

# MIDDLE EAST AND NORTH AFRICA OVERVIEW

## HUMAN RIGHTS DEVELOPMENTS

Clashes between Israelis and Palestinians that erupted in September 2000 overshadowed most other developments in the Middle East and North Africa region. Over seven hundred Palestinians and over two hundred Israelis, many of them civilians, were killed in the violence by November 2001. The conflict was marked by attacks on civilians and civilian objects by both Israeli security forces and Palestinian armed groups, suggesting that respect for fundamental human rights and humanitarian law principles counted for little among leaders of either side.

Israeli security forces were responsible for extensive abuses, including indiscriminate and excessive use of lethal force against unarmed Palestinian demonstrators; unlawful killings by Israel Defense Forces (IDF) soldiers; disproportionate IDF gunfire in response to Palestinian attacks; and inadequate IDF response to abuses by Israeli settlers against Palestinian civilians; and “closure” measures on Palestinian communities that amounted to collective punishment. They also mounted a series of killings of suspected Palestinian militants under a controversial “liquidations” policy directed against those believed responsible for orchestrating attacks against Israelis.

For its part, the Palestinian Authority (PA) did little to exercise its responsibility to take all possible measures to prevent and punish armed attacks by Palestinians against Israeli civilians, including suicide bombings. In addition, the various security forces of the Palestinian Authority carried out arbitrary arrests of alleged Palestinian “collaborators” with Israel. Many were held in prolonged detention without trial and tortured; others were sentenced to death after unfair trials and two were executed. The PA also arrested some Islamist and other militants suspected of responsibility for attacks against Israelis and held them in untried detention. Both Israeli and Palestinian authorities failed to take the necessary steps to stop the security forces under their control from committing abuses, and failed to adequately investigate and punish the perpetrators.

But even this current *intifada* dropped from international attention following the devastating September 11 attacks on New York and Washington, and in some cases governments in the region welcomed that shift of focus to justify their abusive policies. Egypt’s leaders were quick to draw parallels that justified their government’s harsh record. Prime Minister Atef Abeid decried human rights groups for “calling on us to give these terrorists their ‘human rights,’” referring to documented reports of torture and unfair trials, and suggested that Western countries

should “think of Egypt’s own fight and terror as their new model.” President Husni Mubarak was categorical: “those who carry out terrorist acts have no claims to human rights.” In November, Egypt put ninety-four civilians, most of whom were arrested in May, on trial before a military tribunal on charges of forming a secret organization to commit terrorist acts. Three days after the September 11 attacks, Israeli Defense Minister Binyamin Ben Eliezer noted, apparently with satisfaction: “It is a fact that we have killed fourteen Palestinians in Jenin, Kabatyeh, and Tamnum, with the world remaining absolutely silent,” while Prime Minister Ariel Sharon repeatedly referred to Palestinian Authority President Yasir Arafat as “our Bin Laden.” In October, Jordan amended its penal code and press law in order, according to Prime Minister Ali Abu Ragheb, “to cover all the needs that we are confronting now.” The amendments empowered the government to close down any publications deemed to have published “false or libelous information that can undermine national unity or the country’s reputation,” and prescribed prison terms for publicizing in the media or on the Internet pictures “that undermine the king’s dignity” or information tarnishing the reputation of the royal family.

At the same time, the fact that key al-Qaeda leaders and most of the alleged perpetrators of the September 11 attacks were nationals of Saudi Arabia and Egypt prompted unprecedented discussion in the region as well as internationally concerning the bleak rights records of those countries and of violations of human rights across the region more generally.

By contrast, several initiatives taken across the region represented tentative but important steps to investigate and hold accountable the perpetrators of gross human rights violations, including torture, summary executions, and “disappearances.” While the general pattern of violations across the region remained relatively unchanged, with progress in some areas but deterioration in others, this growing effort to bring to justice those responsible for past gross violations represented a change, and one that appeared to bode well for the future. In some cases, alleged perpetrators were prosecuted in domestic courts—in Iran, unfortunately, with a frustrating outcome—while in other cases justice was sought abroad under the principle of universal jurisdiction. As local human rights groups and lawyers continued to call for an end to impunity and campaigned actively on behalf of the International Criminal Court (ICC), it became increasingly clear that the international justice movement had not bypassed the region but enjoyed growing support there.

As these disparate yet determined efforts generated publicity, inspired others to action, and put past and current human rights abusers on notice, they indicated that a culture of accountability was beginning to develop in civil society and the judiciary. Disclosures by former intelligence officials in exile also suggested that impunity had become an issue within the ranks of some governments’ internal security forces. In Egypt, a local criminal court sentenced the director of the maximum security Wadi Natroun II prison to a ten-year prison term for forgery and fabricating reports in an attempt to cover up the death under torture of a criminal convict. The court also sentenced one of the prison’s senior officers to a seven-year term and four sergeants to five years for beating the inmate to death. The court’s judgment constituted a clear victory for Egypt’s beleaguered human rights com-

munity, which has long documented and criticized the prevailing climate of impunity for torture and deaths in custody. In another case, however, an officer at Cairo's Agouza police station received only a two-year prison term for beating a detainee to death.

In Iran, a court convicted fifteen intelligence officials in January in connection with the 1998 killings of four intellectuals and political figures, and sentenced three of them to death and five to life imprisonment. The proceedings were mostly secret, however, and the trial was flawed, so information about who had ordered the murders did not emerge. An attorney for two of the defendants sought to call ten witnesses prepared to testify that former Minister of Intelligence Ghorbanali Dori Najafabadi, now a senior judicial official, who had not been indicted, had ordered the murders, but the court did not permit them to appear. Iranian investigative journalists also reported on connections between the death squads and state institutions and suggested that Dori Najafabadi and another former information minister, Ali Fallahian, were involved. In August, the Supreme Court reversed the convictions of the fifteen officials; in November, it remained unclear whether they would be retried.

In Tunisia, President Zine el-Abidine Ben Ali stated publicly more than once that his government would hold abusive members of the security forces accountable, but a climate of impunity generally prevailed and the justice system was widely perceived as an element of state repression. In July, however, a court sentenced four prison guards to four-year prison terms for torturing a criminal suspect and ordered the state to pay the victim compensation.

In Morocco, the nongovernmental Moroccan Human Rights Association (AMDH) publicly demanded that the justice minister bring charges against fourteen alleged torturers, including still-serving senior security officials and a member of parliament, but the minister did not do so. Subsequently, and perhaps as a consequence, the authorities detained thirty-six AMDH and other activists when they tried to hold a peaceful public protest in favor of accountability for past human rights abuses; they were prosecuted and initially sentenced to three months in prison, but then acquitted on appeal in November.

In Yemen too, despite a general climate of impunity, a court convicted three Criminal Investigation Department (CID) police officers in November 2000 in connection with the death of a detainee in custody, sentencing them to three-year prison terms, loss of rank and dismissal. Relatives of the victim lodged an appeal, seeking longer sentences commensurate with the offense. In November 2001, eight members of Central Security, an arm of the Interior Ministry, were awaiting trial in al-Dhali' province for the premeditated murder of a member of the opposition Yemeni Socialist Party; they were charged in July.

The search for justice also brought advocates to European courts to press their claims, an effort that was foreshadowed in late 1999 when Bahraini exiles and British human rights campaigners sought to initiate legal action in the United Kingdom against Ian Henderson, former head of Bahrain's notorious Security Intelligence Service. Tunisian torture victims pursued legal action against former Interior Minister Abdellah Kallel in Switzerland, where he was receiving medical care; after a Swiss prosecutor opened a preliminary investigation, citing Switzer-

land's obligations as a state party to the United Nations (U.N.) Convention against Torture, Kallel quickly left the country. And in Belgium, survivors of the September 1982 massacre by Lebanese Phalange militia of hundreds of Palestinian and other civilians at Sabra and Shatilla refugee camps in Beirut lodged a complaint against Israeli Prime Minister Ariel Sharon. He was Israel's defense minister at the time of the massacre and permitted the militia to enter the camps. Also, in late November, a Jerusalem-based organization lodged a complaint in Brussels against Palestinian Authority President Yasser Arafat, accusing him of crimes against humanity.

Activists in Morocco, aided by detailed disclosures in the country's newspapers, pressed for truth and accountability for the fierce repression practiced against dissidents during the "dirty war" of the 1960s and 1970s. One high-profile case was that of opposition leader Mehdi Ben Barka, who "disappeared" after he was picked up on a Paris street by French police and driven away in a police vehicle in October 1965. An investigating judge in France initiated an inquiry but was unable to obtain testimony from former Moroccan secret police officer Ahmed Boukhari, who alleged that Ben Barka died in France under interrogation by Moroccan agents, because Moroccan authorities imprisoned him on spurious charges. A coalition of international human rights groups urged the U.S. and French governments to declassify and release all official documents related to the case.

There were calls in Syria too for a hard look at several decades of brutal human rights abuses, but the government rounded up leading dissidents in an undisguised attempt to quash demands for reform and accountability. Human rights activist Nizar Nayouf, in France for medical treatment after nine years of imprisonment in Syria, insisted on efforts to address the horrors of his country's political past, including the summary execution of as many as 1,100 Islamist inmates at the infamous Tadmor military prison. Members of the paramilitary Defense Brigades carried out the killings over several hours on June 27, 1980, in retaliation for an assassination attempt on then President Hafez al-Asad a day earlier.

Defectors from Iraq's security apparatus continued to provide detailed information about gross human rights abuses, although a legal case against Saddam Hussein for crimes against humanity was yet to materialize. In November 2000, former Iraqi intelligence officer Captain Khalid Sajed al-Janabi alleged that a March 1998 presidential directive to "clean up Iraqi prisons" resulted in the execution of some 2,000 detainees and sentenced prisoners at Baghdad's notorious Abu Ghraib prison on April 27, 1998. A physician who worked in the prison's hospital, and fled to Jordan in July 2001, said that mass executions continued, mostly of political detainees identified by number rather than name. In some cases, according to his account, doctors were forced to inject detainees with poisons but attribute their deaths to natural causes.

The growing but still nascent efforts to press for accountability for past abuses were also reflected in the process by which governments in the region acceded to the International Criminal Court treaty of July 17, 1998. The court, which will prosecute crimes of genocide, crimes against humanity, and war crimes if national courts fail to respond, initially had a lukewarm reception from governments in the region. Only Jordan signed the treaty in 1998, and Israel and Iraq were among the seven states that voted against it. However, faced with a December 31, 2000, dead-

line to sign and thereby play a role in the development of the court, twelve countries in the region did so, most of them in the closing weeks of 2000. Algeria, Bahrain, Egypt, Iran, Israel, Kuwait, Oman, Morocco, Qatar, Syria, the United Arab Emirates, and Yemen thus joined 139 other states in endorsement of the court. Yet, by November 2001, no country in the region had taken the crucial step of joining forty-six other countries worldwide in ratifying the treaty. Sixty states must ratify the ICC treaty before it comes into force.

Space for independent political activity remained a scarce commodity throughout the region, with governments targeting both secularists and Islamists who sought to challenge authoritarian rule or call for reform, including by pursuing legitimate political activities such as standing for political office. The methods and scope of repression varied from country to country, although politically divergent ruling elites were united in their reluctance or refusal to open up stagnant political systems, to accommodate a diversity of opinions, and to facilitate and protect the growth of independent civil society institutions, including local media.

The impact of decades of strict constraints on peaceful opposition politics coupled with severe punitive measures for those who defied authorities was shown to carry ominous implications for stability and security. At best, it fostered a climate of intimidation and self-censorship; at worst, it led individuals and groups into clandestine, and in some cases violent opposition activities. In the aftermath of the September 11 attacks on New York and Washington, many in the region and beyond began to focus on the tough security policies of governments in the Middle East and North Africa that have contributed to radicalizing disaffected political activists, leading some of them to move their operations abroad.

Nationwide electoral democracy once again was revealed as a sham in Egypt, as authorities rounded up Islamist opposition candidates in advance of the October-November 2000 People's Assembly elections and the May-June 2001 contest for eighty-eight seats on the Consultative Council. Although these elections took place for the first time under full judicial supervision, authorities seemed determined to block peaceful Islamists, mostly members of the outlawed Muslim Brotherhood, from participating in the political system and gaining more than a token number of seats in the 444-seat lower house of parliament, still overwhelmingly controlled by President Husni Mubarak's ruling National Democratic Party. They detained hundreds of known or suspected members of the Muslim Brotherhood both before and during the elections, including candidates and their supporters. In November 2000, the military court sentenced fifteen defendants linked to the Muslim Brotherhood to prison terms of three to five years. Most were lawyers, university professors or other professionals involved in electoral politics. Similar blatant repression occurred in advance of the consultative council elections, with at least 140 Muslim Brothers arbitrarily arrested starting in mid-April, including candidates. All of them were later released without charge.

The power struggle in Iran between conservatives and reformers continued, despite the overwhelming electoral victory of President Mohamed Khatami, returned to office for a second successive term in June. The conservative clerics who controlled the judiciary and other institutions used their power to eliminate the country's independent pro-reform newspapers and other publications, and to

imprison peaceful advocates of political reform, including investigative journalist Akbar Ganji, student leader Ali Afshari, and veteran politician Ezzatollah Sahhabi. In March, the Tehran Revolutionary Court ordered the closure of the Freedom Movement, a group that had long advocated constitutional Islamic rule with respect for democratic principles, and the group's leaders were among sixty political activists detained in March and April. Ayatollah Hossain Ali Montazeri remained under house arrest in Qom, despite mounting protests, though his critical analysis of Iran's political system continued to circulate widely on cassette tapes, the Internet, and through photocopied statements.

In Syria, as the government was releasing long-term political prisoners, many of them Islamists detained in the early 1980s, ten reform-minded secular activists were targeted for arrest and prosecution. The arrests followed the *de facto* closure earlier in the year of the country's independent civil forums, the lively discussion groups that emerged amid the easing of controls following the death of President Hafez al-Asad, breathing welcome life into a civil society that had been virtually moribund during decades of repression. President Bashar Asad forewarned of the clampdown when he declared in February that "the development of civil society institutions must come at a later stage and they are not therefore among our priorities." Trials of two of the reformers, parliamentarians Riad al-Seif and Mahmoud al-Homsi, were underway in a criminal court in November 2001. Eight others—including former political prisoner Riad al-Turk, prominent academic Arif Dalila, and other civil forum activists—were then behind bars, awaiting trial in the State Security Court.

In neighboring Lebanon, calls increased for the restoration of Lebanese sovereignty and full independence from Syria, including public demonstrations led by students and other anti-Syrian political activists. The redeployment of some 6,000 Syrian troops from most of metropolitan Beirut, which occurred in June, seemed only to embolden Lebanese to press more vocally for a full Syrian withdrawal. Cardinal Nasrallah Sfeir, the Maronite Catholic patriarch and a leading critic of Syrian dominance over Lebanon, commented that there was still "a long way to go before there are balanced ties." The arrest of over two hundred Christian anti-Syria activists in August, with the apparent approval of the Syrian president, generated public uproar across Lebanon's political spectrum, including charges that the state was being transformed into a military dictatorship under President Emile Lahoud, the former army commander.

The Lebanese army defended the roundups by saying it had acted in Lebanon's "high national interest," but the president of the Beirut Bar Association, Michel Lian, condemned the arrests as illegal, noting that under Lebanese law "security agencies are not part of the judicial police and therefore have no right to arrest people." Those targeted were members or supporters of the disbanded Lebanese Forces (LF) and the Free Patriotic Movement, aligned with imprisoned-for-life LF militia leader Samir Geagea and exiled Gen. Michel Aoun, respectively. Among them were ten students hastily convicted in the military court for "distributing leaflets harming the reputation of the Syrian army and of defaming the president of the Lebanese republic," and sentenced to terms of five to forty-five days in prison. Others were charged with "acts, writings and speeches not allowed by the govern-

ment and which puts Lebanon in danger of aggressive acts and disturbs its relations with a sisterly state.” On August 10, Lebanon’s Central Security Council warned of the ongoing restrictions on freedom of assembly, stating that “any political group that does not enjoy an official license or permit is banned from staging demonstrations or organizing strikes.” University students united to protest the intrusion onto the campus of St. Joseph University on November 21 of Internal Security Forces (ISF) troops, who removed photographs of plainclothes intelligence agents assaulting students and others at an earlier demonstration to protest the August arrests. The photos were part of a student display that included Lebanese flags draped in black ribbons, a reference to Syria’s domination of the country. One student leader termed the ISF action “a continuation of the militarization of the regime.”

The extremely poor human rights conditions in “closed” countries such as Iraq and Saudi Arabia remained beyond the detailed scrutiny of independent local or international monitors due to the utter lack of freedom of expression and association there, and the ongoing lack of access for outsiders. Critics, whether of secular or religious orientation, had no space to exercise basic rights, leaving in place distorted political enterprises beholden to an authoritarian dictator, as in the case of Iraq, or an all-powerful ruling family, as in the case of Saudi Arabia.

The year saw positive developments during the year in Bahrain. In a national referendum in February, Bahraini citizens—men and women—overwhelmingly approved a National Charter that established a two-chamber legislature. Prior to the vote, Shaikh Hamad bin Isa Al Khalifa, the country’s amir, or ruler, announced an amnesty for more than four hundred persons detained or facing charges for security-related offenses, a category covering most of the country’s political prisoners. More than one hundred Bahrainis who had been exiled abroad were allowed to return, and more did so later.

In the weeks following the referendum, the amir abolished the 1974 State Security Law, under which thousands of persons had been detained for years without trial, and the State Security Court, the procedures of which failed to meet international fair trial standards. In July, an amiri decree set up a general prosecuting authority under the Ministry of Justice, effectively removing prosecutorial authority from the Interior Ministry.

Other needed reforms in the penal code and laws governing publications and associations remained under study by a National Charter committee headed by the prime minister. A separate committee was charged with proposing amendments to Bahrain’s 1973 constitution, whose provisions governing civil liberties had been effectively suspended by the government since 1975. Article 18 of the penal code, which prohibits political activity, remained in place. No political parties had been set up, but several political groupings—the Islamic National Reconciliation Society, the National Democratic Front, and the Association of the Arab and Islamic Center—were reportedly permitted to register as social and cultural organizations. Meetings and gatherings in clubs and professional associations continued after the referendum, although this remained technically illegal, and many Bahrainis felt that the greatest gains were made in the realm of freedom of expression, but were concerned about the lack of concrete steps to codify basic rights protections and to monitor implementation of announced reforms. These concerns were heightened

in July when the official General Organization for Youth and Sports insisted that organizations secure prior approval for public meetings and adhere to guidelines promoting national unity, and in November with the publication ban against prominent columnist Hafez al-Sheikh.

With Internet use growing around the region, authorities in several countries tried to restrict its use for circulating independent information and views. Saudi authorities made no secret of their determination to continue blocking online political content that they deemed objectionable, and foreign companies all-too-eagerly bid for the contract to help the government censor what Saudis could access. Tunisian authorities continued to periodically bar Tunisians' access to websites of human rights organizations and foreign newspapers likely to contain critical coverage of the government. Egypt, a country that had a tolerant approach to online content, carried out its first arrest of an Egyptian for something he had posted on a foreign server. Police arrested Shohdy Naguib on November 22 for having posted a provocative political poem by his late father, Naguib Surour, on his website, [www.wadada.net](http://www.wadada.net), which was hosted in the U.S. Three days later, Naguib was released on bail and faced possible obscenity charges in connection with the poem. In Morocco, another country with a good record of tolerating online expression, the government was alleged to have temporarily blocked sites maintained by al-'Adl wa'l-Ihsane, an Islamist political movement. Earlier, that movement had used the Internet in an exemplary anti-censorship fashion, electronically circulating video clips that showed police beating their sympathizers during demonstrations—scenes that never aired on Moroccan television. In Algeria, where cybercafes were proliferating and there were no reports of website blocking, police in one city invited cybercafe owners to report on users who accessed “subversive” sites.

There was an ironic turn of the tables in October, when the U.S. government attempted to pressure the emir of Qatar, during a state visit to Washington, to rein in the region's popular al-Jazeera satellite television station, which is headquartered in Doha. The emir and other Qatari authorities publicly defended the station's right to broadcast its own programming and commentary, despite the fact that the U.S. found objectionable some of its reporting from Afghanistan and coverage of Osama bin Laden. “Because this comes from the United States, which considers itself the strongest advocate of freedom of expression, it comes as very strange and unacceptable,” Jazeera's news editor Ahmed Sheikh said in an interview.

Women across the region had their rights compromised based solely on gender, suffering from severe forms of institutional and societal discrimination in nearly every aspect of their lives. Despite some positive developments, tens of millions of women continued to be denied full equality, with religion, culture, and tradition often cited to justify their continued subservience. Perpetuation of inequality was linked to unequal personal status laws—most notably in areas related to marriage, divorce, inheritance, and child custody—and the lack of effective legal redress for crimes of domestic violence. Women continued to fall victim to so-called “honor crimes,” in which male family members murdered women relatives to restore family “honor”—and the perpetrators typically enjoyed impunity. See Women's Human Rights. In many states, discriminatory laws remained in effect that did not permit women to pass on their nationality to their children.

Saudi Arabia was the most extreme example, with women forced to observe an austere public dress code, denied the right to identity cards in their own names, prohibited from driving vehicles, and subject to strict segregation in education, employment, and all public venues. Moroccan and Algerian authorities took no decisive action during the year to reform the highly discriminatory codes of personal status. Women in Kuwait were still denied the right to vote and they continued to mobilize for the franchise. Saudi Arabia had no democratically elected local or national legislative institutions, and there were no women on the appointed Consultative Council.

Bahrain provided a potentially welcome departure from the prevailing scenario with the establishment of the Supreme Council for Women by a decree of the emir on August 22, and the November decision by the Shura Council to support Bahrain's accession to the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Abdul Aziz Al Fadhel, minister of state for Shura Council Affairs, stated that the decision to sign the convention was based on article 2 of Bahrain's constitution, which states that the *Shari'a* is the main source of the country's legislation, and article 18, which stipulates that all citizens are equal and have the same rights and duties.

In another positive development, Egypt's prosecutor general rejected on May 23 complaints filed against the well-known feminist writer, Nawal al-Sa'dawi, by a lawyer who called for her to be forcibly divorced from her husband on grounds of her alleged apostasy. The case was brought following remarks she had made on religious issues during a media interview in March. The plaintiff also filed a separate case against al-Sa'dawi before the Personal Status Court, which ruled on July 30 that the case was inadmissible.

## **DEFENDING HUMAN RIGHTS**

The human rights movement in the region maintained its vitality despite alarming prosecutions of activists in Egypt, Morocco, Syria, and Tunisia. Defenders sought to make the most of somewhat greater openness in a few countries, while well-established human rights communities elsewhere fought to defend their activities and mandates. Determined and courageous individuals pushed the boundaries of public openness in Morocco, Iran, Syria, and Tunisia, in some cases at a price. In sharp contrast, Saudi Arabia, Libya, and Iraq retained policies of absolute intolerance to any human rights related activity, and there were no human rights organizations in Qatar, Oman, and the United Arab Emirates. Some governments, including Egypt and Syria, relied on vaguely-worded laws to intimidate, stifle, or prosecute local human rights defenders and limit or totally restrict their sources of financial support from abroad.

Governments in Syria, Tunisia, Egypt, and Yemen manipulated their powers of regulation of nongovernmental organizations (NGOs) in order to harass and obstruct the activities of local human rights groups. In Egypt, the government maintained its crackdown on human rights activists with the trial and May 21 conviction of Saadeddin Ibrahim, director of the Ibn Khaldun Center for Development

Studies, and twenty-seven co-defendants. Egyptian NGOs continued their lobbying efforts despite ongoing uncertainty over the amended draft of the Law on Civil Associations and Institutions, presented to the Shura Council in April but not debated by parliament by November. A new law on associations took effect in February in Yemen, empowering the Ministry of Labor and Social Affairs to supervise NGOs and requiring the ministry's approval for all foreign-funded activities.

Hopes of greater openness in Syria were dealt a blow when President Bashar al-Asad's government arrested activists in August and September, including Habib Issa and Walid al-Bunni, who attended the July 2 founding meeting of the Independent Human Rights Society in Syria, and Kamal Labwani, a member of the administrative council of the Committees for the Defense of Human Rights. These arrests followed a period in which Syrian intellectuals and human rights activists had begun to exercise freedoms and speak out publicly in a manner impossible under the previous regime. Human rights activist Nizar Nayouf was released from prison in May after serving the majority of a ten-year prison sentence imposed in 1992, only to be informed in early September that the ruling Ba'ath party had filed a new case against him.

Despite the lack of formally-constituted human rights organizations, debate about human rights remained at the core of the power struggle in Iran between conservatives and reformers. Eight reformist parliamentarians faced charges for comments made under the cover of parliamentary immunity. In May, the International Center for Dialogue Among Civilizations and a private university in Qom hosted an unprecedented international human rights conference with a diverse group of participants in Tehran.

Civil society and political figures also challenged the status quo in Tunisia, despite heavy-handed governmental efforts to block their activities. At least four women human rights activists were assaulted by police during the year, and one, Sihem Ben Sedrine, was arrested on June 26 and detained until August 11. In Morocco, human rights groups worked to end impunity for state officials responsible for human rights abuses under the previous regime.

Bahraini human rights activists received official authorization in March to set up the Bahrain Human Rights Association, the first independent human rights monitoring group allowed in the country. In June, the association condemned attacks in two government-supported daily newspapers against Lord Avebury of the U.K., a long-time supporter of Bahraini rights groups, immediately prior to a government decision to ban a visit to the country by Avebury. In an interview in *Al-Hayat* on August 31, the association's general secretary, Sabika al-Najjar, said it was focusing on cases of persons still in exile or who lacked citizenship, and that the organization had received government permission to visit the country's prisons. In November, the association vigorously protested a government ban on publications by well-known political commentator Hafez al-Shaikh.

Violence in Algeria, Israel, and the Occupied Palestinian Territories impeded the work of human rights defenders. Israeli authorities detained at least four Palestinian field researchers from well-known human rights groups. The Palestinian Authority denied human rights lawyers access to prisons under its control, and arrested at least one Palestinian lawyer.

## **THE WORK OF HUMAN RIGHTS WATCH**

Human Rights Watch researched and reported on a wide-range of violations across the region, with a particular focus on the use of force against civilians and restrictions on freedoms of expression, assembly, and association. We condemned efforts to gag the media or to silence dissidents and called for reforms of oppressive laws enabling such actions. We challenged governments to be accountable and permit investigations into past abuses, and we welcomed efforts to end impunity. We criticized the absence of due process in legal proceedings in civilian and military courts and sought to defend the independence of the judiciary against pressure and interference by the executive branch of government.

Throughout the year we continued to look beyond the U.S. to European governments and others for sources of influence on human rights violators in the region. In dealing with offenders we sought both to focus on gross violators but also to respond to new restrictions imposed in countries that claimed to have ended abusive practices and permitted the exercise of basic rights.

Underpinning our effectiveness were our efforts to reach a broader segment of the region's population through faster and wider dissemination of our published materials. We issued reports and communiqués in Arabic, Farsi, French, and Hebrew, as well as English, using print, radio, television, and the Internet to substantially improve their coverage in major regional and local media.

One of our highest priorities remained consultation and coordination with local and regional human rights groups in order to develop effective strategies to end abuses and address regional priorities. We also continued to defend those who were persecuted for their human rights work and to pressure governments to provide the space to enable them to conduct their work.

In February, we published on Bahrain, welcoming the release of most of the country's remaining political prisoners prior to a national referendum on proposed political reforms. We called for the abolition of State Security Courts, an end to unfair trials and to prolonged detention without trial, and urged that all Bahraini exiles be allowed to return home. Human Rights Watch also supported the need for Bahraini human rights activists to be allowed to establish independent nongovernmental groups.

In the same month, we published a critique of Yemen's referendum on constitutional amendments and local elections, held the same day, that strengthened the power of the president and the ruling General People's Congress (GPC). In particular, we drew attention to harassment of political activists, human rights defenders, and journalists in the run up to the votes.

In March, we presented a memorandum to the United Nations Human Rights Committee on Syria's compliance with the International Covenant on Civil and Political Rights. We welcomed the improvements since Bashar al-Asad replaced his father as president in July 2000—including the release of some six hundred political prisoners, the emergence of independent civic forums meeting openly and discussing agendas for political reform, and the granting of a licence to the first privately-owned newspaper since 1963—but we sounded a warning about the

clampdown that threatened a return to state monopoly of all forms of public debate.

We urged the committee to give particular attention to five issues: the stripping of Syrian political exiles and their families, including children, of the right to maintain or obtain Syrian nationality; discriminatory treatment of Syria-born Kurds; discrimination against women under the personal status law and penal code; accountability for violations of the right to life and other gross human rights abuses; and violations of freedom of association.

In an eighty-two page report, *Center of the Storm: A Case Study of Human Rights Abuses in Hebron District*, published in April, Human Rights Watch documented excessive use of force and unlawful killings by Israeli forces, Palestinian targeting of Israeli civilians, and a systematic policy of Israeli blockades and curfews that amounted to collective punishment. The report also brought to light a disturbing pattern of violence committed by Israeli settlers against Palestinian civilians in and around Hebron, often committed with the knowledge of Israeli Defense Force (IDF) soldiers in the area. We urged the Israeli government and the Palestinian Authority to take immediate steps to stop abuses by the forces under their control, and called for an independent, international monitoring presence in the West Bank and Gaza Strip to monitor and report on Israeli and Palestinian abuses.

Also in April, we issued jointly with Observatory for the Protection of Human Rights Defenders a report, *A Lawsuit Against the Human Rights League, An Assault on All Rights Activists*, detailing the Tunisian authorities' actions against its human rights critics, including police actions to block meetings of human rights organizations, physical assaults on men and women activists, passport confiscations, and interruptions in phone service. We urged the French and other European Union governments to monitor the appeals court case against the Tunisian Human Rights League, which opened on April 30, and to pressure the Tunisian government to stop its harassment of human rights monitors.

In June, in the run-up to presidential elections in Iran, Human Rights Watch published *Stifling Dissent: The Human Rights Consequences of Inter-Factional Struggle in Iran*. This traced the conservative backlash that occurred after reformists won a landslide victory in parliamentary elections in February 2000, in which political and religious conservatives manipulated their control of the judiciary and the Council of Guardians, and the office of the Leader of the Islamic Republic to clamp down on pro-reformist media, political activists, intellectuals, and reform-minded government officials. The report said more than thirty-five independent newspapers and magazines had been closed down in the previous fourteen months and condemned the use of arbitrary detention, unfair trial, political violence, and restrictions on basic freedoms.

We issued a briefing on Egypt's human rights record in October that examined how more than two decades of emergency rule had been used not only against violent opponents of the government but also to stifle peaceful critics and democrats. It reported that torture remained widespread and that basic liberties such as the rights to freedom of speech and association were sharply restricted. The briefing also examined the confrontation between the state and Islamist armed political groups, including al-Jihad, some of whose key figures were reportedly associated with Osama bin Laden.

Throughout the year we also sought to defend those who were persecuted for their human rights work. In January, we wrote to Tunisian president Zine el-Abidine Ben Ali to protest various measures that stifled independent human rights activity, including the one-year prison sentence imposed on Moncef Marzouki, spokesperson of the National Council on Liberties in Tunisia, for “disseminating false news.” In Egypt, we protested the May sentencing by the Supreme State Security Court of human rights defender Saadeddin Ibrahim and twenty-seven co-defendants to between one and seven year prison terms in a politically motivated unfair trial. In July, we welcomed the decision of Cairo’s Administrative Court to overturn the government’s refusal for unspecified “security reasons” to register the Egyptian Organization for Human Rights and called on the Egyptian government to implement the ruling without delay. In Algeria, we protested the authorities’s restriction of Mohamed Smaïn, including the confiscation of his passport and national identity card, for his work on kidnappings, “disappearances,” and assassinations in the western province of Relizane.

We expressed dismay at the conviction and sentencing of thirty-six Moroccan human rights activists in May on charges of holding an illegal demonstration in December 2000, organized by the Moroccan Association of Human Rights, to demand an end to impunity for the perpetrators of human rights violations. Almost a year later they were acquitted in a November 2001 appeal hearing. While welcoming the acquittal Human Rights Watch and Amnesty International jointly expressed concern in a published briefing that the right to assemble peacefully remains sharply curtailed in Morocco.

Staff and other representatives of Human Rights Watch’s Middle East and North Africa division traveled during the year to Egypt, Iran, Israel and the Occupied Territories, Iraqi Kurdistan, Morocco, Tunisia, and Palestinian Authority-controlled areas. Missions involved field research, dialogue with government officials, trial observations, coordination with local and international groups and efforts at outreach, and advocacy. Human Rights Watch requests for access to Algeria, Bahrain, Saudi Arabia, and Syria were not granted and remained pending at the end of the year.

## **THE ROLE OF THE INTERNATIONAL COMMUNITY**

### **European Union**

The European Commission (E.C.), the executive arm of the European Union (E.U.), issued a lengthy “communication” to the Council of Ministers and the European Parliament on May 8 proposing a more coherent and consistent E.U. approach to human rights issues by “ensur[ing] that all E.C. assistance instruments are mobilized in support of human rights and democratization objectives.” The document included few concrete suggestions as to how this could be achieved, however, in particular how to overcome the frequent reluctance of member states and the Council of Ministers to speak out against or take steps to end abuses in individual countries.

The most noteworthy development in the framework of the Euro-Mediter-

anean “Barcelona Process” was the signing, on June 25, of the Association Agreement with Egypt, after more than five years of negotiation. (See Egypt.) Previously signed agreements with Jordan and the Palestinian Authority remain to be ratified by some E.U. member states before coming into force, while negotiations continued with Algeria, Lebanon, and Syria. Tunisia’s Association Agreement has been operative since March 1998, Israel’s since June 2000, and Morocco’s since early 2000, but there was no significant public or official discussion as to how the poor human rights records of those governments could be squared with article 2 of each agreement, which states that it is premised on “respect for human rights and democratic values.” One indication of the ambiguous status of human rights was the Euro-Mediterranean conference of ministers of foreign affairs, meeting in Brussels in early November. The group’s communiqué “welcomed the continuation of the political dialogue, especially with regards to human rights, by means of national and regional presentations making it possible to improve awareness and hence mutual understanding of our partners’ reference systems.”

A U.S. Congressional Research Service study of transfers of conventional arms, released in August, reported that almost 84 percent of the United Kingdom’s arms deliveries to developing countries in the 1997-2000 period were to the Middle East. The equivalent figure for France was more than 41 percent.

### **United States**

The Bush administration entered office on January 20 determined to have a lower profile than its predecessor in efforts to revive negotiations between Israel and the Palestinian Authority. Secretary of State Colin Powell’s initial tour of the region was to solicit support for changes in the U.N. sanctions regime on Iraq, an effort that eventually failed to materialize owing to Russian resistance in the Security Council. The administration’s plans to stay relatively removed from the Israeli-Palestinian conflict did not prove realistic. The administration declined to name a successor to Dennis Ross, who had served as special coordinator for the Middle East, instead naming Assistant Secretary of State for Near Eastern Affairs William Burns as U.S. chief negotiator. Secretary Powell visited the region in June in an unsuccessful effort to bring about a ceasefire. The need to forge a political and military coalition following the September 11 attacks on New York and Washington sharply increased pressure on the administration to give greater attention to the Israeli-Palestinian conflict. In November, President Bush, in a speech to the U.N. General Assembly, declared support for a Palestinian state. As the political and security situation continued to deteriorate, the president sent retired Marine Corps Gen. Anthony Zinni as a special envoy to the region. Secretary Powell said Zinni would stay there “for as long as it takes” to bring about a negotiated settlement.

Issues of human rights and democracy did not figure significantly in U.S. public diplomacy or foreign assistance programs related to the Middle East. The State Department, in its fiscal year (FY) 2002 request to Congress, budgeted U.S. \$7 million—up from just under \$4 million in FY 2001—under the heading of Middle East Democracy. The presentation stated that these funds would be used to support “democracy-related projects” of NGOs in Morocco, Algeria, Tunisia, Oman, and

Yemen, as well as programs for judicial reform and “protection of human and private property rights.” The funds would also be used to improve the capacity and effectiveness of legislatures and elected advisory councils and to assist preparations for fair elections in Morocco and Algeria. Of the individual country presentations, human rights and democratic reform appear to be a substantial component of the program only for Morocco. Tunisia was implausibly characterized in the presentation as a “stable democratic country,” and U.S. promotion of democracy in Tunisia was limited to funds for training Tunisian military officers.

Funding under the Anti-Terrorism Assistance (ATA) program, according to the State Department presentation, included working with participating countries “to increase respect for human rights among foreign police by sharing modern, humane and effective antiterrorism techniques.” The presentation did not say what proportion of the \$38 million requested would be for such programs, or which countries were included. Some \$4.7 million of the total was earmarked for the Middle East.

The fact that the top leadership of al-Qaeda and most of the alleged perpetrators of the September 11 attacks were nationals of Saudi Arabia and Egypt focused considerable media and other attention on the authoritarian character of those states’ governments, both close U.S. allies. The attacks stimulated some public reflection on U.S. neglect of democracy and human rights issues in the region. Secretary Powell, testifying before the Senate Foreign Relations Committee on October 25, acknowledged that “[in] many of these nations, leadership does not represent the street.” Secretary Powell went on to say, “I have started to raise these issues and talk to some of our friends in the region and say, you know, in addition to sort of criticizing us from time to time and terrible editorials about us in your newspapers, better start taking a look in the mirror.”

On October 31, Assistant Secretary of State for Democracy, Rights and Labor Lorne Craner, in a speech on “The Role of Human Rights in the administration’s Foreign Policy Agenda,” included a paragraph on the Middle East. After discussing China, he said: “Similarly, in the Persian Gulf, Oman is experimenting with an increasingly independent legislature and Qatar will hold local elections, with women voting, in 2003. No one, least of all me, would claim any of these countries are democracies, and it may be that the end result, many years from now, is not precisely comparable to our democratic system. The point is that the United States is now willing to assist those working to bring pluralism to their countries, even if it may only occur over the long term.”

According to the Congressional Research Service’s annual report on conventional arms sales, the U.S. delivered \$26.4 billion in arms to the Middle East in the 1997-2000 period, or just over 62 percent of all U.S. deliveries to developing countries. Saudi Arabia (\$16.2 billion), Israel (\$3.9 billion), Egypt (\$3.6 billion), and Kuwait (\$1.5 billion) were the largest recipients.