OVER 750,000 FOREIGN WORKERS HAD BEEN EXPELLED FOR VIOLATING RESIDENCY REGULATIONS SINCE OCTOBER 1997.

THE SAUDI GOVERNMENT HAS NOT DISSEMINATED A PENAL CODE OR CODE OF CRIMINAL PROCEDURE, AND ONLY A LIMITED NUMBER OF LAWS EXISTED IN PUBLISHED FORM. THE SAUDI MONARCHY ENJOYED BROAD POWERS, ENABLING THE KING TO APPOINT AND DISMISS JUDGES AND TO CREATE SPECIAL COURTS, UNDERMINING JUDICIAL INDEPENDENCE. IN ADDITION, PRINCIPLES OF ISLAMIC LAW WERE SUBJECT TO REINTERPRETATION BY GOVERNMENT-APPOINTED RELIGIOUS LEADERS. JUDGES ENJOYED BROAD DISCRETION IN DEFINING CRIMINAL OFFENSES AND SETTING PUNISHMENTS, WHICH INCLUDED SEVERE FLOGGINGS, AMPUTATIONS, AND BEHEADING, AND IN DETERMINING WHICH WITNESSES WOULD BE CALLED TO TESTIFY. THESE FACTORS ENCOURAGED ARBITRARINESS IN SENTENCING AND ALLOWED GREAT SCOPE FOR MANIPULATION OF THE JUSTICE SYSTEM BY WELL-CONNECTED INTERESTED PARTIES.

UNDER THE PRINCIPLES OF ARREST, TEMPORARY CONFINEMENT, AND PREVENTATIVE DETENTION REGULATIONS ISSUED BY THE MINISTER OF INTERIOR IN 1993, DETAINEES HAD NO RIGHT TO JUDICIAL REVIEW, COULD BE HELD FOR FIFTY-ONE DAYS BEFORE THEIR DETENTION WAS REVIEWED BY THE REGIONAL GOVERNOR, AND COULD BE HELD INDEFINITELY IF NEITHER THE GOVERNOR NOR MINISTER OF INTERIOR ORDERED THEIR RELEASE OR TRIAL. DETAINEES HAD NO RIGHT TO LEGAL COUNSEL, TO EXAMINE WITNESSES, OR TO CALL WITNESSES IN THEIR OWN DEFENSE. SAUDI LAW ALSO ALLOWED CONVICTION ON THE BASIS OF UNCORROBORATED CONFESSIONS. IN CASES OF "CRIMES INVOLVING NATIONAL SECURITY," THE MINISTER OF INTERIOR HAD VIRTUALLY UNLIMITED AUTHORITY OVER SUSPECTS IN CRIMES AGAINST STATE SECURITY, WHICH WERE DEFINED SO BROADLY AS TO ENCOMPASS NONVIOLENT OPPOSITION TO THE GOVERNMENT.

FOREIGNERS WERE PARTICULARLY VULNERABLE TO MANIPULATION OF THE JUDICIAL SYSTEM, AS IN THE CASE OF FARZANA KAUSAR AND HER THREE SMALL CHILDREN, ALL PAKISTANI NATIONALS, WHO WERE DETAINED FOR ALMOST TEN MONTHS, APPARENTLY IN AN ATTEMPT TO FORCE HER HUSBAND TO RETURN TO SAUDI ARABIA. KAUSAR'S HUSBAND, MOHAMED ISAZ AHMAD, ALSO A PAKISTANI NATIONAL, WAS EMPLOYED AS OFFICE MANAGER FOR SAID AYAS, THE BUSINESS MANAGER OF PRINCE MUHAMMAD BIN FAHD BIN 'ABD AL-AZIZ AL-SAUD, SON OF KING FAHD AND GOVERNOR OF THE EASTERN PROVINCE. BOTH AHMAD AND AYAS WERE WANTED BY PRINCE MUHAMMAD IN CONNECTION WITH A BUSINESS DISPUTE, AND AYAS HAD BEEN PLACED UNDER HOUSE ARREST IN JUNE 1997 WHEN HE RETURNED TO SAUDI ARABIA AT THE PRINCE'S REQUEST. AFTER AHMAD WENT TO PAKISTAN IN SEPTEMBER TO VISIT AN ILL PARENT, HE LEARNED FROM NEIGHBORS THAT HIS WIFE AND CHILDREN WERE DETAINED BY GENERAL INVESTIGATIONS OFFICERS ON OCTOBER 9, 1997, A DAY BEFORE THEY WERE TO JOIN AHMAD. IN MARCH THE SAUDI AMBASSADOR TO PAKISTAN REPORTEDLY SOUGHT THE AID OF PAKISTAN'S MINISTER OF INTERIOR IN RETURNING AHMAD TO SAUDI ARABIA, AND CLAIMED THAT KAUSAR REMAINED IN SAUDI ARABIA BECAUSE SHE WAS UNWILLING TO TRAVEL WITHOUT HER HUSBAND. AHMAD FLED PAKISTAN AND APPLIED FOR ASYLUM IN BRITAIN, WHERE HE INDICATED HE WOULD TESTIFY ON AYAS' BEHALF IN A LONDON COURT CASE BROUGHT BY THE PRINCE. IN RESPONSE TO THE COURT'S REQUEST FOR CLARIFICATION OF KAUSAR'S STATUS, ON JULY 14 THE PRINCE'S LAWYERS FOR THE FIRST TIME SUBMITTED AFFIDAVITS CLAIMING THAT KAUSAR HAD BEEN CHARGED WITH CRIMINAL OFFENSES ON FEBRUARY 29. THEY DID NOT EXPLAIN WHY THE SAUDI AMBASSADOR'S MARCH APPEAL TO PAKISTAN MADE NO MENTION OF CHARGES, OR WHY KAUSAR AND HER CHILDREN WERE DETAINED MORE THAN FOUR MONTHS BEFORE CHARGES WERE FILED. THE FAMILY WAS ALLOWED TO LEAVE SAUDI ARABIA ON JULY 27, THE DAY BEFORE A SCHEDULED COURT JUDGMENT IN THE LEGAL DISPUTE, ON THE CONDITION THAT KAUSAR RETURN TO SAUDI ARABIA FOR A SEPTEMBER 5 HEARING. AS OF EARLY OCTOBER KAUSAR REMAINED IN PAKISTAN, IN HIDING, AFTER THE GOVERNMENT OF PAKISTAN BANNED HER FROM TRAVELING ABOARD ON AUGUST 24.

THE SENTENCES OF BRITISH NURSES DEBORAH PARRY AND LUCILLE MCLAUCHLAN WERE COMMUTED AND THEY WERE RELEASED ON MAY 20 AND ALLOWED TO RETURN TO THE UNITED KINGDOM. THE TWO HAD BEEN CONVICTED OF THE DECEMBER 1996 MURDER OF AN AUSTRALIAN NURSE, APPARENTLY SOLELY ON THE BASIS OF COERCED CONFESSIONS THE TWO LATER WITHDREW. MCLAUCHLAN'S ADDITIONAL SENTENCE OF 500 LASHES WAS NOT CARRIED OUT.

THE SHI'A COMMUNITY IN SAUDI ARABIA, WHICH COMPRISED ABOUT 10 PERCENT OF THE POPULATION, FACED WIDESPREAD GOVERNMENT DISCRIMINATION, INCLUDING UNEQUAL ACCESS TO SOCIAL SERVICES, EDUCATION, AND GOVERNMENT JOBS, ESPECIALLY THOSE IN THE NATIONAL SECURITY SECTOR. THE GOVERNMENT RARELY PERMITTED PRIVATE CONSTRUCTION OF SHI'A MOSQUES OR COMMUNITY CENTERS, AND EVEN BOOKS ON SHI'ISM WERE BANNED.

SHI'A SOURCES REPORTED THAT THE FAMILY OF MUHAMMAD AL-HAYEK, TWENTY-NINE, OF QATIF, WAS NOTIFIED ON JUNE 21 THAT THEIR SON HAD DIED IN PRISON AND WAS BURIED IN RIYADH, BUT THE AUTHORITIES DECLINED TO SAY WHEN OR HOW HE DIED. AL-HAYEK'S BODY WAS NOT RETURNED TO HIS FAMILY, CAUSING SPECULATION THAT HE MAY HAVE BEEN TORTURED.

THE GOVERNMENT OWNED ALL DOMESTIC RADIO AND TELEVISION STATIONS, AND ALLOWED THE DOMESTIC PRIVATELY-OWNED MEDIA NO MARGIN TO CRITICIZE GOVERNMENT POLICIES. ACCORDING TO THE COMMITTEE TO PROTECT JOURNALISTS, THE DOMESTIC MEDIA WAS SUBJECT TO CLOSE SUPERVISION BY THE MINISTER OF INFORMATION, WHO APPROVED THE HIRING OF EDITORS AND COULD DISMISS THEM AT WILL. FOREIGN PUBLICATIONS WERE OFTEN CENSORED OR BANNED, AND SEVERAL IMPORTANT FOREIGN-BASED PRINT AND BROADCASTING MEDIA

were owned by members of the Saudi royal family or their associates, including United Press International, al-Hayat, a major daily in the Middle East, and MBC, a London-based satellite television network. Private satellite dishes were outlawed, but unofficially tolerated, and local Internet service, scheduled to begin in December 1999 or January 1999, was also subject to extensive censorship. In anticipation of the new service, Council of Ministers Decision 163 required parties using the Internet to refrain from "any activities violating the social, cultural, political, media, economic, and religious values of the Kingdom," and prohibited sending or receiving coded information without prior authorization.

Defending Human Rights

Saudi controls on information and its harsh suppression of freedom of expression and association prevented any human rights organizations from operating in Saudi Arabia. Government monitoring of telephone and mail communications made Saudis reluctant to comment on human rights conditions there, and even those who lived abroad often requested anonymity when providing human rights information, so as to avoid reprisals against themselves or their families. No international human rights organization has received authorization to conduct a mission to Saudi Arabia for several years. Foreign journalists needing visas to enter Saudi Arabia were often refused access.

The Role of the International Community

United Nations

Saudi Arabia was due to submit its initial reports on its implementation of the Convention on the Rights of the Child, the Convention against Torture, and the Convention on the Elimination of All Forms of Racial Discrimination, in the course of 1999. In April Saudi Arabia reportedly cited its ratification of these conventions, in 1996 and 1997, to successfully lobby for its removal from the Commission on Human Rights' confidential "1503" review procedure. Saudi Arabia was also one of fifty-one countries that criticized the Commission on Human Rights' April 3 resolution "calling upon all states that still maintain the death penalty...to establish a moratorium on executions, with a view to abolishing the death penalty."

European Union

The European Parliament, in its February 19 Resolution on the 54th Session of the United Nations Commission on Human Rights, called on the Council of the European Union to "support initiatives to combat the ill-treatment of detainees." The resolution noted that abuse of detainees "has recently been the subject of reports, including in such countries as Saudi Arabia and Kenya."

United Kingdom

Saudi Arabia remained a major United Kingdom trading partner and market for arms exports, and the U.K. continued to subordinate human rights concerns to its military and commercial interests in the kingdom. In January the Parliamentary Human Rights Group and Redress Trust issued a joint report on torture in Saudi Arabia which charged the U.K. had "consistently failed to protect and assist its nationals adequately when they become victims of torture in Saudi Arabia and may even have acquiesced in providing the regime with the instruments it uses to commit torture." Responding to questions in Parliament's House of Lords on the report, Minister Baroness Symons explained the government's position, saying the government "must consider the most effective way in which to argue human rights issues where there are different cultures and different religious practices and observation, and where the attitudes towards human rights are very different from our own."

During his first major state visit to Britain, in September Crown Prince Abdullah met with Queen Elizabeth, Prince Charles, and Prime Minister Blair, and received the insignia of an Honorary Knight Grand Cross of the Civil Division of the Most Honourable Order of the Bath.

United States

Saudi Arabia provided a major market for U.S. arms and civilian goods, a base for over 5,000 U.S. troops and for U.S. planes patrolling the "no-fly zone" in southern Iraq, and was a major force in the oil industry. In 1997 U.S. exports to Saudi Arabia reached U.S.\$9.5 billion, while Saudi petroleum exports to the U.S. were more than U.S.\$10 billion. U.S. direct investment in Saudi Arabia was estimated at more than U.S.\$9 billion. The increasingly close strategic partnership between the U.S. and Saudi Arabia was not, however, accompanied by public candor in assessing Saudi Arabia's human rights record. For example, U.S. concern over religious freedom in Saudi Arabia appeared limited to gaining guarantees of American citizens' right to private non-Muslim religious practice. Assessing Saudi Arabia's performance on religious freedom during testimony before the Senate Foreign Relations Committee in May, Assistant Secretary of State for Democracy, Human Rights, and Labor John Shattuck testified that "The Secretary of State, Ambassador Wyche Fowler, and other United States officials have encouraged the Saudi Government at the highest levels to make further progress on religious freedom," and noted "as a positive development that Defense Minister Sultan stated publicly last fall that the Saudi Government does not prohibit non-Muslim worship in the home." Human rights concerns were not on the announced agenda during Crown Prince Abdullah's first state visit to the U.S. in September, when he met with President Clinton, Vice President Gore, Secretary of State Albright, and several other high-ranking U.S. officials.

The U.S.-Saudi cooperation continued in the investigation of the 1996 al-Khobar bombing that killed nineteen U.S. military personnel in June 1996. Saudi national Hani 'Abd al-Rahim al-Sayegh, who had been brought to the U.S. from Canada in connection with that case, remained in federal custody in Atlanta, pending execution of an order for his removal from the U.S. As of late September a federal district court had still not set a date to hear oral arguments on al-Sayegh's habeas corpus appeal filed in January. According to al-Sayegh's lawyer, the appeal challenged al-Sayegh's detention and the removal order on the grounds that it was based on secret evidence, and al-Sayegh was never given a chance to present his case before a judge. The Justice Department also did not rule out the extraditing al-Sayegh to Saudi Arabia, despite U.S. obligations under the Convention against Torture, which prohibits returning someone to a country where that person would be at risk of torture or ill-treatment.

SYRIA

Human Rights Developments

"I do not go into the prisons, but I believe that there are not many prisoners any more," President Hafez al-Asad said in an interview with the French television station TF-1 in Damascus on July 11, the week before his official state visit to France. Indeed, there were welcome releases during the year of 121 Lebanese political prisoners and an unconfirmed number of Syrians. But the underlying features of Syria's bleak human rights landscape did not change. Emergency law remained in force, peaceful expression and association were criminalized, newspapers and other media were tightly controlled, and no political will was evidenced to encourage the development of independent institutions of civil society. There were no legal mechanisms by which opposition groups could operate freely as political parties, and the prospects for timely and effective monitoring of human rights conditions were severely circumscribed. Prisoners who refused to compromise their political principles continued to be treated with cruelty, and their families and supporters found it exceedingly difficult to communicate information to the outside world.

In May, in advance of President Asad's July 16-19 trip to Paris for meetings with President Jacques Chirac and Prime Minister Lionel Jospin, at least thirty Syrian political prisoners were released, including several whose cases were well-known internationally. There were unconfirmed reports that several hundred others had also been set free. Among those known to have been released was lawyer Riad al-Turk, leader of the unauthorized Communist Party Political Bureau, who had been held without charge and in solitary confinement since his arrest in October 1980. According to information that reached Human Rights Watch, al-Turk endured extremely harsh conditions and was allowed books and newspapers only during the last two years of his imprisonment. Also released was Mustafa Tawfiq Fallah, who was arrested in 1970, tried by the Supreme State Security Court the next year, and sentenced to fifteen years in prison for conspiring to overthrow the government. Fallah's imprisonment continued after the expiry of his sentence in 1995 and his health deteriorated. Lawyer and human rights advocate Akhram Nu'issa, a leading figure in the independent Committees for the Defense of Democratic Freedoms and Human Rights in Syria (CDF), gained his freedom too. Nu'issa was arrested in December 1991, tried by the security court in March 1992 with other CDF members, and sentenced to nine years in prison for membership in an illegal organization, among other offenses. He had been tortured and injured under interrogation and suffered poor health in prison.

For the hundreds of political prisoners who remained behind bars, there were reports throughout the year of gross medical neglect. Amnesty International called attention to the deteriorating health of some of these prisoners, many of them serving ten- to fifteen-year sentences imposed after unfair trials in the security court, whose decisions cannot be appealed to a higher tribunal. Most were in Adra and Sednaya prisons, but sixty-year-old lawyer Abdallah Qabbara, a chronic diabetic who was sentenced to fifteen years in 1994, was held in the infamous Tadmor military prison. In September, word reached the international community that Nizar Nayouf, the thirty-six-year-old writer and human rights activist serving a ten-year sentence at Metz military prison in Damascus, had been diagnosed with Hodgkin's disease. According to information that Human Rights Watch received, authorities made provision of medical care to Nayouf conditional on his pledge to refrain from all political activities, and his signed statement announcing the dissolution of CDF.

Nayouf, a founding member and secretary general of CDF, was a driving force behind the organization and a strong advocate that the group maintain its independence from Syria's various unauthorized political parties. He was arrested in January 1992, during the state's crackdown on the nascent CDF network and after his wife and infant daughter had been arrested to force his surrender. He was tortured in detention at the Syrian Military Intelligence's Palestine Branch, and tried with Akhram Nu'issa and other CDF members in the security court. Nayouf was sentenced in March 1992, drawing the longest prison term, for founding and leading "an unlawful organization, activated to shake public confidence in the revolution and the regime," and publishing "false information" concerning human violations in Syria. With the news of his life-threatening illness, international human rights organizations rallied to publicize Nayouf's plight, urging the Syrian government immediately to provide specialized medical care without conditions, release him on humanitarian grounds, and permit him to leave Syria for medical treatment abroad, if necessary. As of October 23, there were no replies from Syrian authorities about this case.

As in past years, political prisoners were held beyond the expiry of their sentences. Some of them, arrested in the early 1990s, had been detained without charge for many years and then prosecuted and convicted in the security court for membership in unauthorized political parties, in legal proceedings that concluded in 1993 and 1994. In April, Human Rights Watch received information from Syria that nine political prisoners—who had completed prison sentences ranging from eight to fifteen years—were being held in Tadmor beyond the expiry of their terms. Eight of them—Mustafa al-Hussein, Usama Ashour, Abdel Karim Issa, al-Harith al-Nebhan, Awib al-Jani, Hussein Seibaranji, Tayssir Hassoun, and Bassam Bedour—were the subject of a letter that Human Rights Watch sent to President Asad in February 1996 but which went unanswered. They and thirteen other prisoners, most of whom at that time had completed or were close to completing their sentences, had been transferred to Tadmor because of their refusal to sign written statements of support for the government and repudiate their past political activities. It appeared that these eight prisoners continued to be detained because they refused to sign loyalty oaths as a condition for release.

Released political prisoners also faced formidable obstacles to resuming normal lives. Syria's penal code strips of their civil rights (*huquq madaniyya*) persons convicted of criminal offenses and sentenced to imprisonment with temporary hard labor, from the day of sentencing to ten years after the expiration of their sentences. This provision bars these individuals from voting, running for office, serving in councils of syndicates or sects, and working in government jobs. This sanction has also reportedly been used to prevent former prisoners from continuing studies at universities they were attending at the time of their arrest.

Syria maintained its troops, security forces, and pervasive influence in Lebanon, a role that was formally cemented by two bilateral pacts: the May 1991 Treaty of Brotherhood, Cooperation and Coordination, and the September 1991 Defense and Security Agreement. On September 12, the director-general of the state-controlled Syrian daily newspaper *al-Nahar* lambasted Ghassan Tuani, editor of the independent Lebanese daily *al-Nahar*, in a front-page article for editorials critical of the Syrian role in Lebanon. In such an intimidating atmosphere, it remained difficult for most Lebanese to criticize directly and publicly Syria's ubiquitous, dominating presence, and the Lebanese media either did not address the issue or only did so occasionally in the most circumspect or indirect manner. Syrian officials also publicly equated anti-Syrian sentiments in Lebanon with support for Israel. On June 22, for example, Syrian vice president Abdel Halim Khaddam commented ominously on Syrian state television that: "All Lebanese politicians, whether in power or in the opposition, are allies of Syria." He added: "All the Lebanese are our friends, except those who collaborate with Israel."

But with respect to the issue of "disappearances" in Lebanon, a problem directly linked to the Syrian role, Lebanese courageously came forward in 1999 in public events in Paris and Beirut to demand accountability from the Syrian government. In France, Lebanese activists, with support from the Paris-based nongovernmental Franco-Lebanese organization SOLIDA (*Soutien aux Libanais Détenus Arbitrairement*) as well as international organizations, organized a week of action and support for Lebanese detainees in Syrian prisons, from January 26 to February 1. Highly visible events included a press conference, public testimony by relatives of the "disappeared," and meetings with French and European government officials.

In the aftermath of this public advocacy, March brought the welcome release of 121 Lebanese who had been imprisoned in Syria without official acknowledgment of their detention or whereabouts. But an unknown number of Lebanese, stateless Palestinians, and other foreign nationals remained "disappeared," outside the protection of the law. Among them were two Lebanese priests, Suleiman Abi Khalil and Albert Sharfane, both of whom "disappeared" in Lebanon in October 1990. Another was Boutros Khawand, a well-known and influential member of the political bureau of the Phalange party, who was abducted near his home in the Sin al-Fil neighborhood of Beirut by a group of men in civilian clothes on September 15, 1992. On April 2, Lebanese human rights organizations held a press conference in Beirut, releasing the names of 229 Lebanese they said were imprisoned in Syria, some of them since 1979. But Syrian authorities were deaf to appeals from Lebanese and international organizations to provide the names of all those held and disclose publicly their whereabouts and the full details of their cases.

Human Rights Watch was unaware of government actions to remedy the problem of Syria-born Kurds it has rendered stateless, a population that numbered 142,465 by the state's own count in 1996, or to address systematic discrimination against the Kurdish minority, whether citizens or stateless. Kurds comprise the largest non-Arab ethnic group, numbering about 9.5 to 10 percent of Syria's population of almost 14 million.

Defending Human Rights

No domestic monitors have been able to operate freely inside the country, a state policy that was made clear when authorities arrested CDF members and supporters in 1991-92, and sent the fledgling group's leading activists to prison. In neighboring Lebanon, however, several independent human rights groups actively campaigned in 1999 for the release of Lebanese held in Syrian prisons. These included: the Committee of Parents of Lebanese Detained in Syria, headed by Mrs. Sonia Eid, whose son Jihad "disappeared" in Lebanon in October 1990; the Committee in Support of Lebanese in Detention (SOLID); the Foundation for Human and Humanitarian Rights; the New Human Rights Foundation; and Multi-Initiative on Rights: Search, Assist and Defend (MIRSAD).

The Role of the International Community

European Union

The European Union (E.U.) member states comprise Syria's largest export market and, according to E.U. officials, in 1996 and 1997 Syria received approximately ECU 59 million (U.S.\$69 million) in funds for economic development projects.

The European Commission and the Syrian government held an initial round of negotiations on a Euro-Mediterranean Association Agreement on May 14-15 in Brussels, following a year of preparatory talks. Similar treaties, aimed at creating a Euro-Mediterranean free trade and security cooperation area, have been concluded with Tunisia, Israel, Morocco, and Jordan, and were under negotiation with Egypt, Algeria, and Lebanon. Article 2 of each text states that "respect for human rights and democratic principles...constitute an essential element" of the agreement. Syria was the last of the twelve "Mediterranean partners" to enter treaty negotiations. There were no indications that any human rights issues were raised at these negotiations. A second round began on October 20 in Damascus. Manuel Marin, the official responsible for Mediterranean affairs in the commission, said he expected talks to continue through the end of 1999.

Twice during the year, however, the E.U. publicly noted human rights concerns. On March 12, the European Parliament passed a resolution concerning Lebanese held without charge in Syria. While welcoming the release of 121 Lebanese, the parliament expressed its concern about those who remained in prison and called on the Syrian government "to provide a full list of the Lebanese nationals detained in Syria, to release those prisoners who face no charges and to transfer the other Lebanese prisoners to Lebanon." It also called on the Council of Ministers and the governments of the member states "to take these factors into consideration when negotiating the Euro-Mediterranean association agreement with the Government of Syria."

On April 14 in Geneva, Ambassador Audrey Glover, head of delegation of the United Kingdom, presented a statement to the 54th session of the Commission on Human Rights on behalf of the European Union. Regarding Syria, she said: "Despite the progress made in the past two years, the E.U. remains concerned about the human rights situation in Syria, particularly arrest and detention procedures, prison conditions and lack of freedom of expression. We believe that Syria's own long-term interests would be best served by action to improve the country's human rights performance."

The main themes of President Assad's July meetings with French leaders in Paris reportedly were trade and investment, and France's initiatives in Middle East peace negotiations. According to a French government spokesperson, President Chirac called the Syrian government's release of political prisoners "a step in the right direction," and other officials told Human Rights Watch that Chirac asked for the quick release of specific prisoners. Prime Minister Jospin reportedly told President Assad that "Europe is founded not only on economic development but also on democracy and respect for human rights, to which our people are profoundly attached. In making the choice of Europe your country should naturally open up to this view."

United States

Syria's human rights record once again was not a significant factor in the Clinton administration's public diplomatic discourse. The priority U.S. policy goal, as in past years, was to facilitate resumption of the suspended peace negotiations between Israel and Syria. Assistant Secretary for Near Eastern Affairs Martin S. Indyk told the House International Relations Committee on July 29 that such negotiations were of "critical importance," and that it was in the "strategic interest" of the U.S. to bring Syria "into the circle of peace." He said that Secretary of State Madeline Albright had "detailed discussions" about the negotiations with Syria's Foreign Minister Farouq Shara' and Lebanon's Prime Minister Rafiq Hariri during their visits to Washington earlier in the year. Human Rights Watch was aware of no public demarches by U.S. diplomats in 1999 that focused on Syria's continuing limitations on the basic human rights of its citizens and the repressive mechanisms of control that remained in place.

Unilateral economic sanctions, first imposed in 1979 and expanded in subsequent years, prohibit U.S. aid to Syria as well as "aircraft, aircraft parts, and computers of U.S. origin or containing U.S.-origin components and technology," noted the U.S. State Department 1997 Country Reports on Economic Policy and Trade Practices, submitted to Congress in January 1998. The U.S. Department of Commerce added in its 1998 country report on Syria that U.S. firms interested in business or investment opportunities must consider "a range of U.S. export controls and a lack of guaranteed trade financing that stems from Syria's presence on the U.S. list of state sponsors of terrorism." U.S. exporters to Syria could not utilize OPIC and other insurance programs, or financing from the EYIM Bank, the Small Business Administration, and the Commodity Credit Corporation.

Despite the sanctions, in 1997 Syria exported an estimated \$30 million to the U.S. and imported \$190 million in goods and services. American firms had \$634 million of direct investments in Syria, primarily in oil exploration and development. The State Department revealed in 1999 that Mobil had a 49 percent share in a joint venture with Syrian investors for a lubricant manufacturing plant. Agence France-Presse reported from Damascus on March 16 that U.S. oil companies ARCO and Marathon were negotiating oil exploration contracts with the government, and, according to Reuters on September 9, a \$400 million letter of intent had been signed by the U.S. firm Conoco and the French Elf Aquitaine with the state-owned Syrian Petroleum Company for natural gas projects.

TUNISIA

Human Rights Developments

As Zine el-Abidine Ben Ali's presidency entered its second decade, there were no indications that his firm grip on power, the absence of political violence, and a stable economy were tempting him to allow Tunisians greater freedom to express themselves. Open political debate and opposition activity continued to be

almost nonexistent, thanks to laws that criminalized various forms of speech and "unlicensed" political activities, intensive police surveillance and harassment of citizens, and a press and judiciary that lacked independence.

Authorities exploited concern over the strife in neighboring Algeria and recalled sporadic incidents of Islamist violence several years ago at home in cracking down hardest on Islamists. Among those imprisoned for politically motivated offenses—thought to exceed 2,000—most had been convicted of "membership in an unlicensed organization," namely the Islamist Nahdha movement, or related nonviolent "offenses" such as distributing tracts or attending meetings.

There were also a small number of suspected members of proscribed leftwing parties who were convicted for the same offenses, as well as persons whose modest assistance to prisoners' families earned them sentences for the "unauthorized collection of money or donations."

The remnants of the Nahdha movement were active mainly abroad and conducted no visible activities inside Tunisia. Its leader-in-exile, Rashid al-Ghannouchi, continued to characterize the movement as moderate, democratic, and opposed to all forms of violence while the government continued to assail it as extremist and terrorist.

Prison conditions were poor, according to reports from lawyers and ex-prisoners. Overcrowding was severe, a situation not dictated by economic constraints: Tunisia had one of the highest per capita incomes on the continent. Beatings by guards were frequent and disciplinary measures cruel and degrading. Political prisoners were shuffled incessantly among institutions, forcing families to travel great distances for visits. Several leaders of the Nahdha movement were held in isolation for months or years at a time.

During the 1992 military court mass trial of an-Nahdha's suspected leaders and members, the Tunisian press reported the defendants' allegations of torture during interrogation. Torture persisted in 1999 but had become a taboo topic for the media. For example, there was no coverage when security forces reportedly tortured some of the sixteen students arrested between February and April on suspicion of membership in an unlicensed leftwing "terrorist" organization, holding unauthorized meetings, defamation against the authorities, and other charges. According to affidavits taken by their lawyers, Men Derouiche was badly beaten by guards at Monrovia Prison for women, while injuries inflicted to Lotfi Hammami's genitals reportedly put him in need of surgery that he had not received by October. He and the other fifteen were still in pretrial detention as this report went to press.

In its December 1997 report to the UN Committee Against Torture, the government claimed that physical abuse of detainees occurred only rarely and was penalized. The report detailed an impressive array of laws that could safeguard against torture—if enforced. In practice, complaints of torture rarely resulted in a confession being discarded as evidence, and if the complaints were ever investigated, the plaintiffs and their lawyers were not informed of the results.

Released political prisoners were harassed intensively. They were often ordered to sign in one or more times daily with police, sometimes at stations quite far from their homes. During 1999, however, this requirement seemed to be enforced less abusively. Former political prisoners were almost always refused passports. They were generally excluded from public sector jobs and private sector employers were pressured not to hire them.

Authorities harassed and even imprisoned family members as a way of intimidating and punishing critics. This seemed to be the case with ex-prisoner Mohamed Ali Bedoui, the brother of outspoken human rights activist Moncef Marzouki. Bedoui in January received a six-month sentence for failing to report daily to the local police station even though the police had reportedly earlier told him he was no longer required to do so.

Families of activists were subjected to police surveillance and house searches at all hours, and their passports were sometimes confiscated for no apparent reason other than blood kinship. Radhia Aouididi, who is engaged to a Tunisian political refugee living in France, was given a prison term in 1999 for attempting to leave Tunisia illegally after she was arbitrarily denied a passport. Rachida Ben Salem, the wife of an exiled activist, was arrested and sentenced in 1997 in a similar case. A young man in western Tunisia told Human Rights Watch that his past imprisonment for Nahdha activities was the reason given when his brother was dismissed from a factory job and when his sister's fiancé, a member of the security forces, broke off the engagement. His testimony was consistent with others collected around the country.

Persons who denounced repression were sometimes imprisoned after conviction on trumped-up criminal charges. In July, Tarek Soussi, a physically disabled ex-prisoner in Bizerte, announced he would no longer sign in with the police, after six years of being ordered extrajudicially to do so. The police promptly threatened him with imprisonment and five days later arrested and charged him with assaulting a vendor, a highly implausible scenario given his disability. The judge presiding over his trial refused a defense motion to have Soussi's alleged victim appear in court and on September 3 Soussi received a five-month sentence.

Two better-known individuals who had formerly been imprisoned on spurious criminal charges were opposition politician Mohamed Mouda and lawyer Nejib Hosni. Hosni, who had been outspoken at home and abroad on Tunisia's human rights abuses, was deprived of his passport and telephone, and forbidden to resume his law practice. The pressure on Mouda intensified after he traveled in late 1997 to Europe and met with European parliamentarians and human rights organizations. Upon his return, prosecutors questioned him about his contacts abroad and investigated him on subversion charges. He was placed under a de facto partial house arrest, prevented from meeting people freely, and barred from leaving the greater Tunis area.

Tunisian law permits the prosecution of citizens for their conduct outside the country. This is the case even when their alleged actions are legal in the country in which they take place and protected under international human rights law to which Tunisia is a party. Scores of students returning home from Europe for visits have been arrested and interrogated about their contacts and meetings with Tunisians abroad. Many of these were convicted and jailed for exercising their rights to free speech and association. Nizar Chääri, vacationing at home after obtaining a doctorate at University of Toulouse, was arrested on May 29. On June 16—nineteen days after his arrest and nine days longer than Tunisian law allows for pre-arraignment detention—Chääri was brought before an investigating magistrate, accused of belonging to an illegal organization and associating with criminal elements, and placed in pre-trial detention.

In 1997, the government announced a bill that would put under judicial authority all decisions regarding the issuance of passports and the imposition of travel restrictions. In an October 12 statement, the Tunisian Human Rights League and four other Tunisian organizations urged withdrawal of the draft bill. They argued that the reasons for which a judge could bar travel under the bill were excessively broad and violated the presumption of innocence. Privately, activists said judicial oversight would make no difference until judges showed more independence.

In two cases that cast a shadow on judges' potential roles in defending the constitutional right to freedom of movement, authorities explained that it was judges investigating criminal charges who had imposed the travel bans on human rights activists Siihem Ben Sedrine and Mustapha Ben Jaafar. This information, which was divulged in late 1997 in a letter to European parliamentarians, was the first that either Ben Jaafar or Ben Sedrine had heard about their being under formal investigation since their passports were seized in 1994 and 1995 respectively. Neither was formally charged with any offense.

A new postal law, decreed June 2, stated that its objectives included "assuring the confidentiality of correspondence." But the law also provided that "postal materials that ... could harm public order or security are not acceptable. If [such] mail is found...it will be confiscated in conformity with the laws in effect."

In a major address in November 1997, President Ben Ali exhorted Tunisian journalists to shun self-censorship and ensure pluralism in the press. But during the next year, the press continued unanimously and uncritically to support major government policies and ignore domestic human rights problems. When Taoufik Ben Briki, who writes for foreign publications, described the heavy-handed police surveillance of dissidents in the June 12 issue of the French daily *La Croix*, he was brought before a Ministry of Interior official who pressured him to change professions. Ben Briki continued his work but remained under surveillance. On a more positive

note, laws regulating the use of satellite dishes were not vigorously enforced, permitting an increasing number of Tunisians to watch foreign newscasts in addition to state-controlled local television.

President Ben Ali, in November 1997, announced measures to guarantee opposition parties a minimum of 20 percent of seats in the Chamber of Deputies in the next elections, scheduled for 1999. But there were no signs that this pluralist initiative would extend to parties that openly challenge the essential elements of the government's program. All such groupings remain illegal or excluded from parliament and marginalized.

Small indications of increasing political assertiveness included student strikes for better conditions at the universities, some bold declarations on human rights conditions signed by independent activists, and election results within the national bar association and the Association of Young Lawyers that were seen as a rebuff to the ruling party, the Constitutional Democratic Rally.

Tunisian officials emphasized the many governmental agencies set up to monitor and address human rights issues. Individual problems were sometimes resolved when citizens filed complaints with units set up at various ministries, including the Ministry of Interior. But, according to many human rights activists, prominent cases or entrenched abuses could only be resolved by high-level political decisions.

Defending Human Rights

Few governments anywhere devoted as much time to promoting their own human rights image and to harassing and silencing citizens who presented a more accurate picture of that record. The pressures on activists and, just as important, victims, their relatives, and potential witnesses, constricted the flow of information concerning some of the most serious abuses. Surveillance of human rights activists extended to phone tapping and interception of faxes and mail.

The venerable and independent Tunisian Human Rights League functioned at a minimal level, sapped by years of harassment and restrictions that succeeded in frightening, discouraging, and demobilizing much of its membership. The league's offices were under intimidating police surveillance. League activities and statements were systematically ignored by all Tunisian media. In an unprecedented measure, the state prosecutor summoned league president Taoufik Bouderbala for questioning on February 19 concerning a league communiqué.

The interior ministry broke off a working dialogue it had established in 1997 with the league. On several occasions, the league reminded the government, to no avail, of its promise to allow the league to visit prisons. While the staunchly pro-government Higher Committee on Human Rights and Fundamental Freedoms could visit prisons unannounced, no independent organization had access.

Khemais Ksila, a vice-president of the Tunisian Human Rights League, spent the year behind bars for having condemned repression in a communiqué issued in his own name in September 1997. On February 11, a court gave him a three-year sentence for "defamation of the public order," "spreading false information of a nature to disturb public order," and "inciting citizens to violate the law." Observers at his trial representing international human rights organizations criticized the relevant articles of the penal and press code as incompatible with the right to free expression, as well as the court's requiring defendant Ksila to prove that his statement was not defamatory, thereby disregarding the principle of presumption of innocence.

In a meeting with Human Rights Watch on August 26, Presidential Advisor on Human Rights Rafik Haj Kasseem denied allegations about surveillance and harassment of the league. He attributed the league's difficulties to internal political divisions and noted that it was but one among 6,000 associations in Tunisia.

Of these many associations, only the league, the Tunisian Association of Democratic Women (ATFD), and the section of Amnesty International (AI) focused on human rights in a demonstrably independent fashion, and all three experienced government restrictions and pressures.

While by many indicators women's status in Tunisia was high by regional standards, the ATFD deplored the lack of political freedom its members enjoyed to promote women's rights. The media ignored the ATFD, except for scurrilous attacks on its members, including one in the government-influenced *al-Hadath* of March 11 hinting that the organization promoted lesbian sex. Authorities blocked efforts by the ATFD to organize a march in support of women in Algeria.

The government has often boasted that Tunisia hosts a section of AI. Yet even though the section is barred by its mandate from doing work on Tunisia, the government created obstacles whenever the section attempted to organize a gathering outside its small office. The police opened the section's mail and advised some individuals to quit the group, according to its president. Internet users reported that AI's site on the World Wide Web appeared to be systematically blocked by the authorities.

Radhia Nasraoui, the country's most outspoken human rights lawyer, was subjected to a wide array of measures. On the night of February 11, unidentified intruders ransacked her office, stealing equipment and scores of case files. It was the third such break-in at her office since 1994. On March 30, after defending a group of students arrested on charges of belonging to an unlicensed leftwing organization and denouncing their torture in detention, Nasraoui was charged with eleven offenses, including maintaining links with a "terrorist organization." The spurious charges forced Nasraoui, as an alleged co-conspirator, to withdraw as counsel, thereby preventing her from conveying directly their accounts of ill-treatment. A judge also ordered her to remain in Greater Tunis pending her trial, keeping her from representing clients elsewhere in the country and from traveling abroad. From late March until June, Nasraoui and her two young daughters were the target of intensive surveillance and sometimes menacing behavior by plainclothes policemen. The same month, however, Tunisian lawyers gave Nasraoui more votes than any other candidate in the national bar association's board elections.

For several weeks between late March and June, at least fifteen human rights activists and lawyers were subjected to a campaign of incessant and obtrusive surveillance by plainclothesmen. The monitoring lasted longer for two active lawyers, Anouar Kousri in Bizerte and Najet Yacoubi in Tunis. While local groups and activists said that during 1999 there was no easing overall in the government pressures they faced, Human Rights Watch conducted a mission under conditions more favorable than in the past. There was no noticeable surveillance of the organization's researcher as he moved about the country. He was hospitably received both by the minister of interior and the president's advisor on human rights. Tunisian authorities also permitted other international organizations to send observers to the trial of Khemais Ksila.

The Role of the International Community

European Union

On March 1, the Association Agreement between the E.U. and Tunisia took effect, the first of its kind between Europe and a country in the Middle East or North Africa. The agreement, which provides for lowering tariffs in both directions and some aid to Tunisia, defines human rights in Article 2 as an essential element of the accord. Tunisia's human rights record was reportedly raised only in very general terms at the first meeting of the official E.U.-Tunisia Association Council on July 14, although details of the talks were not disclosed. During the first six months of the agreement, the European Council gave no public indication that Tunisia's lack of progress toward tolerating dissent and curtailing other human rights abuses might adversely affect relations.

Within the European Parliament, human rights in Tunisia lacked the visibility it had in 1997, when several of the chamber's political blocs sponsored a forum on the subject. No resolutions were adopted concerning human rights in Tunisia through the end of September. Tunisian authorities replied in writing to a list of human rights cases that had been submitted by a delegation of members of the parliament that visited in October 1997. In September 1999, the European Parliament's Delegation for Maghreb Relations hosted a visit by Tunisian parliamentarians. During their meetings, the European parliamentarians failed to raise with the Tunisian delegation any individual cases or specific human rights abuses.

United States

The U.S. did virtually nothing publicly during the year to address the systematic patterns of violations that the State Department had accurately documented in the Tunisia chapter of its *Country Reports on Human Rights Practices*. The U.S. administration praised its ally's economic liberalization and support of the Arab-Israeli peace process, while keeping human rights concerns to private démarches that, the State Department insisted, took place on a regular basis. Washington engaged in frequent military exercises with Tunisia, but gave it no military or economic assistance.

None of the high-level bilateral meetings through October resulted in any public allusion to human rights concerns. Stuart E. Eizenstat, Undersecretary of State for Economic Affairs, met with President Ben Ali on June 16. He proposed a new "U.S.-Maghreb Economic Partnership" to promote private investment, telling the Tunisia-American Chamber of Commerce that it would contribute to "a more secure, more prosperous and democratic future." Assistant Secretary of State for the Near East Martin Indyk held high-level discussions in Tunis in March, as did his deputy Ronald Neumann in September. Tunisian Defense Minister Habib Ben Yahia was received in Washington in June by high-level State Department officials.

A political officer at the U.S. embassy in Tunis maintained regular contacts with Tunisian activists and civil society, observed the trial of Khemais Ksila, and visited human rights lawyer Radhia Nasraoui's office after it had been ransacked. This sort of public engagement rarely occurred at the level of the ambassador.