

NEAR EAST AND NORTH AFRICA

ALGERIA

President Abdelaziz Bouteflika was elected in April 1999 to a 5-year term. Bouteflika had served as Foreign Minister in a previous government. The President is the constitutional head of state, appoints and dismisses the Prime Minister, and may dissolve the legislature. According to the Constitution, the Prime Minister appoints the cabinet ministers; however, in practice the President has taken a key role in designating the members of the Cabinet. The military establishment strongly influences defense and foreign policy. Abdelaziz Bouteflika was regarded throughout the 1999 election campaign as the candidate most favored by the dominant security establishment and the most likely winner. At the end of the campaign, the other six candidates withdrew, credibly charging massive fraud by the military, and Bouteflika was elected easily, although with a turnout as low as 30 percent. The presidential election campaign was marked by increased openness; however, international observers and political parties pointed out numerous problems with the conduct of the elections. A September 1999 national referendum, which asked citizens whether they agreed with the President's peace plan (which included an amnesty program for the extremists fighting to overthrow the Government), was free of charges of fraud. The peace plan won a reported 98 percent majority, with a reported 85 percent turnout. President Bouteflika is not affiliated formally with any political party, but he has the parliamentary support of a six-party coalition. In June 1997, Algeria held its first parliamentary elections since January 1992 and elected the first multiparty parliament in the country's history. The Government's cancellation of the 1992 elections, which the Islamic Salvation Front (FIS) was poised to win, suspended the democratization process and a transition to a pluralistic republic, and escalated fighting, which still continues, between the security forces and armed insurgent groups seeking to overthrow the Government and impose an Islamic state. The Government does not always respect the independence of the judiciary.

The Government's security apparatus is composed of the army, air force, navy, the national gendarmerie, the national police, communal guards, and local self-defense forces. All of these elements are involved in counterinsurgency and counterterrorism operations and are under the control of the Government. The security forces committed serious human rights abuses, although allegations of such abuses continued to decline.

The \$147.6 billion economy is slowly developing from a state-administered to a market-oriented system. The Government has implemented stabilization policies and structural reforms. However, privatization of state enterprises has made little progress, and there has been little progress on reform of the banking and housing construction sectors. The state-owned petroleum sector's output represented approximately a quarter of the national income and more than 96 percent of export earnings during the year. Noncompetitive and unprofitable state enterprises constitute the bulk of the nonhydrocarbon industrial sector. The agricultural sector, which produces grains, fruit, cattle, fiber, vegetables, and poultry, makes up 10 to 12 percent of the economy. Algeria is a middle-income country; annual per capita income is approximately \$1,700 in a population of 31.5 million. Officially, about 30 percent of the working-age population is unemployed, and about 70 percent of persons under the age of 30 cannot find adequate employment.

Despite continued improvements, particularly in addressing problems of torture and arbitrary detention, the human rights situation remained generally poor, and serious problems persisted, including the excessive use of force, increased restrictions on freedom of expression, and failure to account for past disappearances. The massacre of civilians by armed terrorist groups also continued. There are significant limitations on citizens' right to change their government.

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The security forces committed extrajudicial killings, tortured, beat or otherwise abused detainees, and arbitrarily arrested and detained, or held incommunicado, individuals; however, in general such abuses continued to decline. Most such cases were committed against suspected members of armed groups in the context of the Government's continued battle with terrorism. Security forces also committed serious abuses in connection with riots and demonstrations in the Kabylie region during the spring and summer. Security forces killed more than 50 civilians and injured hundreds while attempting to suppress the disturbances, during which many demonstrators burned and looted government buildings, political party offices, and public and private property.

Security-force involvement in disappearances from previous years remains unresolved. An international NGO noted that the Government continued to improve prison conditions. Prolonged pretrial detention and lengthy trial delays are problems, although the practice of detention beyond the legal limit appears to be less frequent. Although the Constitution provides for an independent judiciary, executive branch decrees restrict some of the judiciary's authority. The authorities do not always respect defendants' rights to due process. Illegal searches and infringements on citizens' privacy rights also remained problems.

There was no overt censorship of information. The print media is relatively free and the independent press commented regularly and openly and expressed a wide range of views on significant issues such as terrorist violence and surrenders under the amnesty program. However, some elements of the news media practiced self-censorship. On June 27, the Government enacted broad amendments to the Penal Code that impose high fines and prison terms of up to 24 months for defamation or "insult of" government figures, including the President, Members of Parliament, judges, members of the military and "any other authority of public order." Although there were no reported prosecutions under the amendment to the Penal Code, during the year, the Government prosecuted a number of journalists for defamation under the pre-amendment Penal Code for articles that the journalists had written (see Section 1.c.).

Unlike in the past when electronic media expressed only government policy, government-controlled radio and television stations presented a variety of views, including those critical of the Government, especially during the violence that took place in the Kabylie region of the country in the spring and summer. However, the Government continued to restrict freedom of speech, press, assembly, association, and movement in varying degrees throughout the year.

The Government also places some restrictions on freedom of religion. On June 27, the Government enacted amendments to the Penal Code that provided for prison sentences and fines for any person not approved by the Government convicted of preaching in a mosque. The amendments also provided penalties for persons found guilty of preaching "contrary to the noble nature of the mosque or likely to offend the cohesion of society." During the year, the National Democratic Institute (NDI), the International Committee of the Red Cross (ICRC) and Freedom House visited the country, in many cases at the invitation of the Government. Domestic violence against women, the Family Code's limits on women's civil rights and societal discrimination against women remained serious problems. Child abuse was a problem. Amazigh ethnic, cultural, and linguistic rights were the objects of demonstrations and riots in the spring and continued throughout the year. Amazigh concerns are represented by at least two political parties with seats in Parliament. Child labor was a problem.

Armed groups committed numerous serious abuses and killed hundreds of civilians, including infants. There was a significant decrease in such violence compared with 2000. Armed terrorists continued their widespread campaign of insurgency, targeting government officials, families of security-force members, and civilians. The killing of civilians during the year often was the result of rivalry between terrorist groups and to facilitate the theft of goods needed by the armed groups. Violence by terrorist groups is also used to extort money.

Armed groups left small bombs in cars, cafes, and markets, which killed and maimed indiscriminately. Some killings, including massacres, also were attributed to revenge, banditry, and land grabs. Press reports estimated that approximately 1,980 civilians, terrorists, and security force members died during the year in the ongoing domestic turmoil. The violence appears to have occurred primarily in the countryside, as the security forces largely forced the insurgents out of the cities. There were numerous instances in which armed groups kidnaped women and girls, raped them, and forced them into servitude.

After his 1999 election, President Bouteflika stated that a total of about 100,000 persons had been killed during the previous 8 years.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life.—The security forces committed extrajudicial killings, mostly during clashes with armed terrorist groups. The number of such killings in connection with such clashes decreased by about 19 percent during the year compared with 2000. On March 11, security forces backed by helicopters pursued and killed seven suspected terrorists in Skikda, 316 miles east of Algiers. In late April, Government forces surrounded for 11 days an abandoned mine used as a stronghold by the terrorist Salifast Group for Call and Combat calling for the terrorists to surrender. Security forces then used explosives to collapse the mine, killing 70 persons. The Government maintains that security forces resort to lethal force only in the context of armed clashes with terrorists. The Government also contends that, as a matter of policy, disciplinary action is taken against soldiers or policemen who are guilty of violating human rights, and that some disciplinary action was taken during the year. However, the government does not release routinely specific information regarding punishments of military and security force personnel.

On April 18, Massinissa Guermah, a 19-year-old Amazigh high school student, died in the custody of security forces of gunshot wounds received from an AK-47 semi-automatic weapon. In a report of the Issaad commission appointed by the Government which investigated the incident, security force witnesses testified that the weapon had fired inadvertently when it slipped from a gendarme's hand while the safety mechanism was unlocked. According to an Amnesty International report, this version has been challenged by a witness who claimed that he heard Guermah plead his innocence to gendarmes before the shots were fired. During the April 22-28 demonstrations and riots that ensued in the Kabylie region following Guermah's death, security forces used excessive force, killing at least 45 rioters and demonstrators and injuring many hundreds more. While putting down the riots, security forces used live (not rubber) rounds on the crowd, shooting some persons in the back (see Sections 1.c, 1.d, 2.b, and 5). Press reports have estimated that as many as 80 rioters may have died at the hands of security forces during the riots that continued into the summer. Ten days after Guermah's death, the local gendarmerie issued a statement claiming that the official responsible for the death of Guermah had been court-martialed. The Government appointed two separate commissions to investigate Guermah's death and the violence that followed it. One was composed of members of the National Assembly. The report of the other commission, headed by respected Amazigh jurist Mohand Issaad, found that the security forces version of the death was "not satisfactory," blamed gendarmerie units for using excessive force in putting down the demonstrations, and found that the units did so without orders. The report, which criticized a lack of security-force cooperation that hampered the Commission's ability to gather information, was released to the press by the President and received significant media coverage. The National Assembly commission had not issued a report by year's end.

There were no reports of progovernment militia killing civilians during the year, as they had in the past.

In November 1999, prominent FIS leader Abdelkader Hachani, who had spoken out in favor of peace and reconciliation, was shot and killed in Algiers. In December 1999, authorities arrested a suspect, who had the murder weapon in his possession. The suspect, Fouad Boulemia, was tried in March, found guilty, and sentenced to death.

Armed groups targeted both security-force members and civilians. Civilian and security force casualties at the hands of armed groups decreased by about 35 percent compared with 2000. In many cases, terrorists randomly targeted civilians in an apparent attempt to create social disorder. Armed groups killed numerous civilians, including infants, in massacres and with small bombs. Bombs left in cars, cafes, and markets killed and maimed persons indiscriminately (see Section 1.g.).

Some killings also were attributed to revenge, banditry, and land grabs. The violence took place primarily in the countryside, as the security forces largely have forced the insurgents out of the cities. The killing of civilians often was the result of rivalry between terrorist groups and to facilitate the theft of goods needed by the armed groups. Violence by terrorist groups also is used to extort money. In April the independent press reported the Government's discovery of documents used by a terrorist group to track the "Islamic Tax" or money paid by individuals to the terrorist groups to avoid violent reprisals. As well as the use of small bombs, terrorist tactics included creating false roadblocks outside the cities, often by using stolen police uniforms weapons, and equipment. After his 1999 election, President Bouteflika

acknowledged that a more accurate accounting of the number of persons killed during the previous 8 years placed the total at about 100,000.

Press reports estimated that approximately 1,980 civilians, terrorists, and security force members died during the year as a result of the ongoing violence, a reduction from the 2,588 who died during the previous year. For example, on the night of January 27, terrorists slit the throats of 25 villagers in the town of El-Guetaibia, 124 miles west of Algiers. The terrorists raped two teenage girls before killing them and abducted a 23-year-old woman. On February 10, 26 persons were killed in the town of Cherata, 74 miles south of Algiers. On March 16, terrorists attacked and killed seven persons in the small town of Aomar in the Wilaya of Bouira. On April 1, armed-group members slit the throats of a family of five in the town of Ain Agba, 72 miles south of Algiers. The terrorists then left a bomb in the house, which later exploded, injuring one of the villagers who discovered the bodies. At 1:00 a.m. on July 25, armed terrorists entered a pizza shop in the tourist town of Tipaza and opened fire with automatic weapons, killing two persons. On August 10, five members of a family were killed in Chelf, including a mother and three children who were shot in their sleep. On August 30, a bomb set in an Algiers market place killed 2 persons and injured more than 30 others. On September 13, in Taourirt, a community located about 30 miles to the east of Bouira; a car bomb killed one man and injured another. On October 2, a bomb planted by terrorists in a pizzeria in Laghouat, about 240 miles south of Algiers, exploded killing one customer and injuring eight others. On November 14, a woman picking olives was wounded seriously by a bomb set by terrorists near a footpath. On the same day, terrorists at a false roadblock shot and killed a soldier. Both incidents took place in Bouira, 54 miles southeast of Algiers.

b. Disappearance.—There were no credible reports during the year of disappearances in which the security forces were implicated. However, there have been credible reports of thousands of disappearances occurring over a period of several years in the mid-90's, many of which involved the security forces. A Ministry of Interior office in each district accepts cases from resident families of those reported missing. Credible sources state that the offices have provided little useful information to the families of those who disappeared. On May 10, the Minister of Interior told the National Assembly that the Ministry had agreed to investigate 4,880 cases. The Ministry reported that it provided information to the families in 3,000 of those cases. In 1,600 of the cases, families requested administrative action to obtain death certificates for their missing relatives. While there have been no reported prosecutions of security-force personnel stemming from these cases, government officials reported in November 2000 that between 350 and 400 security officials had been punished for "human rights abuses." Families of the missing persons, defense attorneys, and local human rights groups insist that the Government could do more to solve the outstanding cases. The Government asserts that the majority of reported cases of disappearances either were committed by terrorists disguised as security forces or involved former armed Islamist supporters who went underground to avoid terrorist reprisals.

In September 2000, Amnesty International reported that since 1994 more than 4,000 persons had disappeared after being detained by security forces. Amnesty International stated that some persons died in custody from torture or were executed, but many others reportedly were alive. Local NGO sources noted that a few of the persons who disappeared were released from captivity by the security forces, but that there had been no public information about these cases, due to the fear of reprisal against those released. Some human rights activists assert that a number of the persons who disappeared still are alive in the hands of the security forces, but offer no evidence to support this assertion.

Terrorist groups continued to kidnap scores of civilians. In many instances, the victims disappeared, and the families were unable to obtain information about their fate. Armed groups kidnapped young women and girls and held them captive for extended periods for the purpose of rape and servitude (see Sections 1.a., 1.c., 5, 6.c., and 6.f.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—Both the Constitution and legislation ban torture and other cruel, inhuman, or degrading treatment; however, according to local human rights groups and defense lawyers, the police at times resort to torture when interrogating persons including those suspected of being involved with, or having sympathies for, armed insurgency groups.

There continued to be reports of police torture and other abuse of detainees during the year. After its October 2000 visit (see Section 4), Amnesty International stated that although there were "substantially fewer" cases of torture "in comparison to some years ago," such cases nevertheless "continue to occur." Many victims

of torture hesitate to make public such allegations due to fear of government retaliation.

The Interior Ministry and the National Observatory of Human Rights (ONDH) have stated publicly that the Government would punish those persons who violated the law and practiced torture. Government officials reported in November 2000 that between 350 and 400 security officials had been punished for human rights abuses, although the Government provided no details regarding the abuses that such officials committed or the punishment that they received. There was no independent mechanism available to verify the Government's claim.

In early August 2000, the Government announced new policies, enacted into law and implemented in July, concerning the Police Judiciaire (PJ), the officers who interrogate suspects when they first are arrested to determine whether there are grounds for prosecution. Local judges now are required to grade the performance of PJ officers operating in their jurisdiction in an effort to ensure that the officers comply with the law in their treatment of suspects. In addition any suspect held in preventative detention is to undergo a medical examination at the end of the detention, whether the suspect requests it or not. International NGO's and local lawyers have reported that these new procedures were generally being followed in practice.

The Government used excessive force in some instances to put down demonstrations and riots throughout the year in the largely Amazigh Kabylie region. Outdoor demonstrations in the Kabylie region turned violent from April 22 to 28, following the death in security forces' custody of a 19-year-old Amazigh high school student (see Section 1.a.). Security forces used live ammunition against demonstrators, including against youths throwing stones and Molotov cocktails. According to the Ministry of the Interior, security forces killed 45 protesters and injured 491 between April 22 and April 28. Some of those killed or injured had been shot in the back. Amnesty International reported that press reports indicated that as many as 80 persons were killed through mid-year. In addition the Government detained a large number of persons for short periods in connection with the violence. Amnesty International reported that security forces tortured, beat, and otherwise abused a number of them (see Section 1.d.). Although the Government allowed several subsequent demonstrations to take place, it used force to disrupt several other demonstrations that were held throughout the spring and summer (see Section 2.b.).

The Government appointed two separate commissions to look into the Kabylie events. One commission, headed by respected Amazigh jurist Mohand Issaad, issued its final report on December 29. The Issaad report concluded that gendarmerie units had used excessive force in putting down the April 22 to 28 demonstrations, but that they had done so without official orders. The report was released to the press and received significant media coverage.

Following a bombing against a military unit in the area, security forces arrested Said Zaoui and approximately 20 other men in Dellys on February 7. The detainees reportedly were tortured and Zaoui reportedly remained in detention. In April police arrested three students who were on their way to a gym class in the Kabylie region, and reportedly beat them while they were in custody (see Section 1.d).

In June 2000 following a bomb blast in Dellys, police rounded up a group of 200 persons who had been attending the local mosque. The group was taken to police headquarters and beaten. One person died from the injuries he sustained. Members of the group took legal action against the police and, as a result, the local chiefs of the police and the Gendarmerie were fired and two of the offending officers were arrested.

In December 1999, a terrorist bomb killed and injured police in the town of Dellys. Within hours security forces rounded up and detained more than 100 persons of both sexes and a variety of ages. Police officers beat many of the detainees and threw them into the crater made by the terrorist bomb. One of the mistreated persons died of a heart attack the next day. A senior regional police commander ordered the police to stop these actions. In response to complaints from the mistreated persons, the authorities suspended the local commanders of 2 different security services and prosecuted 21 members of the security forces (see Section 1.a.).

Armed terrorist groups committed numerous abuses, such as beheading, mutilating, and dismembering their victims, including infants, children, and pregnant women. These groups also used bombs that killed and injured persons (see Sections 1.a. and 1.g.). Deaths at the hands of armed groups decreased by about 35 percent, from 1,525 in 2000 to 1,124 during the year. Terrorists also committed dozens of rapes of female victims, many of whom subsequently were murdered. There were also frequent reports of other young women and girls being abducted, raped for weeks at a time by group leaders and other members, and forced into servitude (see Sections 1.a., 1.b., 5, 6.c., and 6.f.).

Prison conditions are Spartan, but generally meet international standards. An international NGO noted that the Government continued to improve prison conditions. Prisoners generally were found to be in good health and benefited from adequate food and expanded visitation rights. The provision of medical treatment remained limited.

In general the Government does not permit independent monitoring of prisons or detention centers. However, since October 1999, the Government allowed regular International Committee of the Red Cross (ICRC) visits to prisons administered by the Ministry of Justice. The ICRC did not visit FIS leaders in prison or under house arrest.

d. Arbitrary Arrest, Detention, or Exile.—The Constitution prohibits arbitrary arrest and detention; however, the security forces continued arbitrarily to arrest and detain citizens, although such practices continued to decrease during the year.

The Constitution stipulates that incommunicado detention in criminal cases prior to arraignment may not exceed 48 hours, after which the suspect must be charged or released. However, according to the 1992 Antiterrorist Law, the police may hold suspects in prearraignment detention for up to 12 days, although police must inform suspects of the charges against them. In practice the security forces generally adhered to this 12-day limit in terrorist cases and to the 48-hour limit in non-terrorist cases during the year.

The 1992 Antiterrorist Law suspended the requirement that the police obtain warrants in order to make an arrest. During the year, the police made limited use of this law. However, according to defense attorneys, police who execute searches without a warrant routinely fail to identify themselves as police and abuse those who ask for identification (see Section 1.f.).

In April three students were arrested in two separate incidents in the Kabylie region. One died in custody and the other two subsequently were released. The death in custody precipitated demonstrations and riots in the region throughout the spring and summer (see Sections 1.a., 1.c., 2.b., and 5).

The Government detained and soon thereafter released hundreds of persons in connection with the demonstrations and riots that took place in the Kabylie region in the spring and summer. Amnesty International reported that the police tortured or otherwise abused persons in custody (see Section 1.a.).

At year's end, FIS president Abassi Madani, who was released from prison in 1997, remained under house arrest and was allowed to receive visits only from members of his family (see Section 2.d.), although he made numerous press statements and conducted interviews while under house arrest. Jailed oppositionist and FIS vice president Ali Belhadj, who had been held incommunicado from 1992 until 1998, was allowed contact with members of his family, who spoke to the press on his behalf.

Police and communal guards sometimes detain persons at checkpoints (see Section 1.f.). There are reports of police arresting close relatives of suspected terrorists in order to force the suspects to surrender. According to Amnesty International, on April 4, 2000, police arrested 73-year-old El-Hadj M'lik in front of several witnesses. He had been questioned previously concerning his sons, one of whom is believed to be a member of a terrorist group. Security officials reassured the family, on two separate occasions, that M'lik would be returned to them. However, he had not been returned by year's end and the government has released no further information on the case during the year.

Prolonged pretrial detention is a problem. Persons accused of crimes sometimes did not receive expeditious trials; however, instances of long-term detention appeared to decrease somewhat during the past year (see Section 1.e.). Hundreds of state enterprise officials who were arrested on charges of corruption in 1996 remained in detention. Three or four of the higher-ranking detainees were released in 2000. Some local human rights activists and NGO's claim that the Government continues to keep some former prisoners under surveillance and requires them to report periodically to police.

Forced exile is not a legal form of punishment and is not known to be practiced. However, numerous cases of self-imposed exile involve former FIS members or individuals who maintain that they have been accused falsely of terrorism as punishment for openly criticizing government policies.

One such case was resolved in September 2000, when Ali Bensaad, a professor at the University of Constantine who had been in exile in Germany, returned to the country. The former exile was issued a limited (6-month) passport, which allowed him to return. Bensaad is pursuing redress in the court system for the "machinations" he claims were perpetrated against him by former high-ranking officials; there were no developments in Bensaad's case by year's end.

e. Denial of Fair Public Trial.—The Constitution provides for an independent judiciary; however, in practice the Government does not always respect the independence of the judicial system. The Minister of Justice appoints the judges. A judge's term is 10 years. The Government reportedly may remove judges at will. In November 1999, President Bouteflika named a commission to review the functioning of the judiciary and to recommend ways to improve it. In August 2000, after the commission submitted its report that was published in the Government's Official Journal, the President announced a massive reorganization of the judiciary. He changed approximately 80 percent of the heads of the 187 lower courts and all but three of the presidents of the 37 higher-level courts. Most of the court heads were reassigned to new locations; however, a number were replaced outright. Whereas women previously only headed a few courts, women at year's end headed 26.

The judiciary is composed of the civil courts, which try cases involving civilians, and the military courts, which have tried civilians on security and terrorism charges. There is also a Constitutional Council, which reviews the constitutionality of treaties, laws, and regulations. Although the Council is not part of the judiciary, it has the authority to nullify laws found unconstitutional. The Council has nine members: Three of the members (including the council president) are appointed by the President; two are elected by the upper house of the Parliament; two are elected by the lower house of the Parliament; one is elected by the Supreme Court; and one is elected by the Council of State. Regular criminal courts try those individuals accused of security-related offenses. Long-term detentions of suspects awaiting trial again appeared to decrease somewhat during the year (see Section 1.d.).

According to the Constitution, defendants are presumed innocent until proven guilty. They have the right to confront their accusers and may appeal the conviction. Trials are public, and defendants have the right to legal counsel. However, the authorities do not always respect all legal provisions regarding defendants' rights, and continue to deny due process. Some lawyers do not accept cases of defendants accused of security-related offenses, due to fear of retribution from the security forces. Defense lawyers for members of the banned FIS have suffered harassment, death threats, and arrest.

There are no credible estimates of the number of political prisoners; some observers estimate the number to be several thousand. An unknown number of persons who could be considered political prisoners are serving prison sentences because of their Islamist sympathies and membership in the FIS. There are credible estimates that the Government released 5,000 political prisoners after President Bouteflika's 1999 election.

International humanitarian organizations did not request visits with political prisoners during the year; therefore, it is unclear whether the Government would permit such organizations to visit political prisoners. In general the Government does not permit independent monitoring of prisons or detention centers; however, over the past 24 months, it has permitted the ICRC to monitor general prison conditions in civilian prisons (see Section 1.c.).

f. Arbitrary Interference with Privacy, Family, Home or Correspondence.—Authorities frequently infringed on citizens' privacy rights. The Constitution provides for the inviolability of the home, but the state of emergency authorizes provincial governors to issue exceptional warrants at any time. Security forces also entered residences without warrants. According to defense attorneys, police who execute searches without a warrant routinely fail to identify themselves as police and abuse persons who ask for identification. Security forces deployed an extensive network of secret informers against both terrorist targets and political opponents. The Government monitors the telephones of, and sometimes disconnects service to, political opponents, journalists, and human rights groups (see Sections 2.a., 3, and 4). There are reports of police arresting close relatives of suspected terrorists in order to force the suspects to surrender (see Section 1.d.).

Armed terrorists entered private homes either to kill or kidnap residents or to steal weapons, valuables, or food. After massacres that took place in their villages, numerous civilians fled their homes. Armed terrorist groups consistently used threats of violence to extort money from businesses and families across the country.

g. Use of Excessive Force and Violations of Humanitarian Law.—In response to rioting in April in the Kabylie region, gendarme units used excessive force. Rioters were shot with lethal (not rubber) rounds, often in the back. A report issued by the Issaad Commission, appointed by the Government to investigate the violence, found that the gendarmes acted without orders. The Government claimed that the gendarmes who fired the shots were disciplined.

Armed groups continued to be responsible for numerous, indiscriminate killings. Terrorists left bombs at several markets and other public places during the year, killing and injuring dozens of persons. In rural areas, terrorists continued to plant

bombs and mines, which often targeted security force personnel. For example, according to press reports, on February 25, a bomb explosion killed 3 and injured 27 near a bus station in Laghouat, 240 miles south of Algiers. On March 6, a bomb blast in the province of Jijel killed 2 and wounded 15. On March 9, a homemade bomb killed two persons and injured five in Skikda. A bomb in Lakhdari injured two communal guards on March 26. On April 1, armed group members slit the throats of five family members in the town of Ain Agba, 72 miles south of Algiers. The terrorists then left a bomb in the house, which later exploded injuring one of the villagers who discovered the bodies. On August 30, a bomb set in an Algiers market place killed 2 persons and injured more than 30 others. On September 13, in Taourirt, a community located about 30 miles east of Bouira, a car bomb killed one man and injured another. On October 2, a bomb planted by terrorists in a pizzeria in Laghouat, 240 miles south of Algiers, exploded, killing one customer and injuring eight others. On November 14, a bomb set by terrorists near a footpath seriously wounded a woman picking olives. On the same day, terrorists at a false roadblock shot and killed a soldier. Both incidents took place in Bouira, southeast of Algiers. As in the past, such random lethal terrorist attacks occurred throughout the year.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution provides for freedom of speech; however, the Government restricts this right in practice. A 1990 law specifies that freedom of speech must respect “individual dignity, the imperatives of foreign policy, and the national defense.” The state of emergency decree gives the Government broad authority to restrict these freedoms and to take legal action against what it considers to be threats to the state or public order. However, the Government did not enforce these regulations strictly, and the large number of independent press publications reported regularly on security matters without penalty. The government-controlled press reports on terrorism in an increasingly straightforward and accurate manner.

On June 27, the Government enacted a series of amendments to the Penal Code that give the Government authority to impose high fines and harsh jail sentences in cases in which reporters “defame insult or injure” government officials. Government officials include the President, Members of Parliament, judges, members of the military, and “any other authority of public order.” Under the new law, any person found guilty of defaming the President may be sentenced to between 3 and 12 months in prison and a fine of between \$649 (50,000 dinars) and \$3,247 (250,000 dinars). The punishments are doubled for repeat offenders. Under the new law, publications whose employees are found guilty of an offense against the President may be fined from \$6,494 (500,000 dinars) to \$32,468 (2,500,000 dinars). Editors and owners of such publications may also be prosecuted. Broad provisions in the new law provide for prison terms of between 2 and 24 months and fines ranging from \$129 (10,000 dinars) to \$6,494 (500,000 dinars) for “any person who insults a judge, a civil servant, or one of the representatives of public order with a word, a gesture, a threat, a piece of correspondence, a piece of writing or a drawing while they are exercising their profession, and does so with the intention of offending their honor, their authority, or the respect required of their profession.” The law, as amended, provides the same punishments for anyone who “commits insult, contempt or defamation” directed at “Parliament or one of its chambers, tribunals, courts of justice, the People’s National Army, or any other authority of public order.” No journalist had been charged under the new law by year’s end; however, the Government brought defamation cases against journalists during the year under the old provisions of the Penal Code.

On March 14, six journalists from the Arabic daily newspaper Errai were convicted of defaming the former head of security of the Wilaya of Oran. The men were sentenced to 2 months in jail (suspended) and a fine of \$28 (2,000 dinars). On July 19, Fawzia Ababsah, managing editor of the French-language daily newspaper, L’Authentique, was tried in absentia and sentenced to 6 months in prison for defamation of Secretary General Mahmoudi of the Finance Confederation (a union of financial workers). Ababsah was charged for an article that she wrote attempting to refute charges that Mahmoudi had made against the owner of L’Authentique, retired General Mohammed Betchine. Under the law, a person tried in absentia has the right to “oppose” any such decision and have the case reheard at the same level. Ababsah stated that she intended to oppose the finding in her case. The results of her opposition had not been published by year’s end.

According to the Ministry of Health, it no longer forbids medical personnel from speaking to journalists, and such personnel spoke to the press during the year.

1995

The Government's definition of security information often extended beyond purely military matters to encompass broader political affairs. In 1995 FIS officials who had been freed from detention in 1994 received direct orders from the Justice Ministry to make no further public statements. This ban remains in force. In general journalists exercised self-censorship by not publishing criticism of specific senior military officials, although in some cases the press criticized current and retired military officers.

In 1994 the Government issued an interministerial decree that independent newspapers could print security information only from official government bulletins carried by the government-controlled Algerian Press Service (APS). However, independent newspapers openly ignored the directive, and the trend toward increased openness about security-force activities continued during the year. The Government continued to provide the press with more information than in the past about the security situation. Unlike in past years, when journalists deliberately did not report on current possible abuses by security forces to avoid difficulties with the Government, the independent press reported openly on abuses by the gendarmerie during the recent violence in the Kabylie region and in other contexts (see Sections 1.a, 1.c., 1.d., 2.b., and 5). There also was significant coverage of NGO activity aimed at publicizing government abuses committed in the past.

Other than El Moujahid, which is the official government newspaper and reflects the majority RND party's views, there were no newspapers affiliated with any political parties. However, other parties, including legal Islamist political parties, have access to the independent press, in which they may express their views without government interference. Opposition parties also disseminate information via the Internet and communiques.

In mid-June, two independent newspapers (El Watin and Al-Khabar) began to print in a privately run printing plant with privately obtained newsprint. This ended the Government's monopoly on printing companies and newsprint imports. However, most independent newspapers continue to rely on the Government for printing and paper imports. There was no overt use of the Government's power to halt newspaper publications during the year.

The Government continued to exercise pressure on the independent press through the state-owned advertising company, which was created in 1996. All state-owned companies that wish to place an advertisement in a newspaper must submit the item to the advertising company, which then decides in which newspapers to place it. In an economy in which state companies' output and government services still represent approximately two-thirds of national income, government-provided advertising constitutes a significant source of advertising revenue for the country's newspapers. Advertising companies tend to provide significant amounts of advertising to publications with a strong anti-Islamist editorial line and to withhold advertising from newspapers on political grounds, even if such newspapers have large readerships or offer cheap advertising rates.

President Bouteflika stated in 1999 that the media ultimately should be at the service of the State. Radio and television remained under government control, with coverage biased in favor of the Government's policies. Parliamentary debates are televised live. A May parliamentary debate regarding the State of the Nation that lasted several days was broadcast live, without edits and in its entirety. It provided a national forum for all representative parties, including opposition parties critical of the Government. Satellite-dish antennas are widespread, and millions of citizens have access to European and Middle Eastern broadcasting. A five-member delegation from Reporters Without Borders visited the country in June 2000. The group was allowed to meet freely with the interlocutors of their choice and concluded that the press enjoyed increasing press freedom. However, the delegation also noted a number of continued barriers to full press freedom.

Many artists, intellectuals, and university educators fled the country after widespread violence began in 1992; however, some continued to return during the year. A growing number of academic seminars and colloquiums occurred without governmental interference, including a May forum on Judicial Reform sponsored by the Freedom House, which enjoyed wide press coverage. University students staged numerous small strikes early in the year in support of the protests in Kabylie. The Government did not interfere in any political or economic seminars, as it had in the past.

b. Freedom of Peaceful Assembly and Association.—The Constitution provides for the right of assembly; however, the 1992 Emergency Law and government practice sharply curtail this right. Citizens and organizations must obtain permits from the appointed local governor before holding public meetings. The Government frequently grants licenses to political parties, NGO's, and other groups to hold indoor rallies.

1996

In April in the Kabylie mountain region Berbers held outdoor demonstrations commemorating the 21st anniversary of the Berber Spring of 1980, when Berbers protested the imposition of Arabization on Berber culture. After the death of a 19-year-old Amazigh high school student in security-force custody, confrontations became violent between demonstrators, including stone- and Molotov cocktail-throwing youth, and Government security forces. Many demonstrators burned and looted government buildings, political party offices, and public and private property. These riots were suppressed, often with excessive force including live fire in some instances, killing more than 50 persons and injuring many hundreds more. Two official commissions were appointed to investigate events during the year; one commission issued its final report in December; the other had not issued a report by year's end (see Sections 1.a, 1.c., 1.d., and 5).

After the April violence, the Government permitted some demonstrations (most of them unsanctioned) to take place. On May 3, the largest political demonstration to take place in Algiers since 1998 concluded peacefully. The event protested government actions in quelling unrest in the Kabylie region. On May 7, a "March of Mourning" of more than 10,000 persons was held in Bejaia without government interference. The organizers of the two separate marches that joined did not seek government permission. However, before the event Minister of Interior Noureddine Zerhouni publicly announced that the Government would "tolerate" the marches. On May 10, a march of 8,000 to 10,000 persons in support of the Kabylie Berbers took place in Algiers without government permission; the Government did not interfere with the march. On May 21, tens of thousands of Kabylie residents demonstrated at Tizi Ouzou with only minimal interference from security forces. Protesters demanded that the Government withdraw the gendarmerie from Kabylie, recognize Amazigh as a co-equal national language with Arabic, indemnify victims of recent disturbances, and postpone national school exams so Berber students would not be disadvantaged for participating in the demonstrations.

Nonetheless, the Government at times used force to disperse demonstrations that became violent. On May 31, as many as 20,000 demonstrators marched in Algiers with the tacit approval of the Government. Security forces used tear gas and water cannons to break up the demonstrations when 600 to 700 protestors became violent, throwing stones at police. On June 14, the Government dispersed with tear gas and water cannons a march of more than 250,000 protestors after small groups of marchers became violent and burned and later destroyed property and looted a police station, a bus depot, and stores and businesses. In reaction the Government announced a ban on demonstrations in the capital.

Some other unlicensed groups continue to be active, including groups dedicated to the cause of persons who have disappeared. Such groups continued to hold regular demonstrations outside government buildings during the year. On November 8, security forces in Constantine disrupted a demonstration by family members of persons who had disappeared. When the crowd of approximately 100 persons arrived at the town hall for a regular demonstration (usually held weekly), they were met by security forces who demanded that they disperse. When the demonstrators refused to leave, security forces forcibly dispersed them, reportedly using truncheons. One person was injured (see Section 1.c.). In November 2000 police used force to disrupt a march by families of the disappeared, and arrested five persons.

Four subsequently were released; the fifth was tried and convicted of attacking a security officer (see Section 2.b.). In March 2000, in the western cities of Relizane and Oran, the Government arrested 40 persons during 2 separate demonstrations that occurred about a week apart; however, those arrested were released after brief detention.

The Government granted a license to a group of Islamists, including founders of the banned FIS party, to hold a meeting on July 9.

The Constitution provides for the right of association; however, the 1992 Emergency Law and government practice severely restrict it. The Interior Ministry must approve all political parties before they may be established (see Section 3). In January 2000, the Government refused to approve the Wafa Party on the grounds that many of its members had belonged to the outlawed FIS. The Government closed the Party's offices in November 2000. The Front Democratique, which is headed by former Prime Minister Sid Ahmed Ghazali, applied for registration in May 2000, but received no response within the time period specified by law for governmental decision on such cases (see Section 3). On March 29, the Interior Minister stated that the information in the party's application was too vague and that the Ministry was in the process of gathering the information it needed to make a decision. The Front Democratique had not been licensed by year's end. The Interior Ministry licenses all nongovernmental associations and regards all associations as illegal unless they have licenses. It may deny a license to, or dissolve, any group regarded as a threat

to the Government's authority, or to the security or public order of the State. After the Government suspended the parliamentary election in 1992, it banned the FIS as a political party, and the social and charitable groups associated with it. Membership in the FIS remains illegal, although at least one former FIS leader announced publicly that he intended to form a cultural youth group.

Domestic NGO's must be licensed by the Government and are prohibited from receiving funding from abroad. Some unlicensed groups operate openly.

c. Freedom of Religion.—The Constitution declares Islam to be the state religion but prohibits discrimination based on religious belief and the Government generally respects this right in practice; however, there are some restrictions. Islam is the only legal religion, and the law limits the practice of other faiths; however, the Government follows a de facto policy of tolerance by not inquiring into the religious practices of individuals.

The law prohibits public assembly for purposes of practicing a faith other than Islam. However, Roman Catholic churches in the country, including a cathedral in Algiers (the seat of the Archbishop), conduct services without government interference. There are only a few smaller churches and other places of worship; non-Muslims usually congregate in private homes for religious services.

Because Islam is the state religion, the country's education system is structured to benefit Muslims. Education is free to all citizens below the age of 16, and the study of Islam is a strict requirement in the public schools, which are regulated by the Ministry of Education and the Ministry of Religious Affairs.

The Government appoints preachers to mosques and gives general guidance on sermons. The Government monitors activities in mosques for possible security-related offenses and bars their use as public meeting places outside of regular prayer hours. The Ministry of Religious Affairs provides some financial support to mosques and has limited control over the training of imams.

On June 27, the Government enacted a series of amendments to the Penal Code to specify prison sentences and fines for preaching in a mosque by individuals who have not been recognized by the Government as imams. Such unauthorized persons may be sentenced to prison terms of 1 to 3 years and fines ranging from \$130 (10,000 dinars) to \$1,298 (100,000 dinars). Any person (including imams recognized by the government) found guilty of speaking out during prayers at the mosque in a manner that is "contrary to the noble nature of the mosque or likely to offend the cohesion of society or serve as an apology for such actions" may be sentenced to 3 to 5 years in prison and fines of up to \$2,597 (200,000 dinars). The amendments make no attempt to specify what constitutes preaching that is "contrary to the noble nature of the mosque or likely to offend public cohesion." There were no reported cases in which the Government invoked the new amendments by year's end.

Conversions from Islam to other religions are rare. Islam does not recognize conversion to other faiths at any age. However, the Constitution's provisions concerning freedom of religion prohibit any Government sanction against conversion. Because of safety concerns and potential legal and social problems, Muslim converts practice their new faith clandestinely. The Family Code, which is based on Shari'a (Islamic law), prohibits Muslim women from marrying non-Muslims, although this regulation is not always enforced. The code does not restrict Muslim men from marrying non-Muslim women. Under both Shari'a and civil law, children born to a Muslim father are Muslim, regardless of the mother's religion.

Non-Islamic proselytizing is illegal, and the Government restricts the importation of non-Islamic literature for widespread distribution. Personal copies of the major works of other religions, such as the Bible, may be brought into the country. Non-Islamic religious texts and music and video selections no longer are difficult to locate for purchase. The Government prohibits the dissemination of any literature that portrays violence as a legitimate precept of Islam.

The country's 10-year civil conflict has pitted self-proclaimed radical Muslims against the general Islamic population. After his 1999 election, President Bouteflika acknowledged that a more accurate accounting of the number of persons killed during the previous 8 years placed the total at about 100,000. Extremist self-proclaimed "Islamists" have issued public threats against all "infidels" in the country, both foreigners and citizens, and have killed both Muslims and non-Muslims, including missionaries. The majority of the country's terrorist groups do not, as a rule, differentiate between religious and political killings. During the year, terrorists continued attacks against the Government and civilians (see Sections 1.a. and 1.g.).

In 1994 the Armed Islamic Group (GIA) declared its intention to eliminate Jews, Christians, and polytheists from Algeria. The GIA has not yet retracted that declaration and, as a result, the mainly foreign Christian community tends to curtail its public activities.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The law provides for freedom of domestic and foreign travel, and freedom to emigrate; however, the Government at times restricts these rights. The Government does not allow foreign travel by senior officials of the banned FIS. FIS President Abassi Madani, who was released from prison in 1997, remains under house arrest (see Section 1.d.). The Government also does not permit young men who are eligible for the draft and who have not yet completed their military service to leave the country if they do not have special authorization; such authorization may be granted to students and to those individuals with special family circumstances. The Family Code does not permit married females under 19 years of age to travel abroad without their husband's permission, although this provision generally is not followed in practice. In the spring of 1999, the Government allowed travel abroad by representatives of organizations pursuing information on relatives who allegedly "disappeared" due to the actions of the security forces. These organizations, which were hosted by human rights NGO's, held public discussions on those who had disappeared.

Under the state of emergency, the Interior Minister and the provincial governors may deny residency in certain districts to persons regarded as threats to public order. The Government also restricts travel into four southern provinces, where much of the hydrocarbon industry and many foreign workers are located, in order to enhance security in those areas.

The police and the communal guards operate checkpoints throughout the country. They routinely stop vehicles to inspect identification papers and to search for evidence of terrorist activity. They sometimes detain persons at these checkpoints.

Armed groups intercept citizens at roadblocks, often using stolen police uniforms and equipment in various regions to rob them of their cash and vehicles. On occasion armed groups killed groups of civilian passengers at these roadblocks (see Section 1.a.).

The Constitution and the law provide for the granting of asylum and refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government grants asylum and cooperates with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The Government provides first asylum to approximately 165,000 refugee Sahrawis, former residents of the Western Sahara who left that territory after Morocco took control of it in the 1970's. UNHCR, the World Food Program (WFP), the Algerian Red Crescent, and other organizations are assisting Sahrawi refugees. The country also hosts an estimated 5,000 Palestinian refugees, most of whom no longer require international assistance. In the mid-1990's, the Government worked with international organizations to respond to Tuareg refugees from Mali and Niger. Most Tuaregs voluntarily repatriated from 1996 to 1999. There were no reports of the forced return of persons to a country where they feared persecution.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government; however, there are significant limitations to this right in practice. The strong prerogatives of the executive branch, supported by the entrenched power of the military and the bureaucracy, prevent citizens from exercising this right. The withdrawal of six presidential candidates in 1999 amidst credible charges of fraud, and the election of President Bouteflika, highlighted the continued dominance of the military elite in the process of selecting the country's political leadership.

President Bouteflika was elected in an April 1999 presidential election that was seriously flawed by the withdrawal 1 day before the election of all other candidates, who charged that the military already had begun to implement plans to produce a fraudulent Bouteflika victory. Until those allegations surfaced, the campaign had been conducted fairly, with all candidates widely covered in both state-owned and private media. The conduct of the campaign—although regulated as to the use of languages other than Arabic, and as to the timing, location, and duration of meetings—was free, and all candidates traveled extensively throughout the country. One potential candidate was denied the ability to run because the electoral commission determined that he could not prove that he had participated in Algeria's war of independence against France, a legal requirement for candidates for President born before July 1942. With the withdrawal of the other candidates and the absence of foreign observers, it was impossible to make an accurate determination of turnout for the election; although it apparently was as low as 30 percent, the Government claimed a 60 percent turnout. The next presidential election is scheduled for April 2004.

1999

Under the Constitution, the President has the authority to rule by decree in special circumstances. The President subsequently must submit to the Parliament for approval decrees issued while the Parliament was not in session. The President did not exercise such authority during the year. The Parliament has a popularly elected lower chamber, the National Popular Assembly (APN), and an upper chamber, the National Council, two-thirds of whose members are elected by municipal and provincial councils. The President appoints the remaining one-third of the National Council's members. Legislation must have the approval of three-quarters of both the upper and lower chambers' members. Laws must originate in the lower chamber.

In 1997, Algeria held its first elections to the APN since elections were canceled in 1992, and elected the first multiparty parliament in the country's history. Candidates representing 39 political parties participated, along with several independent candidates. Under a system of proportional representation, the government-supported party, the National Democratic Rally (RND) won a plurality of 154 seats out of a total of 371. In their final report, neutral observers stated that, of the 1,258 (of the country's 35,000) voting stations that they assessed, 1,169 produced satisfactory results, 95 were problematic, and 11 were unsatisfactory. In 1997 the provincial election commissions announced the results of their adjudication of the appeals filed by various political parties. The RND lost some seats but remained the overall victor in the Assembly elections. The next parliamentary elections are expected to take place in April or May 2002.

Since 1997 the law requires that potential political parties receive official approval from the Interior Ministry before they may be established. To obtain approval, a party must have 25 founders from across the country whose names must be registered with the Interior Ministry. Two parties have failed to receive registration. In January 2000, the Government refused to approve the Wafa party because of its perceived ties to the FIS (see Section 2.b.). On March 29, the Interior Minister stated that the information in the Front Democratique's application for recognition, which was filed in May 2000, was too vague, and that the Ministry was in the process of gathering the information it needed to make a decision. The party's application remained pending at year's end. No party may use religion, Amazigh heritage, or Arab heritage as a basis of organizing for political purposes. The law also bans political party ties to nonpolitical associations and regulates party financing and reporting requirements.

The more than 30 existing political parties represent a wide spectrum of viewpoints and engage in activities that range from holding rallies to issuing communiques. The Government continues to ban the FIS as a political party (see Section 2.b.). With the exception of the leading progovernment party (RND), and the National Liberation Front (FLN), political parties sometimes encounter difficulties when dealing with local officials, who hinder their organizational efforts. The Government monitors private telephone communications, and sometimes disconnects telephone service to political opponents for extended periods (see Section 1.f.). While opposition parties access to state-controlled electronic media remains limited, opposition party leaders increasingly have been permitted to represent their views on television and on the radio, even those views directly critical of the Government. Further, televised parliamentary debates aired uncensored and uncut allow all parties access to the electronic media. The independent press also publicizes their views.

The percentage of women in government and politics does not correspond to their percentage of the population. The new Cabinet, named in May, has no female members. Thirteen of the 380 members of the lower house of Parliament are women. The upper house has six female members. In September 1999, President Bouteflika appointed the first female provincial governor. A woman heads a workers' party, and all the major political parties except one had women's divisions headed by women.

The Amazighs, an ethnic Berber minority of about 9 million centered in the Kabylie region, participate freely and actively in the political process. From April through the remainder of the year, Amazighs held a series of demonstrations, some violent; security forces in some instances put down violent demonstrations with excessive force (see Sections 1.a., 1.c., 1.d., and 2.b.).

Two major opposition parties originated in the Amazigh-populated region of the country: The Socialist Forces Front and the Rally for Culture and Democracy. These two parties represent Amazigh political and cultural concerns in the Parliament and the media. The two Amazigh-based parties were required to conform with the 1997 changes to the Electoral Law that stipulate that political parties must have at least 25 founders from across the country.

The Tuaregs, a people of Amazigh origin, do not play an important role in politics, due to their small numbers, estimated in the tens of thousands, and their nomadic existence.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The most active independent human rights group is the Algerian League for the Defense of Human Rights (LADDH), an independent organization that has members throughout the country. The LADDH is not permitted access to government officials or to prisons, except as under the normal consultations allowed between a lawyer and a client. The less-active Algerian League for Human Rights (LADH) is an independent organization based in Constantine. The LADH has members throughout the country who follow individual cases. Human rights groups report occasional harassment by government authorities in the form of obvious surveillance and cutting off of telephone service (see Section 1.f.).

Unlike in previous years, when such visits were banned, since the beginning of 2000 the Government has welcomed a variety of international NGO's. The Rights Consortium, a combined effort of Freedom House, the International Center for Journalists, and the American Bar Association, visited the country in January, February, and May. An additional trip scheduled for the fall was postponed due to uncertainty in the region due to flooding. Similarly, the National Democratic Institute has been active, and visited the country eight times during the year. NDI has brought in international political experts from around the world to work with the local groups. The Institute also had taken representatives of all the country's major political parties to the U.S. promoting democratization, including by meeting regularly with and conducting seminars for political parties and training them in a variety of political skills ranging from grassroots consensus development to constituent services.

Doctors Without Borders requested visas to visit the Kabylie region in June. Their requests were denied because the Government maintained that the Algerian medical system was sufficiently handling the demand for medical care.

Delegations from Amnesty International, the ICRC, Human Rights Watch, Freedom House, the FIDH, and Reporters Without Borders visited the country in 2000 at the Government's invitation. Amnesty International visited in May 2000 and again in October 2000, and, after its May visit, claimed that the delegation had been "able to move around the country freely" and that "no restrictions were imposed" on its activities. Amnesty International did not seek meetings with members of the FIS in prison or under house arrest. The organization stated that there had been "a significant drop in the level of violence and killings, and the reports of arbitrary arrests, prolonged incommunicado detention, torture, disappearances, and unfair trials have also diminished significantly." However, Amnesty International maintained that many serious concerns had not been addressed, including resolving past abuses such as disappearances and extrajudicial killings. Moreover, during its October visit, Amnesty International claimed that the Government was not cooperating adequately or providing the organization with quality information. The organization also claimed that the Government was staging demonstrations opposing the Amnesty International visit. Despite requests to visit, Amnesty International claims that it has not been allowed entry into the country since 2000. The ICRC began visiting the country to observe prison conditions in 1999, and has continued such visits twice yearly.

A delegation from Human Rights Watch met with government officials in May 2000. The delegation stated that it was "allowed to travel freely and meet with officials, lawyers, nongovernmental organizations, and victims and families of victims of abuses by the Government and armed groups."

The U.N. Working Group on Enforced or Involuntary Disappearances, which asked in 2000 to visit the country, had not been granted access by year's end. The Government had also not responded positively to requests to visit from the U.N. Special Rapporteur on Torture and the U.N. Special Rapporteur on Extrajudicial Executions.

The National Observatory for Human Rights (ONDH) was established by the Government in 1992 to report human rights violations to the authorities; however, in February President Bouteflika announced the creation of a new Human Rights Commission to replace the ONDH and the national Human Rights Ombudsman.

The new National Consultative Commission for the Promotion and Protection of Human Rights was formally established on October 9, and it held an initial meeting on October 24. The Commission is made up of 45 members, 22 of whom belong to governmental bodies and 23 of whom come from civil society and NGO's. The nongovernmental members include representatives of Islamic religious organizations, the Red Crescent Society, and women's rights advocacy groups. The President approves nominees, and the Commission's budget and secretariat (which the Government says will be "independent") come from his office.

The Commission's mandate includes: Reporting on human rights issues; coordinating with police and justice officials; advocating domestic and international human rights causes; mediating between the Government and the population; and providing expertise on human rights issues to the Government.

Domestic NGO's must be licensed by the Government and are prohibited from receiving funding from abroad. Some unlicensed groups operate openly.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution prohibits discrimination based on birth, race, sex, belief, or any other personal or social condition; however, women continue to face legal and social discrimination.

Women.—Women's rights advocates assert that spousal abuse is common, but there are no reliable statistics regarding its extent. Spousal abuse is more frequent in rural than urban areas and among less-educated persons. There are no specific laws against spousal rape. Rape is illegal, and in principle a spouse could be charged under the law. However, there are strong societal pressures against a woman seeking legal redress against her spouse for rape, and there have been no reports of the law being applied in such cases. Battered women must obtain medical certification of the physical effects of an assault before they lodge a complaint with the police. However, because of societal pressures, women frequently are reluctant to endure this process. There are very few facilities offering safe haven for abused women, and many more are needed. Women's rights groups have experienced difficulty in drawing attention to spousal abuse as an important social problem, largely due to societal attitudes. There are several rape-crisis centers run by women's groups, but they have few resources.

There is a rape crisis center that specializes in caring for women who are victims of rape by terrorists (see Sections 1.a, 1.b., 1.c., 6.c., and 6.f.). On July 14, a group of young men raided a shantytown area near the oil town of Hassi-Messaoud, raping and seriously wounding dozens of single women who live there. The violence was incited by an imam who accused the women of prostitution and questioned why they were working while men in the town were unemployed. On July 23, a similar attack took place in the area of Tebessa, a trading center east of Algiers.

During the year, extremists sometimes specifically targeted women. There were numerous incidents of women and girls being killed and mutilated in massacres. Armed terrorist groups reportedly kidnapped young women and held them captive for extended periods for the purposes of rape and servitude (see Sections 1.a., 1.b., 1.c., 6.c., and 6.f.).

The law prohibits prostitution, and it is not considered to be a problem.

Some aspects of the law and many traditional social practices discriminate against women. The 1984 Family Code, which is based in large part on Shari'a, treats women as minors under the legal guardianship of a husband or male relative. For example, a woman must obtain a father's approval to marry. Divorce is difficult for a wife to obtain except in cases of abandonment or the husband's conviction for a serious crime. Husbands generally obtain the right to the family's home in the case of divorce. Custody of the children normally is awarded to the mother, but she may not enroll them in a particular school or take them out of the country without the father's authorization. Only males are able to confer citizenship on their children. Muslim women are prohibited from marrying non-Muslims; Muslim men may marry non-Muslim women (see Section 2.c.).

The Family Code also affirms the Islamic practice of allowing a man to marry up to four wives, although this rarely occurs in practice. A wife may sue for divorce if her husband does not inform her of his intent to marry another woman prior to the marriage.

Women suffer from discrimination in inheritance claims; in accordance with Shari'a, women are entitled to a smaller portion of an estate than are male children or a deceased husband's brothers. According to Shari'a, such a distinction is justified because other provisions require that the husband's income and assets are to be used to support the family, while the wife's remain, in principle, her own. However, in practice women do not always have exclusive control over assets that they bring to a marriage or income that they earn themselves. Married females under 19 years of age may not travel abroad without their husbands' permission (see Section 2.d.). However, women may take out business loans and are the sole custodians of their dowries. In its 2000 report, the International Labor Organization (ILO) Committee of Experts (COE) noted that the Government has stated that, despite incorporating equality between men and women into the legislative and regulatory texts governing the workplace, in practice women still are confronted with discrimination in

employment resulting from stereotypes that exist regarding a woman's place in society.

While social pressure against women pursuing higher education or a career exists throughout the country, it is much stronger in rural areas than in major urban areas. Women constitute only 10 percent of the work force. Nonetheless, women may own businesses, enter into contracts, and pursue opportunities in government, medicine, law, education, the media, and the armed forces. About 25 percent of judges are women, a percentage that has been growing in recent years. President Bouteflika's changes to the judiciary in August increased the number of courts headed by women (see Section 1.e.).

Although the law bans sexual discrimination in the workplace, the leaders of women's organizations report that violations are commonplace. Labor Ministry inspectors do little to enforce the law.

There are numerous women's rights groups, although the size of individual groups is small. Their main goals are to foster women's economic welfare and to amend aspects of the Family Code.

Armed terrorist groups reportedly kidnapped young women and held them captive for extended periods for the purposes of rape and servitude (see Sections 1.a., 1.b., 1.c., 6.c., and 6.f.).

Children.—The Government attempts to protect children. It provides free education for children 6 to 15 years of age. Approximately 94 to 96 percent of children attend at least some school. More than 85 percent of children complete the ninth grade. Boys and girls generally receive the same treatment in education, although girls are slightly more likely to drop out. The Government provides free medical care for all citizens—albeit in often rudimentary facilities. The Ministry of Youth and Sports has programs for children, but such programs face serious funding problems.

Child abuse is a problem. Hospitals treat numerous child-abuse cases every year, but many cases go unreported. Laws against child abuse have not led to notable numbers of prosecutions against offenders. Legal experts maintain that the Penal and Family Codes do not offer children sufficient protection. NGO's that specialize in care of children cite an increase in domestic violence aimed at children, which they attribute to the "culture of violence" developed during the years since 1992 and the social dislocations caused by the movement of rural families to the cities to escape terrorist violence. Such NGO's have educational programs aimed at reducing the level of violence, but lack funding. Children often are the victims of terrorist attacks.

Armed terrorist groups reportedly kidnapped young women and held them captive for extended periods for the purposes of rape and servitude (see Sections 1.a., 1.b., 1.c., 6.c., and 6.f.).

Economic necessity compels many children to resort to informal employment, such as street vending (see Section 6.d.).

Persons with Disabilities.—The Government does not mandate accessibility to buildings or government services for persons with disabilities. Public enterprises, in downsizing the work force, generally ignore a law that requires that they reserve 1 percent of their jobs for persons with disabilities. Social security provides for payments for orthopedic equipment, and some NGO's receive limited government financial support. The Government also attempts to finance specialized training, but this initiative remains rudimentary.

National/Racial/Ethnic Minorities.—The Amazighs are an ethnic minority centered in the Kabylie region. Amazigh nationalists have sought to maintain their own cultural and linguistic identity in the face of the Government's continued Arabization program. The law requires that Arabic be the official language and requires, under penalty of fines, that all official government business be conducted in Arabic. The law may be interpreted to require that Arabic be used for all broadcasts on national television and radios, for dubbing or subtitling all nonArabic films, for medical prescriptions, and for medical equipment. However, in practice one of the two Government television stations has a regular news program in Amazigh, and one of the Government radio stations broadcasts entirely in that language. As part of the national charter signed in 1996, the Government and several major political parties agreed that the Amazigh culture and language were major political components of the country's identity. In September 1999, President Bouteflika stated that the Amazigh language would never be an official language; during the year he stated that the enhancement of the status of the Amazigh language would require a constitutional amendment. However, on October 3, Prime Minister Benflis reportedly agreed to recognize the Amazigh language as a national language. There are professorships in Amazigh culture at the University of Tizi Ouzou. Amazighs hold influential positions in government, the army, business, and journalism.

From April throughout the remainder of the year, Amazighs held a series of demonstrations, some violent; security forces in some instances put down violent demonstrations with excessive force (see Sections 1.a., 1.c., 1.d., and 2.b.).

The Tuaregs, a people of Amazigh origin, live an isolated, nomadic existence and are relatively few in numbers.

Section 6. Worker Rights

a. The Right of Association.—Workers are required to obtain government approval to establish a union, and the Government may invalidate a union's legal status if its objectives are determined to be contrary the established institutional system, to public order, good morals or the laws or regulations in force. There are no legal restrictions on a workers right to join a union.

About two-thirds of the labor force belong to unions. There is an umbrella labor confederation, the General Union of Algerian Workers (UGTA) and its affiliated entities, which dates from the era of a single political party. The UGTA encompasses national unions that are specialized by sector. There are also some autonomous unions, such as unions for Air Algeria pilots (SPLA), executives of the state-owned hydrocarbon company Sonatrach (FNPA), airport technicians (SNTMA), and teachers (CNES).

The 1990 law on labor unions requires the Labor Ministry to approve a union application within 30 days. The Autonomous Unions Confederation (CSA) has attempted since early 1996 to organize the autonomous unions, but without success. The application that the CSA filed with the Labor Ministry still was pending at year's end, although the CSA continues to function without official status. The labor union organized by the banned FIS, the Islamic Workers Union (SIT), was dissolved in 1992 because it had no license.

Under the state of emergency, the Government is empowered to require workers in both the public and private sectors to stay at their jobs in the event of an unauthorized or illegal strike. According to the 1990 Law on Industrial Relations, workers may strike only after 14 days of mandatory conciliation or mediation. (The Government on occasion offers to mediate disputes.) The law states that decisions reached in mediation are binding on both parties. If no agreement is reached in mediation, the workers may strike legally after they vote by secret ballot to do so. A minimum level of public services must be maintained during public sector service strikes.

During the year, the ILO Committee of Experts requested the Government to take steps through legislation to ensure that no provisions of Legislative Decree 92-03 are applied against workers peacefully exercising the right to strike. The decree defines as subversive acts, or acts of terrorism, offenses directed against the stability and normal functioning of institutions through any action taken with the intention of "obstructing the operation of establishments providing public service" or of "impeding traffic or freedom of movement in public places." The Government claimed that the Decree is not directed against the right to strike or the right to organize and has never been used against workers exercising the right to strike peacefully.

On March 20, labor unions held a "general day of protest" against government privatization plans. Members of unions in the petrochemical, steel, tobacco, industrial vehicles, electronics, and utilities sectors participated.

The 1-day strike had little effect on daily life, but it gained the attention of government officials and highlighted the unions' concerns about economic reforms. On March 28, the Federation of Finance and Planning Employees held a general strike to protest recently adopted reforms to the Central Bank. The strike was publicized poorly and had little effect.

Unions may form and join federations or confederations, affiliate with international labor bodies, and develop relations with foreign labor groups. For example, the UGTA is a member of the International Confederation of Free Trade Unions (ICFTU). However, the law prohibits unions from associating with political parties and also prohibits unions from receiving funds from foreign sources. The courts are empowered to dissolve unions that engage in illegal activities.

b. The Right to Organize and Bargain Collectively.—The law provides for collective bargaining for all unions, and the Government permits this right in practice. The law prohibits discrimination by employers against union members and organizers, and provides mechanisms for resolving trade union complaints of antiunion practices by employers. It also permits unions to recruit members at the workplace. However, the law prohibits unions from associating with political parties and also prohibits unions from receiving funds from foreign sources. The courts are empowered to dissolve unions that engage in illegal activities.

The Government has established an export processing zone in Jijel. Workers in the Export Processing Zone have the same rights as other workers in the country.

c. Prohibition of Forced or Compulsory Labor.—Forced or compulsory labor is incompatible with the Constitution's provisions on individual rights, and the Penal Code prohibits compulsory labor, including forced or bonded labor by children. While the Government generally enforces the ban effectively, armed terrorist groups reportedly kidnap young women and girls hold them captive for weeks at a time, during which group members rape them and force them into servitude (see Sections 1.a., 1.b., 1.c., 5, and 6.f.).

The ILO's Committee of Experts has noted that the law that requires persons who have completed a course of higher education or training to perform a period of service of between 2 and 4 years in order to obtain employment or work in an occupation, is not compatible with relevant ILO conventions dealing with forced labor. The Committee stated that it has been urging the Government for many years to cease imposing prison labor to rehabilitate persons convicted for expressing certain political views.

d. Status of Child Labor Practices and Minimum Age for Employment.—The minimum age for employment is 16 years. Inspectors from the Ministry of Labor enforce the minimum employment age by making periodic or unannounced inspection visits to public sector enterprises. They do not enforce the law effectively in the agricultural or private sectors. UNICEF reported in October that approximately 5 percent of children work in some capacity, and there is no child labor in the industrial sector; however, economic necessity compels some children to resort to informal employment, such as street vending. The Government prohibits forced and bonded labor by children. Armed terrorist groups frequently kidnaped young women and held them captive for weeks at a time. During this time, group members raped them and forced them into servitude (see Sections 1.a., 1.b., 1.c., 5, and 6.c.).

On February 9, the Government ratified ILO Convention 182 on the worst forms of child labor.

e. Acceptable Conditions of Work.—The law defines the overall framework for acceptable conditions of work but leaves specific agreements on wages, hours, and conditions of employment to the discretion of employers in consultation with employees. The Government fixes by decree a monthly minimum wage for all sectors; however, this is not sufficient to provide a decent standard of living for a worker and family. The minimum wage is approximately \$105 (8,000 dinars) per month. Ministry of Labor inspectors are responsible for ensuring compliance with the minimum wage regulation; however, their enforcement is inconsistent.

In July 2000, the standard workweek was shortened to 37.5 hours. Workers who work beyond the standard workweek receive premium pay on a sliding scale from "time and a half" to "double time," depending on whether the overtime is worked on a normal work day, a weekend, or a holiday.

There are well-developed occupation and health regulations codified in the law, but government inspectors do not enforce these regulations effectively. There were no reports of workers being dismissed for removing themselves from hazardous working conditions. Because employment generally is based on very detailed contracts, workers rarely are subjected to conditions in the workplace about which they were not previously informed. If workers are subjected to such conditions, they first may attempt to renegotiate the employment contract and, that failing, resort to the courts.

f. Trafficking in Persons.—The law does not prohibit specifically trafficking in persons. Armed terrorist groups frequently kidnapped young women and held them captive for weeks at a time, during which group members raped them and forced them into servitude (see Sections 1.a., 1.b., 1.c., 5, and 6.c.). There is a rape crisis center in Algiers that specializes in caring for women who are victims of rape by terrorists.

BAHRAIN

Bahrain is a hereditary emirate with few democratic institutions and no political parties. The Al-Khalifa extended family has ruled the country since the late 18th century and dominates all facets of its society and government. The Constitution confirms the Amir as hereditary ruler. The Amir, Shaikh Hamad Bin Isa Al-Khalifa, governs the country with the assistance of his uncle, the Prime Minister, his son, the Crown Prince, an appointed cabinet of ministers, and an appointed Consultative Council that advises the Government on all new legislation. In 1975 the Government suspended some provisions of the 1973 Constitution, including those articles relating to the National Assembly, which was disbanded and never reinstated. Citizens belong to the Shi'a and Sunni sects of Islam, with the Shi'a constituting

over two-thirds of the indigenous population. However, Sunnis predominate politically and economically because the ruling family is Sunni and is supported by the armed forces, the security services, and powerful Sunni and Shi'a merchant families. The political situation generally was calm during the year; there were a few incidents of low-level political unrest, but there has not been significant unrest since 1996. In February an overwhelming majority of eligible citizens, both male and female endorsed a government plan entitled the National Action Charter to restore constitutional rule. On October 2, the Amir affirmed that the country would become a constitutional monarchy, with a government based on separation of powers, majority rule, and minority rights. There are few judicial checks on the actions of the Amir and his Government, and the courts are subject to government pressure and occasional accusations of corruption; however, the judiciary provides some checks on government authority.

The Ministry of Interior is responsible for public security. It controls the public security force (police) and the extensive security service, which are responsible for maintaining internal order. The Bahrain Defense Force (BDF) is responsible for defending against external threats. It did not play a role in internal security during the year. Security forces committed a few serious human rights abuses.

The country has a population of approximately 700,000, an estimated one-third of whom are noncitizens, and many of whom are Asian workers. It has a mixed economy with government domination of many basic industries, including the production of aluminum and the production and processing of hydrocarbons. The country is a regional financial and business center, as well as depends on tourism, particularly via the causeway to Saudi Arabia, as a significant source of income. The Government has used its modest oil revenues to build a highly advanced transportation and telecommunications infrastructure. Higher oil prices in 2000 and much of the year boosted economic growth and provided additional resources for new government projects. Possessing limited oil and gas reserves, the Government is working to diversify its economic base, concentrating on light manufacturing and the service sectors. The Government encouraged private national and international investment with some positive results. Per capita gross domestic product (GDP) is approximately \$12,000.

The Government generally respected its citizens' human rights in a number of areas and improved significantly in other areas; however, its record remained poor in some areas, particularly with respect to the rights of workers. The Government denies citizens the right to change their government; however, the February referendum on the National Action Charter, provides a template for the return of the country to constitutional rule.

In February the Amir annulled the 1974 State Security Act, which had superseded the Constitution and permitted arbitrary arrest and detention, incommunicado and prolonged detention, and forced exile. By February 14, the Amir had released all remaining political detainees and prisoners and invited nearly all exiles to return with full citizenship rights. Most have done so. The Amir also abolished the State Security Court, which held secret trials and provided few procedural safeguards. Nonetheless, impunity remains a problem; there were no known instances of security force personnel being punished for abuses committed during the year or in the past. The abolition of the State Security Court restored to the public the right to a fair public trial. The judiciary is nominally independent, but it still remains subject to government pressure. The press has published allegations that some judges are corrupt. The Government continued to infringe to some extent on citizens' privacy rights. The Government imposed some restrictions on the freedoms of speech and the press, and restricted freedoms of assembly and association; however, during the year, public criticism of government policies increased, and the Government did not interfere with or disperse some unauthorized demonstrations. A committee worked during the year to develop legislation to define and regulate nongovernmental organizations (NGO's). The Government also imposes some limits on freedom of religion and freedom of movement. In May the Government registered the Bahrain Human Rights Society, the country's first human rights NGO. Violence against women, and discrimination based on sex, religion, and ethnicity remains a problem. The Government restricts worker rights, and widespread abuse of foreign workers occurs, including numerous instances of forced labor. Trafficking of foreign women into domestic servitude or sexual exploitation is a problem.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary of Unlawful Deprivation of Life.—There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

Impunity remains a problem. There were no investigations or prosecutions of any security force personnel for alleged extrajudicial killings committed in previous years.

b. Disappearance.—There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—The law prohibits torture and other cruel, inhuman, or degrading treatment or punishment; however, there were a few reports of police abuse of civilians during the year. The press reported in September an incident in which police officers beat a suspect; however, the details regarding the beating were not reported in the press. The individual was released from custody and personally compensated by the Amir. On December 9, two Shi'a men reported that they were beaten at a police station when they resisted arrest (see Section 1.d.).

In the past, there were credible reports that prisoners often were beaten, both on the soles of their feet and about the face and head, burned with cigarettes, deprived of sleep for long periods of time, and in some cases subjected to electrical shocks. Before the annulment of the State Security Act in February, the Government had difficulty in rebutting allegations of torture and of other cruel, inhuman, or degrading practices because it permitted incommunicado detention and detention without trial. There continued to be no known instances of officials being punished for human rights abuses committed either during the year or in any previous year.

Unlike in previous years, there were no allegations that security forces threatened female detainees with rape or inflicted other forms of sexual abuse and harassment on them while they were in custody. Juvenile prisoners are housed separately until the age of 15.

Credible observers claim that the prisons generally meet international standards. Local defense attorneys report that care and treatment of their clients continued to improve. In addition the release of hundreds of detainees from prison (see Section 1.d.), totaling more than 1,500 since 1999, and the reduced number of arrests during the year, eased overcrowding. At the Government's invitation, the International Committee of the Red Cross (ICRC) continued the series of visits to prisons that it began in late 1996.

d. Arbitrary Arrest, Detention, or Exile.—The Constitution states that “no person shall be arrested, detained, imprisoned, searched or compelled to reside in a specified place . . . except in accordance with the provisions of the law and under the supervision of the judicial authorities.” With one known exception, the authorities observed these provisions in practice during the year. On December 9, two Shi'a men were detained without a court warrant, although they were released within the 48-hour time period specified by the Constitution (see Section 1.c.).

The police may only detain a suspect for 48 hours without obtaining a court order. Since the February abolition of the State Security Act, courts have refused police requests to detain suspects longer than 48 hours, and the police have complied with court orders to release suspects. Judges may grant bail to a suspect. However, attorneys still require a court order to visit detainees in jail.

In February the Amir annulled the 1974 State Security Act. For the previous 26 years, the Act had taken precedence over the Constitution in matters regarding arrest, detention, or exile. Under the Act, the authorities were permitted to detain persons for up to 3 years without trial for engaging in activities or making statements regarded as a threat to the broadly defined concepts of national harmony and security. The scope of the State Security Act extended to any case involving arson, explosions, or attacks on persons at their place of employment or because of the nature of their work.

Government security forces had used the State Security Act to detain, arrest, question, or warn persons deemed to be engaging in antigovernment activities, including membership in illegal organizations or those deemed subversive; painting antigovernment slogans on walls; joining antigovernment demonstrations; possessing or circulating antigovernment writings; preaching sermons considered by the Government to have an antigovernment political tone; and harboring or associating with persons who committed such acts. However, there were no detentions in connection with such activities during the year, either before or after the annulment of the State Security Act.

The Ministry of Interior oversees the security service, police, and Public Prosecutor. During the year, the Government, at the direction of the Amir, was drafting a law that would transfer the Public Prosecutor's office from the Ministry of Interior to the Ministry of Justice and Islamic Affairs, and thirteen prosecutors were being trained to staff the new office. The Ministry of Interior is responsible for all aspects of prison administration. Access to attorneys is restricted. In the early stages of detention, prisoners and their attorneys must seek a court order to be able to meet. Prisoners may receive visits from family members, usually once a month. Before the

annulment of the State Security Act and the release of all prisoners and detainees held under the Act, the authorities rarely permitted visits to inmates who had been incarcerated for security-related offenses, and such prisoners at times were held incommunicado for months, or sometimes years.

By February 14, the Amir had pardoned and ordered the release of all persons who had been detained under the State Security Act, including Shi'a clerics and political activists Abdul Wahab Hussain, Hassan Mushaimaa, Hassan Sultan, Haji Hassan Jarallah, and Abdul Jahil Khadim. The most prominent Shi'a cleric, Shaikh Abdul Amir Al-Jamri, was pardoned in 1999 (see Sections 1.e. and 2.c.).

The annulment of the State Security Act made forced exile illegal, and there were no reports of new cases of forced exile during the year. By February 14, the Amir had pardoned 108 exiles who had requested to return to the country, and invited nearly all remaining exiles to return with full citizenship rights. Most have done so. In the past, the Government revoked the citizenship of persons whom it considered to be security threats. The Government considered such persons to have forfeited their nationality under the Citizenship Act of 1963 because they accepted foreign citizenship or passports or engaged in antigovernment activities abroad.

e. Denial of Fair Public Trial.—The Constitution provides for an independent judiciary; however, the judiciary is not independent, and courts are subject to government pressure regarding verdicts, sentencing, and appeals. The Amir appoints judges upon the recommendation of the Supreme Judicial Council. The Minister of Justice and Islamic Affairs may comment on Supreme Judicial Council recommendations. Judges' terms are from appointment until the age of retirement from government service, which is set at age 60. A five-member committee of the Supreme Judicial Council oversees the procedures and rulings of judges. The committee may recommend suspension or removal of a judge whose rulings do not meet court standards.

The civil and criminal legal systems consist of a complex mix of courts, based on diverse legal sources, including Sunni and Shi'a Shari'a (Islamic law), tribal law, and other civil codes and regulations. The Amir's annulment of the 1974 State Security Act abolished its separate, closed security court system, which had jurisdiction in cases of alleged antigovernment activity.

The Bahrain Defense Force maintains a separate court system for military personnel accused of offenses under the Military Code of Justice. Military courts do not review cases involving civilian, criminal, or security offenses.

Defendants may choose their own attorneys. If they are unable to afford a private attorney, defendants may ask the Justice Ministry to appoint an attorney to represent them in court. In the past, some attorneys and family members involved in politically sensitive criminal cases claimed that the Government interfered with court proceedings to influence the outcome or to prevent judgments from being carried out; however, there were no such reports during the year. There are occasional allegations of corruption in the judicial system.

In past cases, the Amir, the Prime Minister, and other senior government officials have lost civil cases brought against them by private citizens; however, the court-ordered judgments are not always implemented expeditiously. Members of the ruling Al-Khalifa family are well represented in the judiciary and generally do not recuse themselves from cases involving the interests of the Government.

Civil or criminal trial procedures provide for an open trial, the right to counsel (with legal aid available when necessary), and the right to appeal. Criminal court proceedings generally do not appear to discriminate against women, children, or minority groups. Prior to the annulment of the State Security Act in February, there was credible evidence that persons accused of antigovernment crimes who were tried in the criminal courts were denied fair trials. Such trials were held in secret, and the defendants were not permitted to speak with an attorney until their appearance before the judge at the preliminary hearing.

The annulment of the State Security Act abolished the State Security Court, which had tried security cases in secret. Procedures in the Security Court did not provide for even the most basic safeguards. No cases were tried before the Security Court before it was abolished in February.

Until February 14, the Government had held in detention hundreds of Shi'a for offenses involving "national security." In June 1999, the Government gradually began releasing incarcerated individuals as part of an Amiri decree calling for the release or pardon of more than 350 Shi'a political prisoners, detainees, and exiles. In December 1999 and during 2000, the Amir pardoned at least another 350 prisoners. On February 6, the Amir pardoned an additional 298 political prisoners and detainees, and pardoned 108 exiles who had requested to return to the country. By February 14, the Amir had pardoned and released all political prisoners and detainees, including Hassan Sultan and Haji Hassan Jarallah, two Shi'a clerics associ-

ated with prominent cleric Shaikh Abdul Amir Al-Jamri, as well as Shi'a religious leader and political activist Abdul Wahab Hussein, who had been in detention for more than 5 years. In accordance with tradition, the Government releases and grants amnesty to some prisoners on major holidays, including individuals imprisoned for political activities.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—With the abolition of the State Security Act, searches of private premises without warrants are illegal; the police now must obtain a search warrant from a judge to enter private premises. The State Security Act had allowed the Ministry of Interior to authorize entry into private premises without specific judicial intervention. Nonetheless, the Government occasionally continued to infringe on citizens' right to privacy, although such reports declined significantly during the year. The Government continued to carry out some illegal searches. Telephone calls and personal correspondence remain subject to monitoring. Police informer networks are extensive and sophisticated.

There were no reports during the year of security forces setting up checkpoints at the entrances to villages, conducting vehicle searches, and requiring proof of identity from anyone seeking to enter or exit. A government-controlled proxy prohibits user access to Internet sites considered to be antigovernment or anti-Islamic (see Section 2.a.).

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution provides for the right “to express and propagate” opinions; however, the Government limits this right in practice. Criticism of government policies, including discussion of sectarian issues, unemployment, and housing increased in both speeches and in the press; however, criticism of the ruling family or of the Saudi royal family, and fostering sectarian divisions, remain prohibited strictly. In October the Information Ministry banned the publications of Hafidh Al-Shaikh, a frequent columnist in local papers, allegedly for fostering sectarian divisions in society. Some claimed that an article by Al-Shaikh published in a Lebanese newspaper criticizing Bahrain's Crown Prince was the reason for this banning.

Local press coverage and commentary on international issues is open, and discussion of local economic and commercial issues also is relatively unrestricted. Journalists exercise self-censorship on sensitive matters, such as the fostering of sectarianism, criticism of the ruling family, and criticism of the Saudi royal family. Individuals express critical opinions openly regarding domestic political and social issues in private settings and occasionally on state-run television call-in shows, but rarely do so to leading government officials or in organized public forums.

The Information Ministry controls local broadcast media and exercises considerable influence over local print media. Newspapers are owned privately, but they usually exercise self-censorship in articles covering sensitive topics, and defer to Information Ministry demands. In the past, the Government occasionally revoked the press credentials of foreign journalists who reported unfavorably on the Government's domestic policies. Because the Ministry controls foreign journalists' residence permits, unfavorable coverage in some cases in the past has led to deportation. However, there were no reports that the Government revoked press credentials during the year. The Government generally afforded foreign journalists access to the country and did not limit their contacts.

In late September 2000, the newly formed Bahrain Journalists Association elected its first board of directors. Some journalists view the lack of competition for the chairmanship of the board and the preponderance of government employees accepted as members, as signs that it will not be independent.

The Government owns and operates all radio and television stations. Radio and television broadcasts in Arabic and Farsi from neighboring countries and Egypt are received without interference. The Cable News Network (CNN) is available on a 24-hour basis by subscription, and the British Broadcasting Corporation (BBC) World News Service is carried on a local channel 24 hours a day, free of charge. During the year, the Government ceased jamming foreign broadcasts into the country (see Section 1.f.). Unlike in previous years, there were no complaints by international news services regarding press restrictions.

Most senior government officials and ruling family members, as well as major hotels and affluent private citizens, use satellite dishes to receive international broadcasts. Government approval to access satellite dishes and to import or install dishes no longer is required. Bahrain Television's satellite subscription service does not offer access to the Qatar-based Al-Jazeera channel, which otherwise broadcasts widely throughout the Middle East and North Africa.

Access to the Internet is provided through the National Telephone Company (BATELCO). A government-controlled proxy prohibits user access to sites considered to be antigovernment or anti-Islamic. The software used is unreliable and often inhibits access to uncontroversial sites as well. E-mail use is unimpeded, although it may be subject to monitoring (see Section 1.f.). Approximately 235,000 residents of the country, slightly more than one-third of the population, use the Internet.

Although there are no formal regulations limiting academic freedom, in practice academics avoid contentious political issues. University hiring and admissions policies appear to favor Sunnis and others who are assumed to support the Government, rather than focusing on professional experience and academic qualifications. However, there continued to be some improvement in the hiring of qualified individuals in a nondiscriminatory manner during the year, and a few Shi'a professors, including women, were hired.

b. Freedom of Peaceful Assembly and Association.—The Constitution provides for the right of free assembly; however, the Government restricts its exercise by requiring that organizers of public events acquire permits, which are not granted in a routine fashion. The law prohibits unauthorized public gatherings of more than five persons. The Government controls gatherings that might take on a political tone.

During the year, the Government authorized demonstrations in August and in October to protest Israeli actions in the occupied territories. A series of unauthorized demonstrations concerning the unemployment situation occurred in August and September. Several unauthorized demonstrations occurred in October, November, and December. The Government did not intervene to prevent any of them.

The Constitution provides for the right of free association; however, the Government limits this right. The Government prohibits political parties. However, during the year, four new NGO's were granted exemptions to the law and authorized to conduct political activities related to the organizations' purposes. Some professional societies and social and sports clubs traditionally have served as forums for discreet political discussion, and during the year, the Government began sanctioning the establishment of community and charitable, issue-oriented, and political NGO's. A subcommittee of the National Action Charter Committee worked during the year to develop legislation to define and regulate NGO's. Previously only the Bahraini Bar Association was exempt from the regulations that require that the charters of all associations include a commitment to refrain from political activity.

c. Freedom of Religion.—The Constitution states that Islam is the official religion and also provides for freedom of religion; however, there are some limits on this right. The Government subjects both Sunni and Shi'a Muslims to control and monitoring. Members of other religions who practice their faith privately do so without interference from the Government.

Every religious group must obtain a permit from the Ministry of Justice and Islamic Affairs in order to operate. Holding a religious meeting without a permit is illegal. There were no reports of religious groups being denied a permit during the year.

The Government funds, monitors, and closely controls all official religious institutions. These include Shi'a and Sunni mosques, Shi'a ma'tams (community centers), Shi'a and Sunni waqfs (charitable foundations), and the religious courts, which represent both the Ja'afari (Shi'a) and Maliki (Sunni) schools of Islamic jurisprudence. The Government rarely interferes with what it considers legitimate religious observations. Political activity in religious institutions increased during the year. In the past, the Government actively had suppressed activity deemed overtly political in nature, occasionally closing mosques and ma'tams for allowing political demonstrations to take place on or near their premises and detaining religious leaders for delivering political sermons or for allowing such sermons to be delivered in their mosques. There were no reported closures of ma'tams or mosques during the year. The Government also may appropriate or withhold funding in order to reward or punish particular individuals or places of worship.

The High Council for Islamic Affairs is responsible for the review and approval of all clerical appointments within both the Sunni and Shi'a communities, and it maintains program oversight for all citizens studying religion abroad. Public religious events, most notably the large annual commemorative marches by Shi'a, are permitted but are monitored closely by the police. There are no restrictions on the number of citizens permitted to make pilgrimages to Shi'a shrines and holy sites in Iran, Iraq, and Syria. The Government monitors travel to Iran and scrutinizes carefully those who choose to pursue religious study there.

The Government discourages proselytizing by non-Muslims and prohibits anti-Islamic writings. However, Bibles and other Christian publications are displayed and sold openly in local bookstores that also sell Islamic and other religious literature. Some small groups worship in their homes. Notable dignitaries from virtually every

religion and denomination visit the country and frequently meet with the Government and civic leaders. Religious tracts of all branches of Islam, cassettes of sermons delivered by Muslim preachers from other countries, and publications of other religions readily are available.

Until February 14, the Government had held in detention hundreds of Shi'a, including religious leaders, for offenses involving "national security" (see Sections 1.d. and 1.e.). By February 14, the Amir had pardoned and released all political prisoners and detainees (see Sections 1.d. and 1.e.), including Hassan Sultan and Haji Hassan Jasarallah, two Shi'a clerics associated with prominent cleric Shaikh Abdul Amir Al-Jamri, as well as Shi'a political activist and religious leader Abdul Wahab Hussein, who had been in detention for more than 5 years.

On March 8, Bahraini cleric Shaikh Issa Qasim, the former head of the Shi'a Religious Party, returned to the country after an 8-year exile. The Government permitted large crowds of celebrating Shi'a to greet Qasim upon his return.

In July 1999, the Amir pardoned Al-Jamri, who had been in prison since 1996. Following his release, the Government had monitored Al-Jamri's movements. However, in January the Government ceased conducting surveillance of Al-Jamri's residence and permitted him to lead Friday afternoon prayers. During the year, Al-Jamri also met with the Amir to discuss domestic and international issues, and delivered sermons at various mosques in Manama, which were published in local newspapers. Al-Jamri also served as a founding member of Al-Wifaq, one of the four NGOs authorized to conduct political activities (see Section 2.b.).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The Government imposes some limits on these rights. Citizens are free to move within the country and change their place of residence or work. In the past, the Government denied passports on political grounds; however, there were no reports of such denials during the year. During the year, the Government granted citizenship to all persons born in the country, including nearly all of the formerly stateless Shi'a of Iranian origin known as the bidoon, who constitute approximately 3 percent of the population (see Section 5). The conferral of citizenship was symbolized by the issuance of passports, which had been denied them in the past. The Government occasionally grants citizenship to Sunni residents, most of whom are from Jordan, the Arabian Peninsula, and Egypt.

Under the 1963 Citizenship Law, the Government may reject applications to obtain or renew passports for reasonable cause, but the applicant has the right to appeal such decisions before the High Civil Court. The Government also has issued temporary passports, valid for one trip per year, to individuals whose travel it wishes to control or whose claim to citizenship is questionable. A noncitizen resident may obtain a laissez-passer (travel document), usually valid for 2 years and renewable at Bahraini embassies overseas. The holder of a laissez-passer also requires a visa to reenter the country.

The Government cooperates with the U.N. High Commissioner for Refugees, although it has not formulated a formal policy regarding refugees, asylees, or first asylum. The Government usually does not accept refugees due to the country's small size and limited resources. However, there were no reports of the forced return of persons to a country where they feared persecution. Many Iranian emigres who fled after the Iranian revolution and were granted permission to remain in the country, received citizenship during the year.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government or their political system peacefully. Since the dissolution of the National Assembly in 1975, there have been no formal democratic political institutions. The Prime Minister makes all appointments to the Cabinet. The relevant ministries fill all other government positions. Ruling family members hold all security-related offices.

In February an overwhelming majority of eligible citizens (98.4 percent), both male and female, endorsed a government plan, the National Action Charter, to restore constitutional rule. The Government established the National Action Charter Implementing Committee to draft the necessary laws to lay the foundation for constitutional rule. A new press law is being drafted and is expected to be enacted in mid-2002.

On October 2, at the opening of the 10th session of the Consultative Council (Majlis Al-Shura), the Amir stated that the country would become a constitutional monarchy, with a government based on separation of powers, majority rule, and minority rights. He stated that the legislative branch would consist of a directly elected lower house and an appointed upper house. The exact powers of the two houses of the prospective legislature are under discussion.

The Amir also stated in his speech that municipal governments also would be elected directly by all citizens. In December the Government proposed and the Consultative Council approved a law establishing directly elected municipal councils for all five governorates of the country and a second law to regulate the election of council members. The councils will have full authority to allocate resources in their jurisdiction for local services. Funding will come from taxes collected by the Ministry of Municipalities and the Environment.

In 1992 the Amir established by decree the Majlis Al-Shura. Its 40 members are appointed by the Amir to advise him and to represent citizens from all 4 major religious groups: 20 Sunni, 18 Shi'a, 1 Christian, and 1 Jewish. Majlis members are selected to represent major constituent groups, including representatives from the business, labor, professional, and religious communities. There are no members of the ruling Al-Khalifa family in the Majlis. In addition to reviewing legislation submitted by the Cabinet, the Majlis may initiate debate independently and propose legislation. The Majlis also may summon cabinet ministers to respond to questions; however, its recommendations are not binding on the Government. The Majlis ended its 9th session in May and began its 10th session on October 2.

During the year, the Majlis debated several contentious social and economic issues, including municipal council elections, unemployment, health regulations, and early retirement for female civil servants, and drafted proposals on these and other topics for government consideration. In 1999 a Majlis Human Rights Committee was formed. The Committee's deliberations and reports have not been made public; however, according to the Speaker of the Majlis, the Government responded favorably to all of the Committee's recommendations by incorporating them into legislation or by taking other appropriate actions.

The percentage of women in government and politics does not correspond to their percentage of the population; however, there are now four women in the Majlis Al-Shura, whereas there had been none before. There are no women at the ministerial levels of Government. The majority of women who choose to work in government do so in a support capacity, and only a few have attained senior positions within their respective ministries or agencies. Women were permitted to vote in the February referendum on the National Action Charter.

In September 2000, the Amir appointed the first Christian and Jewish members to the Majlis Al-Shura; an ethnic Iranian also was appointed. Approximately one-third of the cabinet ministers are Shi'a.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Restrictions on freedom of association and expression sometimes hinder investigation or public criticism of the Government's human rights policies; however, in May the Government registered the Bahrain Human Rights Society, the first local nongovernmental human rights organization. The Society began an active campaign to raise human rights awareness in the country, holding several seminars and workshops. The society also sent representatives to attend the World Conference on Racism in Durban. Most, if not all, of the members of the Damascus-based Committee for the Defense of Human Rights in Bahrain and the Copenhagen-based Bahrain Human Rights Organization have returned to the country since the February referendum on the National Action Charter. The London-based Bahrain Freedom Movement and the Beirut-based Islamic Front for the Liberation of Bahrain remain active outside the country, but Bahrain Freedom Movement leader Dr. Mansur Al-Jamry returned to the country in December to establish an independent newspaper. The Bahrain Freedom Movement has endorsed the results of the National Action Charter referendum and fully supports the Amir's political reform initiative.

In recent years, the Government has allowed increasing access by international human rights organizations. Representatives of Amnesty International visited the country in March and November, meeting with the Amir on the first visit and cohosting a seminar with the Bahrain Human Rights Society on the second. The press reported that during the seminar, Amnesty International's senior representative praised the improvement in the Government's human rights record during the year. The ICRC continued to visit the country's prisons throughout the year (see Section 1.c.).

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equality, equal opportunity, and the right to medical care, welfare, education, property, capital, and work for all citizens. However, in practice these rights are protected unevenly, depending on the individual's social status, ethnicity, or sex.

Women.—Women's groups and health care professionals state that spousal abuse is common, particularly in poorer communities. In general there is little public attention to, or discussion of, the problem. Incidents usually are kept within the family. No government policies or laws explicitly address violence against women. During the year, a few articles appeared in the local press discussing violence against women and the need for laws to defend women who are abused. There are very few known instances of women seeking legal redress for violence. Anecdotal evidence suggests that the courts are not receptive to such cases. Rape is illegal; however, because marital relations are governed by Shari'a law, spousal rape is not a legal concept within the law.

It is not uncommon for foreign women working as domestic workers to be beaten or sexually abused (see Sections 6.c. and 6.e.). Numerous cases have been reported to local embassies and the police. However, most victims are too intimidated to sue their employers. Courts reportedly have allowed victims who do appear to sue for damages, return home, or both.

Although prostitution is illegal, some foreign women, including some who work as hotel and restaurant staff, engage in prostitution. (see Section 6.f.).

Shari'a governs the legal rights of women. Specific rights vary according to Shi'a or Sunni interpretations of Islamic law, as determined by the individual's faith, or by the court in which various contracts, including marriage, have been made.

While both Shi'a and Sunni women have the right to initiate a divorce, religious courts may refuse the request. Although local religious courts may grant a divorce to Shi'a women in routine cases, occasionally Shi'a women seeking divorce under unusual circumstances must travel abroad to seek a higher ranking opinion than that available in the country. Women of either branch may own and inherit property and may represent themselves in all public and legal matters. In the absence of a direct male heir, Shi'a women may inherit all property. In contrast, Sunni women—in the absence of a direct male heir—inherit only a portion as governed by Shari'a; the balance is divided among brothers, uncles, and male cousins of the deceased.

In divorce cases, the courts routinely grant Shi'a and Sunni women custody of daughters under the age of 9 and sons under the age of 7, although custody usually reverts to the father once the children reach those ages. Regardless of custody decisions, in all circumstances, except for mental incapacitation, the father retains the right to make certain legal decisions for his children, such as guardianship of any property belonging to the child, until the child reaches legal age. A noncitizen woman automatically loses custody of her children if she divorces their citizen father. A Muslim woman legally may marry a non-Muslim man if the man converts to Islam. In such marriages, the children automatically are considered to be Muslim. Women may obtain passports and leave the country without the permission of the male head of the household. Women are free to work outside the home, to drive cars without escorts, and to wear clothing of their choice.

Women increasingly have taken jobs previously reserved for men, and constitute approximately 20 percent of the workforce. The Labor Law does not discriminate against women; however, in practice, there is discrimination in the workplace, including inequality of wages and denial of opportunity for advancement. Sexual harassment is prohibited; however, it is a widespread problem for foreign women. The Government has encouraged the hiring of women, enacted special laws to promote their entry into the work force, and is a leading employer of women. The Labor Law does not recognize the concept of equal pay for equal work, and women frequently are paid less than men. Generally women work outside the home during the years between secondary school or university and marriage.

Some women complain that admissions policies at the National University aim to increase the number of male students at the expense of qualified female applicants, especially Shi'a women. Nevertheless, women make up the majority of students at the country's universities.

There are a large number of women's organizations that seek to improve the status of women under both civil and Islamic law. Some women have expressed the view that, despite their participation in the work force, women's rights are not advancing significantly and that much of the lack of progress is due to the influence of Islamic religious traditionalists. However, other women desire a return to more traditional values and support calls for a return to traditional Islamic patterns of social behavior.

Children.—The Government has stated often its commitment to the protection of children's rights and welfare within the social and religious framework of this traditional society. It generally honors this commitment through enforcement of civil and criminal laws and an extensive social welfare network. Public education for citizen children below the age of 15 is free; it is not available for the children of foreign workers. While the Constitution provides for compulsory education at the primary

levels (usually up to 12 or 13 years of age), the authorities do not enforce attendance. Limited medical services for infants and preadolescents are provided free of charge.

The social status of children is shaped by tradition and religion to a greater extent than by civil law. Child abuse is rare, as is public discussion of it; the preference of the authorities is to leave such matters within the purview of the family or religious groups. The authorities actively enforce the laws against prostitution, including child prostitution, procuring, and pimping. Violators are dealt with harshly and may be imprisoned, or, if a noncitizen, deported. In the past, the authorities reportedly returned children arrested for prostitution and other nonpolitical crimes to their families, rather than prosecute them, especially for first offenses. There were no reports of child prostitution during the year.

Some legal experts have called on the Government to establish a separate juvenile court. However, other citizens insist that the protection of children is a religious, not a secular, function and oppose greater government involvement. Independent and quasi-governmental organizations, such as the Bahraini Society for the Protection of Children and the Mother and Child Welfare Society, play an active part in protecting children by providing counseling, legal assistance, advice, and, in some cases, shelter and financial support to distressed children and families.

There were very few reports of arrests and detentions of juveniles during the year, and those who were arrested reportedly were released soon thereafter.

Persons with Disabilities.—The law protects the rights of persons with disabilities and a variety of governmental, quasi-governmental, and religious institutions are mandated to support and protect persons with disabilities. The regional (Persian Gulf) Center for the Treatment of the Blind is headquartered in the country, and a similar Center for the Education of Deaf Children was established in 1994. Society tends to view persons with disabilities as special cases in need of protection rather than as fully functioning members of society. Nonetheless, the Government is required by law to provide vocational training for persons with disabilities who wish to work, and maintains a list of certified, trained persons with disabilities.

The Labor Law of 1976 also requires that any employer of more than 100 persons must hire at least 2 percent of its employees from the Government's list of workers with disabilities; however, the Government does not monitor compliance. The Ministry of Labor and Social Affairs works actively to place persons with disabilities in public sector jobs, such as in the public telephone exchanges. The Government's housing regulations require that access be provided to persons with disabilities. Greater emphasis has been given in recent years to public building design that incorporates access for persons with disabilities; however, the law does not mandate access to buildings for persons with disabilities.

Religious Minorities.—Although there are notable exceptions, the Sunni Muslim minority enjoys a favored status. Sunnis receive preference for employment in sensitive government positions and in the managerial ranks of the civil service. While the defense and internal security forces predominantly are Sunni, Shi'a citizens now are allowed to hold posts in these forces; however, they do not hold positions of significance. In the private sector, Shi'a citizens tend to be employed in lower paid, less skilled jobs.

Educational, social, and municipal services in most Shi'a neighborhoods, particularly in rural villages, are inferior to those found in Sunni urban communities. In an effort to remedy societal discrimination, the Government has built numerous subsidized housing complexes that are open to all citizens on the basis of financial need.

After demonstrations in support of Palestinians in October 2000, several youths and men reportedly boarded a bus carrying Catholic parishioners and took Bibles from the parishioners, throwing some of the Bibles out of bus windows.

National/Racial/Ethnic Minorities.—Nearly all bidoon, a group of approximately 9,000 to 15,000 formerly stateless persons, mostly Shi'a of Persian-origin but including some Christians, were granted citizenship during the year. Many are second-generation or third-generation residents whose ancestors emigrated from Iran. Without citizenship, bidoon legally had been prohibited from buying land, starting a business, or obtaining government loans. Bidoon and citizens who speak Farsi rather than Arabic as their first language face significant social and economic discrimination, including difficulty in finding employment.

Section 6. Worker Rights

a. The Right of Association.—The Constitution recognizes the right of workers to organize; however, the Government bans independent trade unions. Government regulations do not mention the right to organize, and only prescribe the establishment of Joint Labor-Management Committees (JLC's).

Labor regulations permit the formation of elected workers' committees in larger companies. Worker representation is based on the JLC system, which was established by ministerial decree. One new JLC was established in November 2000, bringing the total to 20.

The JLC's are composed of equal numbers of appointed management representatives and worker representatives who are elected from among and by company employees in elections organized by management. Each committee is chaired alternately by a management and worker representative. The selection of worker representatives appears to be fair. Under the law, the Ministry of Interior may exclude worker candidates with criminal records or those deemed a threat to national security, but the Government has not taken such action in recent years.

The elected worker representatives of the JLC's select the 11 members of the General Committee of Bahrain workers (GCBW), which was established by law in 1983, and which oversees and coordinates the work of the JLC's. The GCBW also hears complaints from citizen and foreign workers and helps them bring their complaints to the attention of the Ministry of Labor or the courts. Representatives to the GCBW are elected to 3-year terms, and have included workers from a variety of occupations, including Sunni and Shi'a Muslims, foreign workers, and one woman. Although the Government and company management are not represented on the GCBW, the Ministry of Labor closely monitors the body's activities and a Ministry representative attends and supervises GCBW general meetings. The Ministry approves the GCBW's rules and the distribution of the GCBW's funds. Some senior JLC and GCBW officials have been harassed. The JLC/GCBW system represents nearly 70 percent of the country's native industrial workers. Both the Government and labor representatives readily admit that nonindustrial workers and foreign workers clearly are underrepresented in the system. The Ministry of Labor and Social Affairs supports the formation of JLC's in all public and private sector companies that employ more than 200 workers, and a JLC was established in the textile sector in 1999.

Although foreign workers constitute 67 percent of the work force, they are underrepresented in the GCBW. Foreign workers participate in the JLC elections, and five foreign workers currently serve on JLC's. However, none sits on the board of the GCBW. It is a long-term goal of both the Government and the GCBW to replace foreign workers with citizens throughout all sectors of the economy and to create new jobs for citizens seeking employment.

The Labor Law does not address the right to strike, and there were no strikes during the year. The 1974 National Security Act, which the Amir annulled in February, had prohibited actions perceived to be detrimental to the "existing relationship" between employers and employees or to the economic health of the State.

Internationally affiliated trade unions do not exist. The GCBW represents workers in the Arab Labor Organization, but does not belong to any international trade union organizations.

b. The Right to Organize and Bargain Collectively.—The Government effectively denies workers the right to organize and bargain collectively. The Labor Law does not permit this right outside the JLC system. While the JLC's are empowered to discuss labor disputes, organize workers' services, and discuss wages, working conditions, and productivity, workers have no independent, recognized mechanism for representing their interests on these or other labor-related issues. Minimum wage rates for public sector employees are established by decrees issued by the Council of Ministers. Private businesses generally follow the Government's lead in establishing their wage rates.

There are two export-processing zones (EPZ's). Labor law and practice are the same in the EPZ's as in the rest of the country.

c. Prohibition of Forced or Compulsory Labor.—Forced or compulsory labor is prohibited by law; however, in practice the labor laws apply for the most part only to citizens, and abuses occur, particularly in the cases of domestic servants and those working illegally. The law also prohibits forced and bonded child labor, and the Government enforces this prohibition effectively.

Foreign workers, who make up at least 67 percent of the workforce, in many cases arrive in the country under the sponsorship of an employer and then switch jobs while continuing to pay a fee to their original sponsor. This practice makes it difficult to monitor and control the employment conditions of domestic and other workers. The Government took no substantive action during the year to stop the practice.

Amendments to the Labor Law passed in 1993 stiffened the penalties for job switching to include jail sentences of up to 6 months for the sponsor of every illegally sponsored worker; however, sponsors have not received jail sentences. In such cases, the workers involved usually are deported as illegal immigrants after the case is concluded. During the summer and fall of 1998, the Government conducted an

amnesty program under which undocumented foreign workers were permitted either to legalize their status or leave the country without penalty. On October 1, 2000, the Government again gave illegal immigrants 3 months to legalize their status or leave the country.

The sponsorship system leads to additional abuses. Unskilled foreign workers in essence become indentured workers, and are unable to change employment or leave the country without their sponsors' consent. There are numerous credible reports that employers withhold salaries from their foreign workers for months, even years, at a time, and may refuse to grant them the necessary permission to leave the country. The Government and the courts generally work to rectify abuses brought to their attention, but they otherwise focus little attention on the problem, and the fear of deportation or employer retaliation prevents many foreign workers from making complaints to the authorities (see Section 6.e.).

Labor Laws do not apply to domestic servants. There are numerous credible reports that domestic servants, especially women, are forced to work 12- or 16-hour days, given little time off, malnourished, and subjected to verbal and physical abuse, including sexual molestation and rape. Between 30 and 40 percent of the attempted suicide cases handled by the Government's psychiatric hospitals are foreign maids (see Section 6.e.).

Foreign women employed as hotel and restaurant staff typically are locked in a communal house when not working and driven to work in a van. Many are involved in prostitution and reportedly trade sexual favors with hotel managers in exchange for time off from work (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment.—The minimum age for employment is 14 years of age. Juveniles between the ages of 14 and 16 may not be employed in hazardous conditions or at night, and may not work more than 6 hours per day or on a piecework basis. Child labor laws are enforced effectively by Ministry of Labor inspectors in the industrial sector; child labor outside that sector is monitored less effectively, but it is not believed to be significant outside family-operated businesses, and even in such businesses it is not widespread. Some children work in the market areas as car washers and porters.

The law prohibits forced and bonded child labor, and the Government enforces this prohibition effectively (see Section 6.c.).

In February the Government ratified ILO Convention 182 on the worst forms of child labor.

e. Acceptable Conditions of Work.—Minimum wage scales, set by government decree, exist for public sector employees, and generally provide a decent standard of living for a worker and family. The minimum wage for the public sector is \$278.25 (105 dinars) a month. Wages in the private sector are determined on a contract basis. For foreign workers, employers consider benefits such as annual trips home, housing, and education bonuses as part of the salary.

The Labor Law, enforced by the Ministry of Labor and Social Affairs, mandates acceptable conditions of work for all adult workers, including adequate standards regarding hours of work (maximum 48 hours per week) and occupational safety and health.

The Ministry enforces the law with periodic inspections and routine fines for violators. The press often performs an ombudsman function on labor problems, reporting job disputes and the results of labor cases brought before the courts. Once a worker has lodged a complaint, the Ministry of Labor and Social Affairs opens an investigation and often takes remedial action. The Fourth High Court has jurisdiction over cases involving alleged violations of the Labor Law. Complaints brought before the Ministry of Labor and Social Affairs that cannot be settled through arbitration by law must be referred to the Court within 15 days. In practice most employers prefer to settle such disputes through arbitration, particularly since the court and labor law generally are considered to favor the employee.

Under the Labor Law, workers have the right to remove themselves from dangerous work situations without jeopardy to their continued employment.

The Labor Law specifically favors citizens over foreign workers and Arab foreigners over other foreign workers in hiring and firing. Because employers include housing and other allowances in their salary scales, foreign workers legally may be paid lower regular wages than their citizen counterparts, although they sometimes receive the same or a greater total compensation package because of home leave and holiday allowances. Western foreign workers and citizen workers are paid comparable wages, with total compensation packages often significantly greater for the former. Women are entitled to 60 days of paid maternity leave and nursing periods during the day. However, women generally are paid less than men are.

In 1993 the Government strengthened the Labor Law by decree of the Amir, announcing that significant fines and jail sentences would be imposed upon private

sector employers who fail to pay wages required by law. This law applies equally to employers of citizens and foreign workers and was intended to reduce abuses against foreign workers, who at times are denied the required salaries (see Section 6.c.). The law provides equal protection to citizen and foreign workers; however, all foreign workers require sponsorship by citizens or locally based institutions and companies. According to representatives of several embassies with large numbers of workers in the country, the Government generally is responsive to embassy requests to investigate foreign worker complaints regarding unpaid wages and mistreatment. However, foreign workers, particularly those from developing countries, often are unwilling to report abuses for fear of losing residence rights and having to return to their countries of origin. Sponsors are able to cancel the residence permit of any person under their sponsorship and thereby block them for a year from obtaining entry or residence visas from another sponsor; however, the sponsor may be subject to sanctions for wrongful dismissal. Foreign women who work as domestic workers often are beaten or sexually abused (see Section 5). Between 30 and 40 percent of attempted suicide cases handled by the Government's psychiatric hospitals are foreign maids (see Section 6.c.).

It is a long-term goal of both the Government and the GCBW to replace foreign workers with citizens throughout all sectors of the economy and to create new jobs for citizens seeking employment.

f. Trafficking in Persons.—The law does not specifically prohibit trafficking in persons, and there are reports that some foreign workers are recruited for employment on the basis of fraudulent contracts and then forced into domestic servitude or sexual exploitation. Workers from the Philippines, Ethiopia, India, Russia, and Belarus have reported being forced into domestic servitude and sexual exploitation.

Although prostitution is illegal, some foreign women, including some who work as hotel and restaurant staff, engage in prostitution. Such women typically are locked in a communal house when not working and driven to work in a van (see Section 6.c.).

Unskilled foreign workers in essence become indentured workers, and are unable to change employment or leave the country without their sponsors' consent (see Section 6.c.).

The Government has not yet made significant efforts to combat trafficking. It does not recognize that trafficking is a problem because foreign workers travel to the country voluntarily. The Government does not devote resources to combat trafficking in persons. Victims of trafficking may seek assistance from their embassies. The Government does not provide assistance to victims.

EGYPT

According to its Constitution, Egypt is a social democracy in which Islam is the state religion. The National Democratic Party (NDP), which has governed since its establishment in 1978, has used its entrenched position to dominate national politics and maintains an overriding majority in the popularly elected People's Assembly and the partially elected Shura (Consultative) Council. President Hosni Mubarak was reelected unopposed to a fourth 6-year term in a national referendum in September 1999. The Cabinet and the country's 26 governors are appointed by the President and may be dismissed by him at his discretion. The judiciary generally is independent; however, there is no appellate process for verdicts issued by the State Security Emergency courts.

There are several security services in the Ministry of Interior, two of which are involved primarily in the Government's campaign against terrorism: The State Security Investigations Sector (SSIS), which conducts investigations and interrogates detainees, and the Central Security Force (CSF), which enforces curfews and bans on public demonstrations and conducts paramilitary operations against terrorists. The President is the commander in chief of the military; the military is a primary stabilizing factor within society but generally does not involve itself in internal issues. The security forces committed numerous, serious human rights abuses during the year; however, there continued to be no reports of the use of deadly force in the campaign against suspected terrorists during the year.

The country has a population of approximately 67 million, which increases by approximately 2 percent annually. It is in transition from a government-controlled economy to a free market system. The Government continued its privatization program, although some key sectors of the economy (such as banking, oil and gas, insurance, and textiles) still are dominated by state-owned enterprises. The agricultural sector employs the largest number of persons, and is almost entirely privately

controlled. Official statistics place 34.4 percent of wage earners in the agricultural sector, and knowledgeable observers estimate that perhaps 3 to 5 percent of those engage in subsistence farming. The tourism sector generates the largest amount of foreign currency. Petroleum exports, Suez Canal revenues, and remittances from approximately 2 million citizens working abroad are the other principal sources of foreign currency. These income sources are vulnerable to external shocks. Over the past decade, the Government has enacted significant economic reforms, which have reduced the budget deficit, stabilized the exchange rate, reduced inflation and interest rates significantly, and built up substantial reserves. However, low international oil prices, the 1997 Luxor terrorist attack, and the effects of the Southeast Asia economic crisis all negatively affected foreign exchange earnings from 1997 through 1999, causing the trade and current account balance deficits to widen and putting pressure on the Egyptian pound, leading to a devaluation of approximately 32 percent between mid-2000 and the end of 2001. Economic growth slowed in 2000 and during the year, and the global economic slowdown and losses in the tourism sector late in the year further affected the economy negatively. Continued progress in economic development depends primarily upon implementation of a wide range of structural reforms, the pace of which has slowed significantly over the past 1 to 2 years. The per capita gross domestic product (GDP) is approximately \$1,400.

The Government generally respected the human rights of its citizens in some areas, and its record improved somewhat over the previous year in areas such as extrajudicial killings, deaths from torture, and disciplinary actions taken against officers involved in deaths from torture; however, the Government's record remained poor with respect to freedom of expression and its continued referral of citizens to trial in military or State Security Emergency courts, among other areas. The President and the entrenched NDP dominate the political scene to such an extent that citizens do not have a meaningful ability to change their Government. In parliamentary elections held between October 18 and November 15, 2000, the NDP won 172 seats, independent candidates won 255 seats, and opposition parties won 17 seats. However, many of the independents elected were former members of the NDP who rejoined the party after being elected, leaving the People's Assembly balance at 388 NDP members, 37 independents, and 17 opposition party members out of 444 elected members. Due to court-ordered supervision by the judiciary of the voting and vote-counting, the process was fairer and more transparent than past parliamentary elections; however, there were significant problems, including the arrests of thousands of members of the Muslim Brotherhood in the months before the elections. In Shura Council elections that were held in May and June, the NDP won 74 of 88 seats, and independent candidates formerly affiliated with the NDP won the remaining 14 seats. Due to court-ordered supervision by the judiciary of the voting and vote-counting, the process was reasonably fair; however, there were significant problems, including the arrests of more than 100 members of the Muslim Brotherhood in the weeks before the elections. Voter turnout was extremely low.

The Emergency Law, which has been in effect since 1981 and was renewed for another 3 years in June 2000, continues to restrict many basic rights. The security forces continued to arrest and detain suspected members of terrorist groups. In combating terrorism, the security forces continued to mistreat and torture prisoners, arbitrarily arrest and detain persons, hold detainees in prolonged pretrial detention, and occasionally engage in mass arrests. In actions unrelated to the antiterrorist campaign, local police killed, tortured, and otherwise abused both criminal suspects and other persons. The Government took disciplinary action against police officers accused of abusing detainees, including prosecution of several offenders, but it did not pursue most cases or seek adequate punishments. The investigation that the Public Prosecutor reopened and expanded in 1999 regarding police brutality and torture during a 1998 police investigation of a double murder in the largely Coptic village of al-Kush in Sohag governorate, continued without resolution throughout the year.

Prison conditions remain poor. The Emergency Law allows authorities to detain persons without charge, and the Government continued to arrest and detain persons arbitrarily. Thousands of persons are detained without charge on suspicion of illegal terrorist or political activity; others are serving sentences after being convicted on similar charges. On November 14, a State Security Emergency Court sentenced 23 allegedly homosexual men to prison terms ranging from 1 to 5 years on charges including "insulting a heavenly religion" and "debauchery." The use of military courts to try civilians continued to infringe on a defendant's normal right under the Constitution to a fair trial before an independent judiciary. During the year, the Government referred three cases involving more than 270 civilians to the military courts.

The Government used the Emergency Law to infringe on citizens' privacy rights. Although citizens generally express themselves freely, the Government partially restricts freedom of the press and significantly restricts freedom of assembly and association. The May 21 conviction of civil society advocate Dr. Saad Eddin Ibrahim on charges including seeking to harm the reputation of the State and accepting foreign funding without government permission, had broad implications for freedom of expression, and had a deterrent effect on the activities of human rights organizations. The Government generally permits human rights groups to operate openly; however, only a few have been permitted to register as nongovernmental organizations (NGO's). The Government places restrictions on freedom of religion.

Domestic violence against women is a problem. Although the Government has banned the practice of female genital mutilation (FGM), many families persist in subjecting their daughters to the traditional practice. Women and Christians face discrimination based on tradition and some aspects of the law. Adult literacy rates are 63 percent for males and 34 percent for females. On February 5, a court acquitted 92 of 96 defendants of crimes, including murder, allegedly committed during January 2000 violence in the village of al-Kush, in which 21 Christians and 1 Muslim were killed. The Public Prosecutor contested the acquittals and the Court of Cassation overturned the verdicts in July; a retrial began in November and was ongoing at year's end. However, there were no reports of terrorist attacks against Christians during the year. Child labor remains widespread, despite Government efforts to eradicate it. Exposure of workers to hazardous working conditions and other abuses of the law by employers continue, and the Government does not enforce the labor laws effectively. The Government limits workers' rights.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary and Unlawful Deprivation of Life.—There were no reports of political killings or of extrajudicial killings of suspected terrorists by security forces during the year; however, police committed other extrajudicial killings.

The Egyptian Organization for Human Rights (EOHR) investigated the case of one extrajudicial killing by police. Mosaad Ahmed el-Sayed Abou Seif, age 19, who reportedly was surprised by police officers in his home in Shubra al-Khaima (north of Cairo) on March 27, was shot and killed on sight.

Human rights organizations and the press reported on the death in custody of the following 4 persons during the year, all of whom allegedly were tortured while being detained by police under suspicion of criminal activity: Mohamed Samir Aboul Wafa, Tarek Mahdy Abul Dahab, Tarek Massoud al-Ashkar, and Hisham Ahmad Abdel Ghani (see Section 1.c.). In addition, several cases of death under police torture from previous years remain unresolved.

The trial of 96 suspects accused in involvement in violence in al-Kush village in January 2000, resulting in the deaths of 21 Christians and 1 Muslim, concluded on February 5, with the acquittal of 92 of 96 suspects. The Public Prosecutor appealed the verdicts and on July 30 the Court of Cassation ordered a retrial. The retrial opened November 3 and the next session was scheduled for January 2002 (see Section 5).

b. Disappearance.—There were no reports of new cases of politically motivated disappearances that occurred during the year; however, local human rights organizations reported 4 new cases of disappearance that took place between 1995 and 2000, all of which followed arrests by security services or police. The Human Rights Center for the Assistance of Prisoners (HRCAP) reported that Mohammed Abdel Salam Mohammed Ali disappeared on January 13, 1995, in the upper Egyptian town of Malawi, Minya province. Atef Soliman Abdel Nasser Soliman reportedly disappeared on September 1, 1996, in the town of Abu Qurqa, Minya province. Mahmoud Ismail Amin, age 15, disappeared on June 30, 2000 in the town of al-Qanatir, Qalyubia province (north of Cairo). The authorities told Amin's family that he had been transferred to prison, but they have been unable to locate him since. The EOHR reported that Mohammed Abdel Hamid Metwalli Abdel Hamid disappeared on March 27, 2000, after being transferred from the regular police to the Qalyubia province Security Directorate. Abdel Hamid was arrested on March 8, 2000, on suspicion of arms dealing.

In addition, the HRCAP and the EOHR continued to investigate cases of 42 additional disappearances that took place before 2000. The EOHR provided the names to the U.N. Committee on Disappearances; the Government reportedly has denied any involvement in the cases.

On April 29, a lower court began the retrial of a 1999 case in which another court had ordered the Minister of Interior to pay Bahaa al-Amary, the wife of former Lib-

yan Foreign Minister Mansur Kikhiya, \$27,000 (100,000 Egyptian pounds). Kikhiya's family sued the Government following reports that he had been kidnaped from Cairo by Libyan agents, taken to Libya, and executed there in 1994. In 1999 the court had awarded the sum as compensation for the Ministry of Interior's inability to protect a foreign dignitary on Egyptian soil. The Minister of Interior appealed the decision on November 24, and the court overturned the 1999 judgment, ruling that no compensation should be provided.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—The Constitution prohibits the infliction of “physical or moral harm” upon persons who have been arrested or detained; however, torture and abuse of detainees by police, security personnel, and prison guards is common.

Under the Penal Code, torture of a defendant or giving orders to torture are felonies punishable by hard labor or 3 to 10 years' imprisonment. If the defendant dies under torture, the crime is one of intentional murder punishable by a life sentence at hard labor. Arrest without due cause, threatening death, or using physical torture is punishable by temporary hard labor. Abuse of power to inflict cruelty against persons is punishable by imprisonment of no more than 1 year or a fine of no more than \$29 (125 Egyptian pounds). In addition victims may bring a criminal or civil action for compensation against the responsible government agency. There is no statute of limitation in such cases.

Despite these legal safeguards, there were numerous, credible reports that security forces tortured and mistreated citizens. Reports of torture and mistreatment at police stations remain frequent. While the Government has investigated torture complaints in criminal cases and punished some offending officers, the punishments at times do not conform to the seriousness of the offense.

While the law requires security authorities to keep written records of detained citizens, human rights groups report that such records often are not available, or not found, or that the police deny any knowledge of the detainee when inquiries are made about specific cases, effectively blocking the investigation of torture complaints.

Human rights groups believe that the SSIS continues to employ torture. Torture takes place in SSIS offices, including its headquarters in Cairo, and at CSF camps. Torture victims usually are taken to an SSIS office, where they are handcuffed, blindfolded, and questioned about their associations, religious beliefs, and political views. Torture is used to extract information, coerce the victims to end their antigovernment activities, and deter others from similar activities.

In March the EOHR issued a report documenting in detail 21 cases of torture in police stations between September 1999 and March, in which 10 victims died. Principal methods of torture employed by the police, as reported by victims, included: Being stripped and blindfolded; suspended from a ceiling or doorframe with feet just touching the floor; beaten with fists, whips, metal rods, or other objects; subjected to electrical shocks; and doused with cold water. Victims frequently report being subjected to threats and forced to sign blank papers to be used against the victim or the victim's family in the future should the victim complain of abuse. Some victims, including male and female detainees, reported that they were sexually assaulted or threatened with the rape of themselves or family members.

Also in March, the HRCAP issued a report analyzing over 1,100 court rulings on cases in which torture victims sued for compensation between 1981 and 1999 and claiming that there were insufficient protections against torture provided under the law. In an unusual step, in September the Ministry of Interior issued a detailed written response to the HRCAP report rebutting the claims.

Human rights organizations and the press reported on the death in custody of four persons, reportedly under police torture, during the year (see Section 1.a.). All were being held on suspicion of criminal activity. The EOHR is investigating the case of Mohamed Samir Aboul Wafa, age 22, who died on January 13 in Hadayek al-Qubba police station. Aboul Wafa, who was arrested in October 2000 on suspicion of possession of illegal drugs, had been transferred to the police station from Wadi Natroun prison in preparation for his court-ordered release. The family complained to the authorities of signs of physical abuse and electrical shock on the body, and the local prosecutor carried out an investigation. No disciplinary or judicial action had been taken by year's end.

The press reported on three deaths in custody, which reportedly were due to police torture or mistreatment: Tarek Mahdy Abul Dahab, age 28, who died in January in the al-Wayli police station after completing a prison sentence on a robbery conviction; Tarek Massoud al-Ashkar, who died on July 15, approximately 10 days after his admission to a Sadat City police station; and Hisham Ahmad Abdel Ghani, age 21, who died in Shabrakheit police station in Beheira governorate in December,

reportedly several hours after being summoned for questioning. The death of al-Ashkar was under police investigation at year's end.

In May police arrested 55 men and one juvenile on suspicion of homosexual activity and "insulting a heavenly religion." During the trial of 52 of the men, attorneys claimed that the defendants were abused physically during the initial days of their detention, and that several had confessed under torture (see Section 1.e.).

In June police detained three Christian men for 3 days for allegedly inducing a young Muslim woman to run away from home. The men claimed that they were physically abused while they were in custody (see Sections 1.d. and 2.c.).

Regarding judicial action on previous cases of deaths under torture, on July 21, the Cairo Court of Appeals increased the compensation awarded in the September 1988 death of Basel Hammouda from approximately \$11,800 (50,000 Egyptian pounds) to \$59,000 (250,000 Egyptian pounds). On July 26, the Court of Cassation sentenced a police officer to 3 years in prison and a fine of \$470 (2,000 Egyptian pounds) in connection with the June 1996 death of Ragab Mohammed in the Manshiet Nasser police station. Also on July 26, the Giza Criminal Court sentenced a police officer to 2 years in prison with hard labor in the June 2000 death of Ahmed Imam Abdel Na'im in the Agouza police station. In September the Deputy Chief of Wadi Natroun prison was sentenced to 10 years' hard labor, a prison officer to 7 years' hard labor, and 4 police officers to 5 years' hard labor plus dismissal from their jobs for involvement in the February 2000 death under torture of Ahmed Mohamed Eissa. The officers appealed the verdicts, but the Court of Cassation had not examined the case by year's end. No judicial action was taken in the cases of Sami Hosni Ahmed, Ahmed Hassan Ahmed, Mohamed Tawfik Hassan Sayyed, Sayyed Kenawi Selim, Abdel Hamid Ramadan, Abdel Hamid Zahran, Haytham Mohamed Abdel Aziz, and Mohamed Islam Nasr Eddine, all of whom died while in police detention in 2000, and whom family members believe were tortured. The Nasr Eddine case continued to be under police investigation at year's end.

At year's end, the public prosecution continued to interview residents of the village of al-Kush regarding a 1998 murder investigation, during which, according to local observers, dozens of suspects reportedly were tortured and mistreated. The public prosecution reopened and expanded the case in August 1999, 5 months after it had decided that medical evidence did not support allegations of police torture (see Sections 2.c and 5.).

Prison conditions remain poor. The Government has renovated and built several prisons in recent years, and attempted to improve health conditions by, for example, banning smoking; however, human rights groups report that overcrowding and unhealthy conditions continue. Cells are poorly ventilated, food is inadequate in quantity and nutritional value, drinking water often is polluted, and medical services are insufficient. Such conditions contribute to the spread of disease and epidemics. The use of torture and mistreatment in prisons continues to be common. A system of inspections begun in 1999 by the Office of the Public Prosecutor continued, and the office investigated complaints raised by prisoners; however, no information was available regarding the results of the inspections.

On December 3, the People's Assembly approved an amendment to Law 396 of 1956, banning flogging as a disciplinary measure in prisons. Local human rights groups welcomed the ban.

There are separate prison facilities for men and women, and for juveniles and adults. There are separate military prisons, and civilians are not detained there even when they are tried in military courts. Political prisoners generally are detained separately from criminal prisoners, but in some cases are detained together with those convicted of nonviolent crimes, such as corruption or embezzlement.

Relatives and lawyers often are unable to obtain access to prisons for visits. Prisons in Abu Zaabal and Tora remain closed to visits. During the year, the HRCAP obtained 32 rulings by the Higher Administrative court to open the two prisons for visits to individual prisoners; however, despite more than 100 court rulings in favor of opening the prisons in recent years, visits to closed prisons continue to be refused in most cases. At other prisons, restrictions have been placed on visits to prisoners who are incarcerated for political or terrorist crimes, limiting the number of visits allowed for each prisoner and the total number of visitors allowed in the prison at one time.

Failure to implement judicial rulings regarding the release of administrative detainees or opening of prisons to visits continued to be a problem. In May the HRCAP released a report documenting 129 such rulings obtained by HRCAP between July 2000 and April 2001 that went unimplemented. The report also documented 1,426 court rulings won by family members of detainees and 1,110 cases of compensation awarded for wrongful detention, all of which the Government failed to carry out, during the period from 1971 to 2000.

In 2000 the Ministry of Interior ordered that prisoners who have served their sentences be released directly rather than transferred to State Security Directorates for processing, which in the past resulted in delayed releases for some prisoners. Human rights organizations reported that during the year, implementation of the policy in criminal cases was inconsistent, and that the direct-release policy was not implemented in general in cases involving political prisoners.

In principle human rights monitors are permitted to visit prisoners in their capacity as legal counsel; however, in practice they often face considerable bureaucratic obstacles that prevent them from meeting with prisoners. The International Committee of the Red Cross (ICRC) does not have access to prisons.

d. Arbitrary Arrest, Detention, or Exile.—As part of the Government's antiterrorist campaign, security forces conducted mass arrests and detained hundreds of individuals without charge. Police also at times arbitrarily arrested and detained persons. Under the provisions of the Emergency Law, which has been in effect since 1981, the police may obtain an arrest warrant from the Ministry of Interior upon showing that an individual poses a danger to security and public order. This procedure nullifies the constitutional requirement of showing that an individual likely has committed a specific crime to obtain a warrant from a judge or prosecutor.

The Emergency Law allows authorities to detain an individual without charge. After 30 days, a detainee has the right to demand a court hearing to challenge the legality of the detention order and may resubmit his motion for a hearing at 1-month intervals thereafter. There is no maximum limit to the length of detention if the judge continues to uphold the legality of the detention order or if the detainee fails to exercise his right to a hearing.

In addition to the Emergency Law, the Penal Code also gives the State broad detention powers. Under the Penal Code, prosecutors must bring charges within 48 hours or release the suspect. However, they may detain a suspect for a maximum of 6 months pending investigation. Arrests under the Penal Code occur openly and with warrants issued by a district prosecutor or judge. There is a system of bail. The Penal Code contains several provisions to combat extremist violence. These provisions broadly define terrorism to include the acts of "spreading panic" and "obstructing the work of authorities."

During the year, security forces arrested a number of persons allegedly associated with the Muslim Brotherhood, which the Government has declared an illegal organization. Attorneys for those arrested, as well as the HRCAP, reported 243 arrests during the year, compared with a much larger number (estimates ranged from 694 to 5,000) in 2000, largely in connection with the 2000 parliamentary elections. By year's end, 125 of the 243 persons arrested had been released. In addition, in July the Government released leading Muslim Brotherhood member Ibrahim al-Za'afarany, who had been arrested in October 2000. The 118 persons remaining in prison were held on suspicion of holding clandestine organization meetings, possessing antigovernment leaflets, and "instigating the masses" against the Government. The President referred 22 to trial in a military court; the trial began December 24 and was ongoing at year's end. Observers believe that some of the 243 persons were detained as part of a Government effort to undermine Muslim Brotherhood participation in the elections to the upper house of Parliament, the Shura Council, in May and June (see Sections 1.e., 2.b., and 3), while others were arrested in connection with demonstrations in October and November on university campuses protesting U.S. policy.

Between January and April, the Government arrested 18 persons, most of whom were Baha'is, in the southern city of Sohag, on suspicion of insulting a heavenly religion and violating a law abolishing Baha'i institutions. Their detentions were renewed several times, but no charges were filed; by mid-October, all of the detainees had been released (see Section 2.c.). In May the authorities briefly detained five Seventh-Day Adventists on suspicion of distributing pamphlets allegedly insulting to the Catholic Church (see Sections 2.a. and 2.c.). In June security forces detained and questioned three Christian men for 3 days on suspicion of inducing a young Muslim woman to run away from home (see Sections 1.c. and 2.c.).

On September 20, civil society activist Farid Zahran was arrested on suspicion of organizing illegal demonstrations, following a large demonstration criticizing U.S. policy in the Middle East that was held on September 10. Zahran was released on bail October 3; he had not been formally charged by year's end (see Section 2.b.).

There were no confirmed reports during the year that converts to Christianity were subjected to harassment by the security services. Several converts previously prevented from traveling were able to travel abroad (see Section 2.c.).

Human rights groups reported that hundreds, perhaps thousands, of persons detained under the Emergency Law have been incarcerated for several years without charge. The courts have ordered the release of several of these detainees, but prison

officials reportedly have ignored the orders. The Ministry of Interior frequently reissues detention orders to return detainees to prison. Estimates by local human rights organizations indicate that there are 13,000–16,000 persons detained administratively on suspicion of terrorist or political activity, in addition to several thousand others convicted and serving sentences on similar charges (see Section 1.e.).

The Government does not use forced exile.

e. Denial of Fair Public Trial.—The judiciary is generally independent; however, cases involving national security, terrorism, or religion may be referred to military or State Security Emergency courts, in which normal constitutional protections may not be observed. In addition, judicial orders in some cases are ignored by the authorities. The Constitution provides for the independence and immunity of judges and forbids interference by other authorities in the exercise of their judicial functions, and this provision generally is observed in practice. The President appoints all judges upon recommendation of the Higher Judicial Council, a constitutional body composed of senior judges. Judges are appointed for life, with mandatory retirement at age 64. Judges may be dismissed only by the Higher Judicial Council for cause, such as corruption. The Higher Judicial Council is a set body headed by the President of the Court of Cassation. Other members include the President of the Cairo Court of Appeal, the Public Prosecutor, and the two most senior presidents of courts of appeal outside Cairo. The Council regulates judicial promotions and transfers. The Government includes lectures on human rights and other social issues in its training courses for prosecutors and judges.

In the civilian court system, there are criminal courts, civil courts, administrative courts, and a Supreme Constitutional Court. There are three levels of regular criminal courts: Primary courts, appeals courts, and the Court of Cassation, which represents the final stage of criminal appeal. The judicial system is based on the Napoleonic tradition; hence, there are no juries. Misdemeanors that are punishable by imprisonment are heard at the first level by one judge and at the second level by three judges. Felonies that are punishable by imprisonment or execution are heard in criminal court by three judges. Criminal courts also have a State Security division to hear cases that the Government considers to affect state security; in these courts, the defendant may appeal on procedural grounds only. Civil courts hear civil cases and administrative courts hear cases contesting government actions or procedures; both systems have upper-level courts to hear appeals. The Supreme Constitutional Court hears challenges to the constitutionality of laws or verdicts in any of the courts.

A lawyer is appointed at the court's expense if the defendant does not have one. Appointed lawyers are drawn from a roster that is chosen by the Bar Association; however, expenses are incurred by the State. Any denial of this right is grounds for appeal of the ruling. However, detainees in certain high security prisons alleged that they were denied access to counsel or that such access was delayed until trial, thus denying counsel the time to prepare an adequate defense. A woman's testimony is equal to that of a man's in court. There is no legal prohibition against a woman serving as a judge, but in practice no women serve as judges (see Section 5).

Defense lawyers generally agree that the regular judiciary respects the rights of the accused and exercises its independence. In the past, criminal court judges have dismissed cases in which confessions were obtained by coercion; however, there were no such dismissals during the year. While the judiciary generally is credited with conducting fair trials, under the Emergency Law, cases involving terrorism and national security may be tried in military or State Security Emergency courts, in which the accused do not receive all the normal constitutional protections of the civilian judicial system.

In 1992 following a rise in extremist violence, the Government began trying cases of persons accused of terrorism and membership in terrorist groups before military tribunals. In 1993 the Supreme Constitutional Court ruled that the President may invoke the Emergency Law to refer any crime to a military court. This use of military and State Security Emergency courts under the Emergency Law since 1993 has deprived hundreds of civilian defendants of their normal right under the Constitution to be tried by a civilian judge. The Government defends the use of military courts as necessary to try terrorism cases, maintaining that trials in the civilian courts are protracted and that civilian judges and their families are vulnerable to terrorist threats.

While military judges are lawyers, they are also military officers appointed by the Minister of Defense. Verdicts are subject to a review by other military judges and confirmation by the President, who in practice usually delegates the review function to a senior military officer. Defense attorneys have claimed that they have not been given sufficient time to prepare defenses and that judges tend to rush cases involving a large number of defendants. Nonetheless, judges have guidelines for sen-

tencing, defendants have the right to counsel, and statements of the charges against defendants are made public.

During the year, the Government referred three large groups of civilians to the military courts. On October 13, President Mubarak issued a decree referring 94 civilians (77 of whom had been arrested and 17 of whom remained at large) to trial in a military court on charges related to planned terrorism and membership in an illegal Islamist organization called al-Wa'd—"The Promise"; their trial began on November 18 and was ongoing at year's end. On October 15, President Mubarak issued a decree referring a separate group of 170 civilians, who were accused of terrorist activities and membership in the Islamic Gama'at organization, to trial in a military court. Their trial had not begun by year's end. On November 11, President Mubarak issued a decree referring 22 civilians accused of membership in the Muslim Brotherhood and inciting student demonstrations to trial in a military court; their trial began on December 24, and was ongoing at year's end.

The State Security Emergency courts share jurisdiction with military courts over crimes affecting national security. The President appoints judges to these courts from the civilian judiciary upon the recommendation of the Minister of Justice and, if he chooses to appoint military judges, the Minister of Defense. Sentences are subject to confirmation by the President but may not be appealed. The President may alter or annul a decision of a State Security Emergency court, including a decision to release a defendant.

During the year, State Security Emergency courts issued verdicts in three cases. On June 13, a State Security Emergency court acquitted Sherif al-Filali of charges of spying for Israel but tried and convicted a Russian intelligence officer in absentia on the same charges and sentenced him to life imprisonment. The State Security Prosecution contested al-Filali's acquittal, and a new trial began October 28. The trial was ongoing at year's end. On September 19, a State Security Emergency Court found Mamdouh Mahran, editor in chief of two tabloid publications, guilty of propagating false information with the aim of inciting sectarian strife and insulting a heavenly religion, for an article he published regarding alleged sexual misconduct in a Coptic Christian monastery. Mahran was sentenced to 3 years' imprisonment and a fine of \$46 (200 Egyptian pounds)(see Sections 2.a., 2.b., and 5).

On November 14, a State Security Emergency court sentenced 23 allegedly homosexual men to prison terms ranging from 1 to 5 years and acquitted 29 others. A total of 52 defendants were tried in the case, 2 on charges including insulting a heavenly religion and for "unorthodox religious beliefs and practices," and the remaining 50 for "debauchery." Defense attorneys requested the transfer of the case to a regular criminal court, but the judge accepted the State Security Prosecutor's argument that the religion charge levied against 2 of the defendants affected the security of the State and therefore justified the trial of all defendants in a State Security Emergency court. The 52 defendants were part of a group of 55 men (3 of whom were released without charge) arrested in May. Some were arrested aboard a boat on the Nile River that allegedly served as a gay disco. Nine of the 23 convictions were obtained through confessions, which the defendants and their attorneys maintained were extracted under torture. In addition to the 52 defendants, a 16-year-old boy arrested with the group was tried separately in juvenile criminal (non-Emergency) court, and on September 18 was sentenced to 3 years in prison on a debauchery charge. On December 19, an appeals court reduced the boy's sentence to 6 months in prison plus 6 months' probation.

In addition, in late October a group of 8 persons from the town of Mataria were referred to trial in a State Security Emergency Court on charges related to unorthodox religious beliefs and practices. Their trial had not begun by year's end (see Section 2.c.).

On May 21, the State Security division of the South Cairo criminal court (in which the defendant may appeal on procedural grounds only) found Saad Eddin Ibrahim, Director of the Ibn Khaldoun Center for Development Studies, guilty on charges of seeking to harm the reputation of the State, accepting foreign funding without Government approval, and defrauding a donor, and sentenced him to 7 years imprisonment (see Sections 2.a. and 4). He also had been charged with violating a 1992 military decree prohibiting the acceptance of foreign donations without government permission; his organization had a \$246,226 (261,000 Euros) contract with the European Union. In July the Court of Cassation, ruling in an unrelated case, found the military decree unconstitutional. Ibrahim was acquitted of conspiring to bribe public officials in order to obtain media coverage of Ibn Khaldoun Center activities. Twenty-seven employees of the Center also were convicted of aiding and abetting Ibrahim in the alleged activities; 2 employees (one of whom is abroad) were sentenced to 5 years in prison, 4 employees to 2 years in prison, and 21 employees to 1-year suspended sentences.

Ibrahim and the other incarcerated defendants submitted an appeal on procedural grounds to the Court of Cassation in July. On December 19, the Court of Cassation held an appeal hearing but postponed a decision until January 16, 2002. Observers remain concerned about several aspects of the original trial, especially regarding questions of due process: First, Ibrahim and many of the other defendants were not served formally with their indictments or court papers prior to the trial; second, Ibrahim's request for discovery of the documents that were confiscated from the Ibn Khaldoun Center, which his lawyers claimed were necessary to prepare his defense, was never granted by the judicial authorities; and third, under the law pertaining to (non-Emergency) State Security courts, Ibrahim may appeal only on procedural grounds but may not appeal the verdict itself (see Section 1.e.). In addition, the three-judge panel rendered its verdict in the trial only 90 minutes after closing arguments ended.

During the year, the Government continued to try and convict journalists and authors for slander, as well as for expressing their views on political and religious issues (see Sections 2.a. and 2.c.).

According to local human rights organizations, there are approximately 13,000–16,000 persons detained without charge on suspicion of illegal terrorist or political activity (see Section 1.d.), in addition to several thousand others convicted and serving sentences on similar charges.

The Government does not permit access by international humanitarian organizations to political prisoners (see Section 1.c.).

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—The Constitution provides for the sanctity and secrecy of the home, correspondence, telephone calls, and other means of communication; however, the Emergency Law abridges the constitutional provisions regarding the right to privacy, and the Government used the Emergency Law to infringe on these rights. Police must obtain warrants before undertaking searches and wiretaps. Courts have dismissed cases in which warrants were issued without sufficient cause. Police officers who conduct searches without proper warrants are subject to criminal penalties, although penalties seldom are imposed. However, the Emergency Law empowers the Government to place wiretaps, intercept mail, and search persons or places without warrants. Security agencies frequently place political activists, suspected subversives, journalists, foreigners, and writers under surveillance, screen their correspondence (especially international mail), search them and their homes, and confiscate personal property.

The Ministry of Interior has the authority to stop specific issues of foreign-published newspapers from entering the country on the grounds of protecting public order; it exercises this authority sporadically (see Section 2.a.).

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution provides for freedom of speech and of the press; however, the Government partially restricts these rights. Citizens openly speak their views on a wide range of political and social issues, including vigorous criticism of government officials and policies, but generally avoid certain topics, such as direct criticism of the President.

Dr. Saad Eddin Ibrahim, director of the Ibn Khaldoun Center for Development Studies, was convicted on May 21 in a State Security Court and sentenced to 7 years in prison in a trial that most observers believe has broad implications for freedom of expression. Local observers believe that Ibrahim was prosecuted because of public remarks that he made regarding high-ranking officials that exceeded unwritten limits regarding freedom of expression. Ibrahim was convicted of violating the Penal Code by seeking to harm the reputation of the State by disseminating abroad false information about Egypt, misappropriating funds obtained from the European Union, falsifying documents in order to obtain funds, and violating a military decree banning the acceptance of funding from foreign sources without government approval. Twenty-seven employees of the Center were convicted of aiding and abetting Ibrahim in the activities (see Sections 1.e. and 4).

The Constitution restricts ownership of newspapers to public or private legal entities, corporate bodies, and political parties. There are numerous restrictions on legal entities that seek to establish their own newspapers, including a limit of 10 percent ownership by any individual. On May 13, the Supreme Constitutional Court ruled against a 1998 law that requires newspapers managed by joint stock companies to obtain the approval of the Prime Minister prior to publishing. Because of government restrictions, a joint stock company is the only feasible incorporation option for publishers.

The Government owns stock in the three largest daily newspapers, and the President appoints their editors in chief. Although these newspapers generally follow the

government line, they sometimes criticize government policies. The Government also holds a monopoly on the printing and distribution of newspapers, including those of the opposition parties. The Government used its monopolistic control of newsprint to limit the output of opposition publications.

Opposition political parties publish their own newspapers but receive a subsidy from the Government and, in some cases, subsidies from foreign interests as well. Most newspapers are weeklies, with the exception of the dailies al-Wafd and al-Ahrar, both of which have small circulations. Opposition newspapers frequently publish criticism of the Government. They also give greater prominence to human rights abuses than do state-run newspapers. All party newspapers are required by law to reflect the platform of their parties.

The Government did not permit the establishment of any new publications during the year. Four publications lost the right to publish. Following a scandal and demonstrations related to the publication of a story and photographs involving alleged sexual misbehavior by a defrocked Coptic Orthodox monk, the Government in June suspended licenses of the publications al-Naba' and Akher Khabar. A case brought by the Press Committee of the Shura Council requesting permanent cancellation of the licenses still was pending at year's end. On September 19, a State Security Emergency Court found Mamdouh Mahran, editor in chief of the two publications, guilty of propagating false information with the aim of inciting sectarian strife and insulting a heavenly religion. Mahran was sentenced to 3 years' imprisonment and a fine of \$46 (200 Egyptian pounds). The ruling was confirmed by the Military Governor, who rejected Mahran's plea for clemency. On August 19, the Shura Council's Political Parties Committee withdrew recognition from the small National Detente Party, which was licensed in March 2000, and closed the party newspaper, al-Qarar. The Committee justified its decision by citing an internal leadership dispute and alliance with the banned Muslim Brotherhood. In late October, the Committee withdrew recognition from the Arab Egyptian Socialist party for the same reason and suspended the party's weekly newspaper, Gariadat Misr, which had been published sporadically. During the year, the semiweekly newspaper al-Shaab obtained an administrative court ruling calling for a reversal of the Government's May 2000 suspension of the paper's license, but the Shura Council's Press Committee appealed. The Higher Administrative Court had not heard the appeal by year's end (see Section 3).

Because of the difficulties in obtaining a license, several publishers of newspapers and magazines targeted with an Egyptian audience have obtained foreign licenses. Most such publications are printed in a free trade zone. Newspapers and magazines published under a foreign license may be distributed with government permission. However, the Department of Censorship in the Ministry of Information has the authority to censor or halt distribution of publications printed in the free trade zone under a foreign license. The Center for Human Rights and Legal Assistance in 1999 organized a legal challenge to the constitutionality of the Information Ministry's censorship of offshore publications. The Supreme Constitutional Court began hearing the case in December 2000 and held another hearing in January, but had not issued a decision by year's end. On July 11, the Government of Cyprus, where many of Egypt's offshore publications were licensed, issued new regulations effectively invalidating all such licenses. The Egyptian authorities granted a brief period to allow the dozens of publications that had been licensed in Cyprus to obtain licenses in other countries. The more widely read publications all obtained other licenses and resumed publishing.

There were no cases of censorship of foreign-licensed publications during the year.

The Penal Code, Press Law, and Publications Law govern press issues. The Penal Code stipulates fines or imprisonment for criticism of the President, members of the Government, and foreign heads of state. The Supreme Constitutional Court agreed in 1998 to review the constitutionality of those articles of the Penal Code that specify imprisonment as a penalty for journalists convicted of libel, but had not begun hearing the case by year's end. The Press and Publication Laws ostensibly provide protection against malicious and unsubstantiated reporting. Financial penalties for violations were increased substantially in 1996 when relevant provisions of the Penal Code were revised, but the judicial process remains long and costly, creating a bar to realistic legal recourse for those wrongly defamed. In recent years, opposition party newspapers have within limits published articles critical of the President and foreign heads of state without being charged or harassed. The Government continues to charge journalists with libel.

In 1997 the Supreme Constitutional Court declared unconstitutional Article 195 of the Penal Code under which an editor in chief could have been considered criminally responsible for libel contained in any portion of the newspaper. The Court

ruled that the correct standard of responsibility should be "negligence." The courts subsequently have applied this lesser standard.

During the year, the courts tried several prominent cases of slander that were filed both by the Government and private individuals. On February 20, a lawsuit brought against al-Arabi newspaper by the family of late President Anwar Sadat was settled out of court. On July 8, in a case brought by the Government, a State Security Emergency Court sentenced Yasir al-Mallawi, editor of the Cyprus-based International Middle East newspaper, to 1 year in prison for slander leading to sectarian strife and threatening public order. On August 12, a misdemeanors court sentenced journalist Mohammed Abdellah of al-Ahram newspaper to a 3-month suspended sentence and fines totaling \$2,470 (10,500 Egyptian pounds) for allegedly slandering Press Syndicate leader Ibrahim Nafei during syndicate elections, in a case that originally had been brought by Nafei. A slander case filed by businessman Ahmad Bahgat against Adel Hammouda, editor of Sawt al-Umma newspaper, began in May and was ongoing at year's end. On November 26, a misdemeanors court convicted Wahid Ghazi and Hossam Wahballah of al-Muwagah newspaper, who were accused by the Government of publishing pornographic photos, and sentenced them to 2 years in prison. Ghazi and Wahballah were granted a stay of implementation of the sentence while they pursued an appeal; the appeal had not been heard by year's end.

In August the Public Prosecutor referred to trial Hani el-Nakshabandi, editor of the London-based magazine Sayedati, for slander against an Egyptian actress; the trial had not begun by year's end.

Appeals courts also reduced the sentences of several journalists during the year. On April 29, the Misdemeanors Court of Appeals reduced a 6-month prison sentence previously given to Mohammed Abu Liwaya to a 1-month suspended sentence with a fine of \$1,764 (7,500 Egyptian pounds). On May 9, the Abdeen Court of Appeals cancelled a 6-month prison sentence given to 5 journalists from al-Ahrar newspaper in April 2000 (the sentence was suspended during the appeals process) for slandering the head of Egypt Air; the journalists instead were fined \$1,764 (7,500 Egyptian pounds) each. Cartoonist Essam Hanafi of al-Shaab, who was sentenced to 1 year in prison in April 2000 for slandering a government minister and who was released later in 2000, subsequently was questioned by the authorities regarding an alleged insult to the courts based on another cartoon, but he was not charged.

Based on authority granted to him by law, the Public Prosecutor may issue a temporary ban on the publication of news pertaining to cases involving national security in order to protect the confidentiality of the cases. The length of the ban is based on the length of time required for the prosecution to prepare its case. On June 12, the Public Prosecutor banned publication of news concerning an investigation of financial irregularities at the Cairo Stock Exchange. A judge also may order a ban on news about a case currently under trial, and on August 24, the Cairo Criminal Court imposed a ban on news related to the trial of Sayyid Ragab al-Sawarki, who was accused of forging documents in order to engage in multiple marriages.

The law provides penalties for individuals who disclose information about the State during emergencies, including war and natural disasters. The penalties include fines of up to \$1,400 (6,000 Egyptian pounds) and prison sentences of up to 3 years. There were no reports in which the law was applied in practice during the year.

The law prohibits current or former members of the police from publishing work-related information without prior permission from the Interior Minister. Former police officer and Ministry of Interior official Mohammed al-Ghannam had been prevented from leaving the country since he was forced to resign from his Government post in 1999 after publishing several articles in opposition newspapers on police corruption and human rights violations. Al-Ghannam was allowed to leave the country in May, and he was granted political asylum in Switzerland.

Various ministries legally are authorized to ban or confiscate books and other works of art upon obtaining a court order. The Islamic Research Center at al-Azhar University has legal authority to censor, but not to confiscate, all publications dealing with the Koran and Islamic scriptural texts. In recent years, the Center has passed judgment on the suitability of nonreligious books and artistic productions. In 1995 an administrative court ruled that the sole authority to prohibit publication or distribution of books and other works of art is vested in the Ministry of Culture. This decision invalidated a 1994 advisory opinion by a judiciary council that had expanded al-Azhar's censorship authority to include visual and audio artistic works. The same year, President Mubarak stated that the Government would not allow the confiscation of books from the market without a court order, a position supported by the then-Mufti of the Republic, who is now the Grand Imam of al-Azhar.

The Ministry of Information's Censorship Department took no action during the year following objections expressed by the Islamic Research Center to several publications. The Islamic Research Center expressed its objections in April to the script of a play entitled "Ali the Martyr" (about the death of the grandson of the Prophet Mohammed), which had been submitted by the play's producer. On May 6, the Islamic Research Center called for the banning from circulation of two books, "The Woes of Toads," by Alaa Hamed and "A Call to Think About the Quran and the Hadith," by Ibrahim Abu Khalil. On May 21, the Center called for the banning of the publication of "The Formative Years of the Prophet Mohammed," by Khalil Abdel Karim. On June 16, the Center requested confiscation of an English-language book entitled "Women and Sexuality in Islam," by Laila Ahmad; the book was out of print and was not confiscated.

On June 18, the Court of Appeals rejected an Islamist lawyer's suit against the Sheikh of al-Azhar and several other senior Islamic figures in their effort to block publication of the book "My Father Adam: The Story of the Creation Between Legend and Reality," by Abdel Sabour Shahine. The Islamic Research Center had ruled in favor of distribution of the book in 1999.

There were no court-ordered confiscations of books during the year; however, the Ministry of Information's Censorship Department confiscated issues of several books intended for the Cairo International Book Fair in February. Confiscated works included poetry by Lebanese poet Joseph Harb, two novels and an autobiography by Egyptian feminist Nawal al-Sa'adawi, "Crazy Stories," by Egyptian author Yehia Ibrahim, three works ("The Tent," "The Naked Bread," and "al-Shutar") by Moroccan author Mohammed Shukri, "The Merciful and the Devil," by Syrian author Firas al-Sawah, "Politics between the Permitted and the Forbidden," by Saudi Arabian author Turki Hamad, two works ("Fear of Modernism" and "Are you Shielded from the Harem?") by Moroccan feminist Fatma al-Mernissi, and "A Banquet for Seaweed," by Syrian author Haidar Haidar. Haidar's book had been the subject of student demonstrations in May 2000.

On January 6, the Prime Minister dismissed several Ministry of Culture officials following protests by Islamist members of the People's Assembly regarding three allegedly pornographic books ("Sons of Romantic Sins," by Yasser Sha'aban, "Forbidden Dreams," by Mahmoud Hamed, and "Before and After," by Tawfik Abdel Rahman) published by the Ministry. The Ministry banned further distribution of the books and formed a committee to review all books issued. Five literary figures working for the Ministry resigned in protest.

During the year, criminal and other lawsuits were brought or continued against several authors for expressing their views on religious or political issues. On January 28, the Giza State Security court sentenced author Salaheddine Mohsen to 3 years in prison with hard labor for insulting a heavenly religion in his book "The Shivering Light." Mohsen originally was given a 6-month suspended sentence in July 2000, but the Public Prosecutor appealed on the grounds that the sentence was too lenient. On May 21, sociologist Saad Eddin Ibrahim was sentenced to 7 years in prison on charges that included harming the reputation of the State through his writings (see Sections 1.e. and 4). On July 30, the Cairo Personal Status Court rejected a lawsuit against feminist author Nawal al-Sa'adawi, in which lawyer Nabih al-Wahsh sought to force the divorce of al-Sa'adawi from her husband on the grounds of apostasy due to views expressed by al-Sa'adawi regarding Muslim customs and beliefs (see Section 2.c.). By year's end, the Court of Cassation had not acted on an appeal by author Ala'a Hamed, who was convicted in 1998 for the alleged pornographic content of his book "The Bed."

The Ministry of Interior regularly confiscates leaflets and other works by Muslim fundamentalists and other critics of the State. During the year, 243 suspected members of the illegal Muslim Brotherhood were arrested (see Sections 1.d. and 3). In many cases, the press reported that police confiscated written materials such as leaflets during the arrests.

In May five Seventh-Day Adventists were detained briefly on suspicion of distributing pamphlets insulting to the Roman Catholic Church (see Section 2.c.).

The Ministry of Interior also has the authority, which it exercises sporadically, to prevent specific issues of foreign-published newspapers from entering the country on the grounds of protecting public order (also see Section 1.f.). The Ministry of Defense may ban works about sensitive security issues. The Council of Ministers may order the banning of works that it deems offensive to public morals, detrimental to religion, or likely to cause a breach of the peace.

The Government controls and censors the broadcast media considerably. The Ministry of Information owns and operates all domestic television and radio stations. However, during the year, the Government licensed the first private television station, al-Mihwar, which was scheduled to begin broadcasting in 2002, although the

Government retained a 22 percent share in the new station. In addition to public television, the Government also offers several pay-for-view television channels. The Government does not block reception of foreign channels via satellite. The percentage of citizens who receive satellite television broadcasts is small, but many coffee shops and other public places offer satellite television.

Plays and films must pass Ministry of Culture censorship tests as scripts and as final productions. However, many plays and films that are highly critical of the Government and its policies are not censored. The Ministry of Culture also censors foreign films that are to be shown in theaters, but it is more lenient when the same films are released in video cassette format. Government censors ensure that foreign films made in the country portray Egypt in a favorable light. Censors review scripts before filming, are present during filming, and have the right to review a film before it is sent out of the country. During the year, the Ministry of Information's Censorship Department requested changes in several film scripts that involved current or former high-ranking government officials or sensitive issues such as the Arab-Israeli conflict. In April an appeals court rejected the case against the film "Birds of Darkness," which the plaintiffs charged was insulting to lawyers. Two related cases against the movie were dropped in 1997.

The Government estimates that approximately one million citizens are Internet subscribers. The Government does not restrict Internet use and does not monitor citizens' Internet use on a broad scale, although there may be some monitoring by law enforcement officials.

The Government does not restrict directly academic freedom at universities. However, some university professors claim that the Government tightened its control over universities in 1994 through a law authorizing university presidents to appoint the deans of the various faculties. Under the previous law, faculty deans were elected by their peers. The Government has justified the measure as a means to combat Islamist influence on campus. The Government also occasionally bans books for use on campuses, although no such cases occurred during the year.

b. Freedom of Peaceful Assembly and Association.—The Government significantly restricts freedom of assembly. Citizens must obtain approval from the Ministry of Interior before holding public meetings, rallies, and protest marches. Many demonstrations are approved; however, the Government tightly controls public demonstrations that do occur to prevent them from spreading into the streets or other areas. The Interior Ministry selectively obstructs meetings scheduled to be held on private property and university campuses (also see Section 4). On September 20, civil society activist Farid Zahran was arrested on suspicion of organizing illegal demonstrations following a large demonstration held on September 10 criticizing U.S. policy in the Middle East. Zahran was released on bail on October 3; he had not been charged formally by year's end (see Section 1.d.).

On June 20, a demonstration in Cairo by Coptic Christians protesting a number of issues turned violent, and several demonstrators and police officers were hospitalized with minor injuries. Police detained 22 demonstrators on suspicion of illegal public assembly and damaging public property. By year's end, all had been released on bail awaiting trial. No trial date had been scheduled by year's end (see Sections 2.a. and 5).

The Government significantly restricts freedom of association. During the year no action was taken to replace Law 153, a law regulating the formation, function, and funding of NGO's and private foundations that was overturned by the Supreme Constitutional Court June 2000. While many NGO's were registered under Law 153, its overturn and the reinstatement of Law 32, which had governed NGO's previously, left a number of NGO's that had not yet registered under either Law 153 or Law 32 in an unsettled status regarding registration. (Those that succeeded in registering under Law 153 still were considered registered after the law was overturned.) No human rights organizations were registered as NGO's during the year. Several other human rights organizations that applied for registration, including the Egyptian Organization for Human Rights, the Human Rights Center for the Assistance of Prisoners, and the Cairo Institute for Human Rights Studies, were not registered by year's end. In June the EOHR won a court decision compelling the Ministry of Insurance and Social Affairs to register EOHR as an NGO, but the Ministry had not implemented the decision by year's end (see Section 4). In September 2000, the security services barred Mamdouh Nakhla, a Coptic Orthodox lawyer and human rights activist, from membership on the board of the Youssef El-Rami Charity Society, for "security reasons." On May 27, Nakhla won a lawsuit against the Ministers of Interior and Social Affairs and was reinstated in the organization.

Under legislation governing professional syndicates, at least 50 percent of the general membership of an association must elect the governing board. Failing a quorum, a second election must be held in which at least 30 percent of the member-

ship votes for the board. If such a quorum is unattainable, the judiciary may appoint a caretaker board until new elections can be scheduled. The law was adopted to prevent well-organized minorities, specifically Islamists, from capturing or retaining the leadership of professional syndicates. Members of the syndicates have reported that Islamists have used irregular electoral techniques, such as physically blocking polling places and limiting or changing the location of polling sites.

On February 24, the Lawyers' Syndicate held elections for a new board and president, which had been scheduled for July 2000 but were canceled by government order. In October 1999, the Court of Cassation had upheld an earlier court decision to lift the Government's sequestration of the Syndicate and to allow elections. In judicially supervised elections widely regarded as free and fair, the Syndicate elected Nasserist Sameh Ashour as president, as well as a board that included 10 independents, 8 Muslim Brothers, 4 pro-Government members, 1 Nasserist, and 1 Wafdist.

c. Freedom of Religion.—The Constitution provides for freedom of belief and the practice of religious rites; however, the Government places restrictions on this right. Most Egyptians are Sunni Muslims. There is a small number of Shi'a Muslims. Approximately 8 to 10 percent of the population are Christians, the majority of whom belong to the Coptic Orthodox Church. There are other small Christian denominations, a small Baha'i community, and a Jewish community that numbers approximately 200 persons.

Under the Constitution, Islam is the official state religion and primary source of legislation. Accordingly, religious practices that conflict with Shari'a (Islamic law) are prohibited. However, in Egypt the practice of Christianity or Judaism does not conflict with Shari'a and, for the most part, members of the non-Muslim minority worship without harassment and maintain links with coreligionists abroad.

All mosques must be licensed, and the Government is engaged in an effort to control them legally. The Government appoints and pays the salaries of the imams who lead prayers in mosques, proposes themes for them, and monitors their sermons. In December the Minister of Awqaf announced that the Government controls 57,000 mosques and 13,000 mosques located in private buildings. (There are more than 80,000 mosques in the country.) In an effort to combat extremists, the Government has announced its intention to bring all unauthorized mosques under its control.

Neither the Constitution nor the Civil and Penal Codes prohibit proselytizing or conversion. However, during the past 2 decades, several dozen Christians who were accused of proselytizing or who had converted from Islam have been harassed by police or arrested on charges of violating Article 98(F) of the Penal Code, which prohibits citizens from ridiculing or insulting heavenly religions or inciting sectarian strife. In May five Seventh-Day Adventists were detained briefly in Cairo on suspicion of distributing pamphlets insulting to the Roman Catholic Church. They were not mistreated and were released without charge after they pledged not to distribute such material in the future (see Sections 1.d. and 2.a.). In June three young Christian men were detained and questioned by security authorities in Tanta for 3 days on suspicion of inducing a young Muslim woman to run away from home. The three claimed that they were physically abused during their detention, but later were released without charge (see Sections 1.c. and 1.d.).

There are no restrictions on the conversion of non-Muslims to Islam. However, in cases involving conversion from Islam to Christianity, authorities have charged several converts with violating laws prohibiting the falsification of documents. In such instances, converts, who fear government harassment if they officially register the change from Islam to Christianity, have altered their identification cards and other official documents themselves to reflect their new religious affiliation. There were no reports of such arrests or harassment during the year.

In 1997 human rights activist Mamdouh Naklah filed suit seeking removal of the religious affiliation category from government identification cards. Naklah challenged the constitutionality of a 1994 decree by the Minister of Interior governing the issuance of new identification cards. The court repeatedly has delayed setting a trial date, and it appears unlikely that the case will be heard.

An 1856 Ottoman decree still in force requires non-Muslims to obtain what is now a presidential decree to build a place of worship. In addition, Interior Ministry regulations issued in 1934 specify a set of 10 conditions that the Government must consider prior to issuance of a presidential decree permitting construction of a church. These conditions include the location of the proposed site, the religious composition of the surrounding community, and the proximity of other churches. The Ottoman decree also requires the President to approve permits for the repair of church facilities.

In response to strong criticism of the Ottoman decree, President Mubarak took several steps to facilitate church repairs. In December 1999, President Mubarak issued a decree making the repair of all places of worship subject to a 1976 civil

construction code. The decree is significant symbolically because it makes churches and mosques equal under the law. The practical impact of the decree has been to facilitate significantly church repairs; however, Christians report that local permits still are subject to approval by security authorities.

During the year, the Government issued 38 permits for church-related construction, including 4 permits for the construction of new churches, 20 permits for churches previously constructed without authorization, and 3 permits for the demolition and reconstruction of existing churches. In addition, the Government reported that local authorities issued more than 350 permits for church-related repair during 2000, the last year for which information regarding repairs was available. During the year, the Government also donated three parcels of land for construction of new churches (2 Coptic Orthodox and one Protestant), which represented a significant change in government practice regarding church construction.

Nonetheless, the approval process for church construction is time-consuming and insufficiently responsive to the wishes of the Christian community. Although President Mubarak reportedly has approved all requests for permits presented to him, Christians maintain that the Interior Ministry delays—in some instances indefinitely—submission to the President of their requests. They also maintain that local security authorities have blocked them from utilizing permits that have been issued, and that local security officials at times blocked or delayed permits for repairs to church buildings. For example, a permit issued in 1993 to repair structural damage to a 110-year-old church in a village next to Luxor remains unenforced due to “security reasons,” as does a 1999 decree for repair of a church in Assiyut province. The incidence of blocked or delayed orders varies, often depending on the church’s relationship with local security officials and the level of support of the local governor. In May 2000, newspapers published a letter from the secretary general of Assiyut governorate to the head of the Assiyut counsel directing that all church repair requests be screened by security before being approved. However, in one case, President Mubarak overruled demolition orders by local authorities in Qalyubia province in February and March and ordered the reconstruction of a demolished church building at government expense.

In January 1996, human rights activist Mamdouh Naklah filed a lawsuit challenging the constitutionality of the 10 conditions for building a church in the Ottoman decree. After Naklah rebutted an initial finding that he had no standing to file the suit, the court in October requested the State Commissioners body to render an opinion on the constitutionality of the 10 conditions. The opinion had not been issued by year’s end.

Upon agreement with Coptic Orthodox Pope Shenouda, in 1996 the Minister of Awqaf, Hamdy Zaqqouq, who is responsible for administering religious trusts, established a joint committee to address a dispute with the Coptic Orthodox Church that originated in 1952. At that time, the Government seized approximately 1,500 acres of land from the Church and transferred title to the Ministry of Awqaf. Based on the committee’s recommendations, since 1996 more than 800 acres have been returned to the Church. Between May and July, with police assistance, the Coptic Church also reclaimed several properties from private institutions after legal victories. The Committee continues to review claims to the remaining disputed property.

The Constitution requires schools to offer religious instruction. Public and private schools provide religious instruction according to the faith of the student.

The Government occasionally prosecutes members of religious groups whose practices deviate from mainstream Islamic beliefs and whose activities are believed to jeopardize communal harmony. For example, between January and April, the Government arrested 18 persons, most of whom were Baha’is and some of whom were Muslims, in the southern Egyptian city of Sohag, on suspicion of violating Article 98(F) of the Penal Code (“insulting a heavenly religion”) and a 1960 law abolishing Baha’i institutions. Their detention was renewed several times, but no charges were brought against them. By mid-October all of the detainees had been released without charge (see Section 1.d.). In May the authorities arrested 52 men and one minor on suspicion of homosexual activity and unorthodox religious beliefs and practices. Two of the defendants, who allegedly advocated a belief system combining Islam and tolerance for homosexuality, were charged with insulting a heavenly religion. The entire group was tried in a State Security Emergency Court. On November 14, the Court sentenced 20 defendants to 2 years in prison and one to 1 year for “habitual debauchery;” one to 3 years for “contempt of religion;” and one to 5 years for contempt of religion and habitual debauchery. Twenty-nine defendants were acquitted on all charges (see Sections 1.d. and 1.e.). In late October, the Public Prosecutor referred 8 persons from the town of Mataria to trial in a State Security Emergency

Court on suspicion of unorthodox religious beliefs and practices, including those relating to prayers, fasting, and the pilgrimage. The trial had not begun by year's end.

During the year, several writers also were charged with expressing unorthodox religious beliefs and practices (see Section 2.a).

The Islamic Research Center of al-Azhar University has legal authority to censor all publications dealing with the Koran and Islamic scriptural texts (see Section 2.a.).

On September 6, the Alexandria administrative court issued a decision canceling the annual Jewish celebration at the tomb of Rabbi Abu Hasira in the Delta province of Beheira. The court suspended a Ministry of Culture decree declaring the tomb a national antiquity site. The Ministry contested the decision, and the matter remained unresolved at year's end.

In August 1999, the Public Prosecutor reopened and expanded an investigation of police torture of mostly Christian detainees that took place during the police investigation in August and September 1998 of the murder of Samir Aweda Hakim and Karam Tamer Aarsal in the largely Coptic village of al-Kush in Sohag governorate. The investigation was suspended for several months but resumed in July, and by October approximately 450 of 1,000 residents involved in the incident had been reinterviewed. It remains unclear whether religion was a factor in the actions of the police officers. Some human rights groups outside Egypt believe that religion was a factor in the al-Kush murder investigation, but most human rights and Christian activists in Egypt do not. Police abuse of detainees is a widespread practice that occurs regardless of a detainee's religious beliefs (see Section 1.c.).

In June 2000, a criminal court in Sohag city convicted Shayboub William Aarsal of the murder of Hakim and Aarsal. The court sentenced Shayboub to 15 years in prison at hard labor. An appeal was pending at year's end. The Christian community of al-Kush believes that Shayboub, a Christian resident of al-Kush, was accused and convicted of the crime because of his religion.

In July 2000, the Dar al-Salaam court sentenced a Christian, Suryal Gayed Ishak, to 3 years' hard labor for insulting a heavenly religion (Islam) during a public dispute by allegedly instigating the new year's 2000 violence in al-Kush (see Section 5). In March the court reduced the sentence to 1 year, and Suryal (who had been incarcerated for more than 1 year) was released.

Some Christians allege that the Government is lax in protecting Christian lives and property against extremists (see Section 5).

In 1960 President Gamal Abdel Nasser issued a decree (Law 263 for 1960) banning Baha'i institutions and community activities. All Baha'i community properties, including Baha'i centers, libraries, and cemeteries, were confiscated. The ban has not been rescinded, and between January and April, the Government detained 18 persons on suspicion of violating the ban. All were released without charge between April and September, after being detained for 3 to 9 months.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation.—Citizens and foreigners are free to travel within the country, except in certain military areas. Males who have not completed compulsory military service may not travel abroad or emigrate, although this restriction may be deferred or bypassed under some special circumstances. Unmarried women under the age of 21 must have permission from their fathers to obtain passports and travel. Married women no longer legally require the same permission from their husbands; however, in practice police reportedly still require such permission (see Section 5). Citizens who leave the country have the right to return.

The Constitution provides for the granting of asylum and/or refugee status in accordance with the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol; however, the Government maintains several reservations to the convention that limit the ease with which the refugee population may integrate locally. Because the country lacks national legislation or a legal framework governing the granting of asylum, the Office of the U.N. High Commissioner for Refugees (UNHCR) assumes full responsibility for the determination of refugee status on behalf of the Government. The Government generally cooperates with the UNHCR and treats refugees in accordance with minimum standards and agreed arrangements. The UNHCR provides recognized refugees with a refugee identification card that is considered a resident permit and bears the stamp of the national authorities. Refugees generally may not obtain citizenship. During the year, approximately 6,500 recognized refugees, the majority of whom were Sudanese, resided in the country, in addition to the 70,000 Palestinian refugees registered with the government authorities. There were also approximately 16,000 asylum seekers awaiting status determination. Although there is no pattern of abuse of refugees, during random security sweeps the Government temporarily detained some refugees who were not carrying proper identification. Following intervention by the UNHCR, the refugees were re-

leased. There were no reports of the forced return of persons to a country where they feared persecution.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The ruling National Democratic Party dominates the 454-seat People's Assembly, the 264-seat Shura Council, local governments, the mass media, labor, and the large public sector, and controls the licensing of new political parties, newspapers, and private organizations to such an extent that, as a practical matter, citizens do not have a meaningful ability to change their government.

In September 1999, President Hosni Mubarak was elected unopposed to a fourth 6-year term in a national referendum. According to official results, he received 94 percent of the vote. The referendum followed the constitutionally mandated nomination by the People's Assembly. Under the Constitution, the electorate is not presented with a choice among competing presidential candidates.

In 2000 elections for the People's Assembly were held. Due to court-ordered supervision by the judiciary of the voting and vote-counting, the process was significantly cleaner and more transparent than previous elections; however, there were a number of problems. The elections were held in stages between October 18 and November 15, 2000, in order to allow for supervision by a member of the judiciary at each polling place. Out of a total of 444 elected seats, the ruling NDP won 172 seats, independent candidates won 255 seats, and opposition parties won 17 seats. Many of the independents elected were former members of the NDP who rejoined the party after being elected, thus leaving the People's Assembly actual balance at 388 NDP members, 37 independents (17 of them affiliated with the outlawed Muslim Brotherhood), and 17 opposition party members. Seven of those elected were women and three were Christians. President Mubarak also appointed 10 members to the Assembly, of whom 4 were women and 4 Christians. Two seats remained vacant throughout the year due to a court-imposed hold on elections on the basis of procedural irregularities. A number of court rulings declaring election results invalid went unimplemented, but one deputy (Rami Lakah) lost his seat in Cairo based on a court decision declaring him ineligible because he held dual citizenship.

Despite the overall improvement in the electoral process, there still were problems affecting the elections' fairness, particularly in the period leading up to elections and outside some polling stations on election days. During the months preceding the elections, the Government arrested thousands of members of the Muslim Brotherhood on charges of belonging to an illegal organization. Most observers believe that the Government was seeking to undermine the Muslim Brotherhood's participation in the People's Assembly and professional syndicate elections through intimidation. In addition previous convictions on such charges legally precluded many potential candidates from running.

Violence among supporters of various candidates marred the elections at some polling places and resulted in the deaths of 9 persons. At a few locations, the security presence was so heavy as to inhibit voters' access to the polls. There were also reports of voter harassment by security forces in jurisdictions in which the Muslim Brotherhood was expected to do well. The EOHR conducted a small-scale monitoring effort, but there was no systematic, large-scale independent monitoring of the elections.

The People's Assembly debates Government proposals, and members exercise their authority to call cabinet ministers to explain policy. The executive initiates almost all legislation. Nevertheless, the Assembly maintains the authority to challenge or restrain the executive in the areas of economic and social policy, although it may not modify the budget except with the Government's approval. The Assembly exercises limited influence in the areas of security and foreign policy, and retains little oversight of the Interior Ministry's use of Emergency Law powers. Many executive branch initiatives and policies are carried out by regulation through ministerial decree without legislative oversight. The military budget is prepared by the executive and not debated publicly. Roll-call votes in the Assembly are rare. Votes generally are reported in aggregate terms of yeas and nays, and thus constituents have no independent method of checking a member's voting record.

In May and June, elections were held for part of the Shura Council, the upper house of parliament. The Shura Council has 264 seats, two-thirds of which are elected and one-third of which are appointed by the President. In elections held in stages, 88 Shura Council seats were contested, of which the NDP won 74 and independents (most of whom were former members of the NDP) won 14. Polling and vote-counting were judicially supervised and viewed as generally fair; however, problems in the period leading up to the elections and outside the polls during the elections marred them to some extent. During the weeks preceding the elections, the

Government arrested at least 100 Muslim Brotherhood members who were candidates or campaign workers, and only 1 member eventually ran in the elections. In several districts, opposition party candidates reported that police and NDP supporters beat and intimidated opposition supporters. The Government estimated voter turnout at 10 to 20 percent, but most observers believe that it was much lower. Following the elections, President Mubarak appointed 45 members to the Shura Council, including 8 women and 4 Christians.

There are 12 recognized opposition parties. The law empowers the Government to bring felony charges against those who form a party without a license. New parties must be approved by the Shura Council's Political Parties Committee, a semi-official body that includes a substantial majority of members from the ruling NDP and some members from among the independent and opposition parties. Decisions of the Parties Committee may be appealed to the civil courts; however, if a court overturns a denial, the party is not registered automatically. Both the Committee and the People's Assembly at times ignore court decisions. The Committee did not approve any parties during the year and rejected the application of the Mubarak Renaissance Party; the party then appealed to the courts, which had not heard the case by year's end. On April 7, the "Egypt 2000" party won recognition when an Administrative Court decision was accepted by the Government. Nine appeals of denied licenses were pending before the Administrative Court at year's end.

The Political Parties Committee also may withdraw recognition from existing political parties. On August 19, the Committee withdrew recognition from the small National Detente Party, which was licensed in March 2000, and closed the party newspaper, *al-Qarar*. The Committee justified its decision by citing an internal leadership dispute and alliance with the banned Muslim Brotherhood. In late October, the Committee withdrew recognition from the small Arab Egyptian Socialist Party, also reportedly due to a leadership dispute, and closed the party newspaper, *Gariidat Misr*. The Labor Party, which lost recognition in 2000 under similar circumstances, remained frozen, and its newspaper, *al-Shaab*, continued to attempt to regain publication rights through the courts throughout the year (see Section 2.a.).

The Muslim Brotherhood remains an illegal organization and may not be recognized as a political party under current laws, which prohibit political parties based on religion. Muslim Brotherhood members are known as such publicly and openly speak their views, although they do not explicitly identify themselves as members of the organization. They remain subject to government pressure (see Section 1.d.).

The percentage of women and minorities in government and politics does not correspond to their percentage of the population. The Constitution reserves 10 Assembly seats for presidential appointees, and during 2000 President Mubarak included four Christians and four women among his appointees. In addition to the appointments, 7 women and 3 Christians were elected in the fall of 2000, but one (Rami Lakah) lost his seat in September in a court case. The President appointed eight women and four Christians to the Shura Council following the May and June elections. Two women and 2 Christians (1 of whom is a woman) serve among the 32 ministers in the Cabinet.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Human rights organizations continue to face difficulties registering as legal organizations. In June 2000, the Supreme Constitutional Court overturned on procedural grounds Law 153 pertaining to the formation, function, and funding of NGO's and private foundations, which had been passed by the People's Assembly in June 1999. The previous law governing NGO's, Law 32, was reinstated until a new law could be passed; no new law had been passed by year's end. Law 153 and the subsequent implementing regulations were considered controversial and had drawn mixed reactions from local NGO and international activists, some of whom charged that the law and regulations placed unduly burdensome restrictions on NGO operations.

While many NGO's were registered under Law 153, its overturn and the reinstatement of Law 32 left a number of NGO's that had not yet registered under either Law 153 or Law 32 in an unsettled status regarding registration (see Section 2.b.). No human rights organizations were registered as NGO's during the year. Several human rights organizations that applied for registration in 1999 or 2000, including the EOHR, the Human Rights Center for the Assistance of Prisoners, and the Cairo Institute for Human Rights Studies, were not registered by year's end (see Section 2.b.). The EOHR won an Administrative Court decision on July 1 requiring the Ministry of Social Affairs to register the organization, but the Ministry had not implemented the ruling by year's end.

Despite years of nonrecognition, the EOHR and other groups at times obtain the cooperation of government officials. The Government allows EOHR field workers to

visit some prisons in their capacity as legal counsel, to call on some government officials, and to receive funding from foreign human rights organizations. In an unusual and positive development, in September the Ministry of Interior issued a detailed written response to a March report by the Human Rights Center for the Assistance of Prisoners regarding torture and lawsuits related to torture; the response rebutted the report's claims (see Section 1.c.).

Government restrictions on NGO activities, including limits on organizations' ability to accept funding, continue to inhibit significantly reporting on human rights abuses. Saad Eddin Ibrahim, director of the Ibn Khaldoun Center for Development Studies, was convicted on May 21 on charges that included disseminating abroad false information about the country and accepting foreign funds without government permission (see Sections 1.e. and 2.a.). The case had a significant deterrent effect on the work of human rights organizations, which exist largely on foreign funding.

In May 2000, the Public Prosecutor dropped the Government's case against EOHR secretary general Hafez Abu Se'da. The case was based on a report issued by the EOHR that was critical of police conduct during a 1998 police murder investigation in Sohag governorate.

During the year the Government permitted the Cairo Institute for Human Rights and other human rights organizations to hold conferences and to participate in international conferences.

The Government generally cooperates with intergovernmental organizations and generally responds to reports issued by the United Nations.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equality of the sexes and equal treatment of non-Muslims; however, aspects of the law and many traditional practices discriminate against women and Christians.

Women.—Domestic violence against women is a significant problem and is reflected in press accounts of specific incidents. The law does not prohibit spousal abuse specifically; provisions of law relating to assault in general are applied. According to a national study conducted in 1995 as part of a comprehensive demographic and health survey, one of every three women who have ever been married has been beaten at least once during marriage. Among those who have been beaten, less than half have ever sought help. Smaller, independent studies confirm that wife beating is common. In general neighbors and extended family members intervene to limit incidents of domestic violence. Due to the value attached to privacy in the country's traditional society, abuse within the family rarely is discussed publicly. Spousal abuse is grounds for a divorce; however, the law requires the plaintiff to produce eyewitnesses, a difficult condition to meet. Several NGO's offer counseling, legal aid, and other services to women who are victims of domestic violence. Activists believe that in general the police and the judiciary consider the "integrity of the family" more important than the well being of the woman. The Ministry of Insurance and Social Affairs operates more than 150 family counseling bureaus nationwide, which provide legal and medical services.

The Government prosecutes rapists, and punishment for rape ranges from 3 years in prison to life imprisonment with hard labor. Although reliable statistics regarding rape are not available, activists believe that it is not uncommon, despite strong social disapproval. If a rapist is convicted of abducting his victim, he is subject to execution; however, there were no reports of the execution of rapists. In 1999 the Government abolished an article of the Penal Code that permitted a rapist to be absolved of criminal charges if he married his victim. However, marital rape is not illegal.

"Honor killings" (a man murdering a female for her perceived lack of chastity) are known to occur, but are not common. In practice the courts sentence perpetrators of honor killings to lighter punishments than those convicted in other cases of murder. There are no reliable statistics regarding the extent of honor killings.

FGM, which is widely condemned by international health experts as damaging to both physical and psychological health, is common despite the Government's commitment to eradicating the practice and NGO efforts to combat it. Traditional and family pressures remain strong; a study conducted in 2000 estimates the percentage of women who have ever been married and have undergone FGM at 97 percent. The survey showed that attitudes may be changing slowly; over a 5-year period, the incidence of FGM among the daughters (from ages 11 to 19) of women surveyed fell from 83 to 78 percent. FGM generally is performed on girls between the ages of 7 and 12, with equal prevalence among Muslims and Christians.

In 1997 the Court of Cassation upheld the legality of a 1996 decree banning FGM that was issued by the Minister of Health and Population Planning. In addition to

attempting to enforce the decree, the Government supports a range of efforts to educate the public. A discussion of FGM and its dangers has been added to the curriculum of the school system. The Government broadcasts television programs criticizing the practice. Government ministers speak out against the practice, and senior religious leaders also support efforts to stop it. The Sheikh of al-Azhar, the most senior Islamic figure in the country, and Pope Shenouda, the leader of the Coptic Orthodox community, have stated repeatedly that FGM is not required by religious doctrine. However, illiteracy impedes some women from distinguishing between the deep-rooted tradition of FGM and religious practices. Moreover, many citizens believe that FGM is an important part of maintaining female chastity, which is a part of religious tradition, and the practice is supported by some Muslim religious authorities and Islamist political activists. A number of NGO's actively work to educate the public regarding the health hazards of the practice.

Prostitution and sex tourism are illegal but known to occur, mostly in Cairo and Alexandria.

The law provides for equality of the sexes; however, aspects of the law and many traditional practices discriminate against women. By law unmarried women under the age of 21 must have permission from their fathers to obtain passports and to travel. In 2000 the Supreme Constitutional Court ruled that married women should not require permission from their husbands, reasoning that the practice violated the principle of equality of the sexes. On July 9, the Ministry of Interior announced that the ruling would be implemented, but women's rights organizations reported inconsistency in implementation by police through year's end. Only males may confer citizenship; children born to women with foreign husbands are not conferred the benefits of citizenship. In rare cases, this means that children who are born to Egyptian mothers and stateless fathers are themselves stateless. A woman's testimony is equal to that of a man's in the courts. There is no legal prohibition against a woman serving as a judge, although in practice no women serve as judges. At year's end, the Court of Cassation still was examining the cases of two attorneys, Fatma Lashin and Amany Talaat, who are challenging the Government's refusal to appoint them as public prosecutors. (To become a judge, one must first serve as a public prosecutor.)

Laws affecting marriage and personal status generally correspond to an individual's religion. In January 2000, the Parliament passed a new Personal Status Law that made it easier for a Muslim woman to obtain a divorce without her husband's consent, provided that she is willing to forego alimony and the return of her dowry. (The Coptic Orthodox Church permits divorce only in specific circumstances, such as adultery or conversion of one spouse to another religion.)

Under Islamic law, non-Muslim males must convert to Islam to marry Muslim women, but non-Muslim women need not convert to marry Muslim men. Muslim female heirs receive half the amount of a male heir's inheritance, while Christian widows of Muslims have no inheritance rights. A sole female heir receives half her parents' estate; the balance goes to designated male relatives. A sole male heir inherits all his parents' property. Male Muslim heirs face strong social pressure to provide for all family members who require assistance; however, this assistance is not always provided.

Women have employment opportunities in government, medicine, law, academia, the arts, and business. Labor laws provide for equal rates of pay for equal work for men and women in the public sector. According to government figures, women constitute 17 percent of private business owners and occupy 25 percent of the managerial positions in the four major national banks. Social pressure against women pursuing a career is strong, and women's rights advocates claim that Islamist influence inhibits further gains. Women's rights advocates also point to other discriminatory traditional or cultural attitudes and practices, such as FGM and the traditional male relative's role in enforcing chastity and chaste sexual conduct.

Sexual harassment is not prohibited specifically by law; there are no statistics available regarding its prevalence.

A number of active women's rights groups work in diverse areas, including reforming family law, educating women on their legal rights, promoting literacy, and combating FGM.

Children.—The Government remains committed to the protection of children's welfare and attempts to do so within the limits of its budgetary resources. The Child Law provides for privileges, protection, and care for children in general. Six of the law's 144 articles set rules protective of working children (see Section 6.d.). Other provisions include a requirement that employers set up or contract with a child care center if they employ more than 100 women; the right of rehabilitation for children with disabilities; a prohibition on sentencing defendants between the ages of 16 and 18 to capital punishment, hard labor for life, or temporary hard labor; and a prohibi-

tion on placing defendants under the age of 15 in preventive custody (although the prosecution may order that they be lodged in an "observation house" and be summoned upon request). Many of the resources for children's welfare are provided by international donors, especially in the field of child immunization.

The Government provides public education, which is compulsory for the first 9 academic years (typically until the age of 15). The Government treats boys and girls equally at all levels of education.

There are no statistics available regarding the prevalence of child abuse.

Child labor is widespread, despite the Government's commitment to eradicate it (see Section 6.d.). UNICEF has reported on the practice of poor rural families making arrangements for a daughter to be employed as a domestic servant in the homes of wealthy citizens (see Sections 6.c.).

Children with foreign fathers are not considered citizens and thus may not attend public school or state universities, are barred from certain professional schools, and may not work without meeting foreign residency requirements and obtaining work permits. There are an estimated 400,000 such children in the country.

FGM generally is performed on girls between the ages of 7 and 12 (see Section 5, Women).

Persons with Disabilities.—There are no laws specifically prohibiting discrimination against persons with physical or mental disabilities, but the Government makes serious efforts to address their rights. It works closely with U.N. agencies and other international aid donors to design job-training programs for persons with disabilities. The Government also seeks to increase the public's awareness of the capabilities of persons with disabilities in television programming, the print media, and in educational material in public schools. There are approximately 5.7 million persons with disabilities, of whom 1.5 million are disabled severely.

By law all businesses must designate 5 percent of their jobs for persons with disabilities, who are exempt from normal literacy requirements. Although there is no legislation mandating access to public accommodations and transportation, persons with disabilities may ride government-owned mass transit buses free of charge, are given priority in obtaining telephones, and receive reductions on customs duties for private vehicles. A number of NGO's are active in efforts to train and assist persons with disabilities.

Religious Minorities.—The Constitution provides for equal public rights and duties without discrimination due to religion or creed. For the most part, the Government upholds these constitutional protections; however, discrimination against Christians exists. There are no Christians serving as governors, university presidents, or deans. There are few Christians in the upper ranks of the security services and armed forces. Although there was improvement in some areas, such as the introduction of the Coptic era into history curricula in all government schools and increased coverage of Christian subjects in the mass media, discriminatory government practices persisted, including suspected statistical underrepresentation of the size of the Christian population for the last census (1996), discrimination against Christians in public sector employment, discrimination against Christians in staff appointments to public universities, failure to admit Christians into public university training programs for Arabic language teachers (because the curriculum involves study of the Koran), and payment of Muslim imams through public funds (Christian clergy are paid with private Church funds).

The approximately 6 million Coptic Christians have been the objects of occasional violent assaults by the Islamic Group and other terrorists. Some Christians have alleged that the Government is lax in protecting Christian lives and property (see Section 2.c.). However, there were no reports of terrorist attacks against Christians during the year. In a number of cases regarding the murder of Christians, it was difficult to determine whether religion was a factor. On July 26, 2000, gunmen killed Christian farmer Magdy Ayyad Mus'ad and wounded five other persons in Giza province, allegedly over objections to a church that Mus'ad had built. Two suspects in the case were released on bail in October 2000, and had not been tried by year's end. Similarly, a suspect in the December 2000 stabbing of Father Hezkiyal Ghebriyal, a 75-year-old Coptic Orthodox priest, had not been tried by year's end. By year's end, the Court of Cassation still had not yet set a date to hear an appeal by the Public Prosecutor seeking a heavier sentence in the case of Ahmad and Ibrahim Nasir, who were sentenced to 7 years in prison for the September 1999 murder of a monk in Assiyut.

An article published in al-Naba' newspaper regarding the alleged sexual misconduct in a Coptic Orthodox monastery provoked demonstrations by Coptic Christians in Cairo from June 17 to 20. Demonstrators criticized both the Government and church leadership for their treatment of a number of issues, including discrimi-

nation against Christians and the al-Kush trial. Police detained a number of protesters when demonstrations turned violent on June 20 (see Sections 1.d. and 2.b.).

A trade dispute between a Christian clothing merchant and a Muslim customer on December 31, 1999, in the village of al-Kush in Sohag governorate, escalated into violent exchanges between Muslims and Christians in the area, resulting in the deaths of 21 Christians and 1 Muslim on January 2, 2000. The violence also resulted in the injury of 39 persons in al-Kush and 5 persons in the neighboring municipality of Dar al-Salaam. Approximately 200 businesses and homes in the area were damaged.

In September 2000, 21 persons were convicted of crimes including assault, arson, and vandalism committed in Dar al-Salaam. Ninety-six persons (58 Muslims and 38 Christians) went on trial in June 2000 for crimes including murder committed in al-Kush. On February 5, the court acquitted 92 of 96 defendants. One defendant was convicted of manslaughter and sentenced to 10 years in prison and 3 defendants were convicted of arson and sentenced to 1 year in prison. The lead judge cited inadequate evidence in justifying the verdicts. The Public Prosecutor contested the verdicts, and on July 30, the Court of Cassation ordered a retrial. The retrial opened November 3, and the next session was scheduled for January 2002.

There were reports of forced conversions of Coptic girls to Islam. Reports of such cases are disputed and often include inflammatory allegations and categorical denials of kidnaping and rape. Observers, including human rights groups, find it extremely difficult to determine whether compulsion was used, as most cases involve a Coptic girl who converts to Islam when she marries a Muslim boy. According to the Government, in such cases the girl must meet with her family, with her priest, and with the head of her church before she is allowed to convert. However, there are credible reports of government harassment of Christian families that attempt to regain custody of their daughters, and of the failure of the authorities to uphold the law (which states that a marriage of a girl under the age of 16 is prohibited, and between the ages of 16 and 21 is illegal, without the approval and presence of her guardian) in cases of marriage between underage Christian girls and Muslim boys.

There is no legal requirement for a Christian girl or woman to convert to Islam in order to marry a Muslim. However, if a Christian woman marries a Muslim man the Coptic Orthodox Church excommunicates her. Ignorance of the law and societal pressure, including the centrality of marriage to a woman's identity, often affect her decision. Family conflict and financial pressure also are cited as factors. Conversion is regarded as a disgrace to the convert's family, so most Christian families would object strongly to a daughter's wish to marry a Muslim. If a Christian girl converts to Islam, her family loses guardianship, which transfers to a Muslim custodian, who is likely to grant approval. The law is silent on the matter of the acceptable age of conversion.

Anti-Semitism is found in both the Government press and in the press of the opposition parties, and increased late in 2000 and during the year following the outbreak of violence in Israel and the occupied territories. There have been no violent anti-Semitic incidents in recent years directed at the tiny Jewish community.

Section 6. Worker Rights

a. The Right of Association.—There are no legal obstacles to establishing private sector unions, although such unions are not common. Workers may join trade unions but are not required to do so. A union local, or workers' committee, may be formed if 50 employees express a desire to organize. Most union members, about one-quarter of the labor force, are employed by state-owned enterprises. The law stipulates that "high administrative" officials in Government and in public sector enterprises may not join unions.

There are 23 trade unions, all required to belong to the Egyptian Trade Union Federation (ETUF), the sole legally recognized labor federation. The International Labor Organization's (ILO's) Committee of Experts repeatedly has emphasized that a law that requires all trade unions to belong to a single federation infringes on freedom of association. The ILO also has consistently criticized ETUF control over the nomination and election procedures for trade union officers, as well as the fact that the right of workers' organizations to organize their administration, including their financial activities, without interference from public authorities is not protected. However, the Government has shown no sign that it intends to accept the establishment of more than one federation. The ETUF leadership asserts that it actively promotes worker interests and that there is no need for another federation. ETUF officials have close relations with the NDP, and some are members of the People's Assembly or the Shura Council. They speak vigorously on behalf of worker

concerns, but public confrontations between the ETUF and the Government are rare. Disputes more often are resolved by consensus in private.

The labor laws do not provide adequately for the right to strike. The Government considers strikes a form of public disturbance and therefore illegal. Workers who strike may face prosecution and prison sentences of up to 2 years; however, there were no such cases during the year.

There were roughly two dozen strikes during the year. Strikes mainly were over issues of anticipated sales of companies, compulsory leave, wage cuts, and delayed payment of salaries. Nearly all labor actions during the year were 1-day wildcat strikes. In one instance, employees of a private plastics firm shut down the plant and went on a hunger strike for several days because salaries were 9 months in arrears. Another private factory with 350 employees was closed permanently when employees protested that salaries were 6 months in arrears.

Some unions within the ETUF are affiliated with international trade union organizations. Others are in the process of becoming affiliated.

b. The Right to Organize and Bargain Collectively.—Collective bargaining does not exist in any meaningful sense because by law the Government sets wages, benefits, and job classifications. The ILO for years has claimed that the Labor Code undermines the principle of voluntary bargaining by providing that any clause of a collective agreement that might impair the economic interest of the country is null and void. Under the law, unions may negotiate work contracts with public sector enterprises if the latter agree to such negotiations, but unions otherwise lack collective bargaining power in the public sector.

Firms in the private sector generally do not adhere to government-mandated standards. Although they are required to observe some Government practices, such as the minimum wage, social security insurance, and official holidays, firms often do not adhere to government practice in nonbinding matters, including award of the annual Labor Day bonus.

Labor law and practice are the same in the six export processing zones (EPZ's) as in the rest of the country.

c. Prohibition of Forced or Compulsory Labor.—The Constitution prohibits forced labor, and domestic and foreign workers generally are not subject to coerced or bonded labor; however, the Criminal Code authorizes sentences of hard labor for some crimes. The law does not prohibit specifically forced and bonded labor by children, and UNICEF has reported on the practice of poor rural families making arrangements for daughters to be employed as domestic servants in the homes of wealthy citizens (see Section 6.d.).

d. Status of Child Labor Practices and Minimum Age for Employment.—The Government takes seriously the problem of child labor; however, in general it does not devote adequate resources to implement its child labor policies. Under the Child Law (see Section 5), the minimum age for employment is 14 years of age in non-agricultural work.

The Labor Law of 1996 and associated ministerial decrees greatly limit the type and conditions of work that children below the age of 18 may perform legally. Responding to criticism in a January report by Human Rights Watch on abusive child labor practices in cotton farming, the Ministry of Agriculture issued Decree 1454 in April, which forbids children under 14 years of age from working in cotton fields. Provincial governors, with the approval of the Minister of Education, may authorize seasonal work for children between the ages of 12 and 14, provided that duties are not hazardous and do not interfere with schooling. Preemployment training for children under the age of 12 is prohibited. It is prohibited for children to work for more than 6 hours a day. One or more breaks totaling at least 1 hour must be included. Children may not work overtime, during their weekly day off, between 8 p.m. and 7 a.m., or for more than 4 hours continuously.

The Government continued to take steps during the year to address the problem of child labor. For example, Prime Minister Atef Ebeid and First Lady Suzanne Mubarak are involved personally with the problems of working children through their leadership positions on the National Council for Children and Motherhood. The Government worked closely during the year with international organizations—in particular UNICEF and the ILO—as well as international and domestic NGO's and labor unions to implement programs designed to address child labor and its root causes. The Government established a Steering Committee for the Elimination of Child Labor in 1999 that includes members from Government, the private sector, and NGO's to address the task of eliminating illegal child labor. In 2000 the Ministry of Manpower established a child labor unit, with inspectors who have been trained by donors and international labor organizations. One of the first tasks of the child labor unit has been to create a database for tracking child labor in the country. In September the unit carried out its first raid, removing 112 children from 17 auto

repair workshops in a Cairo neighborhood. The children were returned to their parents upon the parents' commitment that their children would not be allowed to work in hazardous places; however, the Government did not take any action against the employers.

Statistical information regarding the number of working children is difficult to obtain and often out-of-date. NGO's estimate that up to 1.5 million children work. Government studies indicate that the concentration of working children is higher in rural than in urban areas. Nearly 78 percent of working children are in the agricultural sector. However, children also work in tanneries, auto repair workshops, and carpet and furniture factories in Cairo and Alexandria.

While local trade unions report that the Ministry of Labor adequately enforces the labor laws in state-owned enterprises, enforcement in the private sector, especially in the informal sector, is lax. Many of these children are abused, overworked, and exposed to potentially hazardous conditions by their employers, and the restrictions in the Child Law have not improved conditions due to lax enforcement on the part of the Government.

Although the law does not prohibit specifically forced and bonded labor by children, UNICEF has reported on the practice of poor rural families making arrangements for a daughter to be employed as a domestic servant in the home of wealthy citizens (see Sections 6.c.).

The Government has not ratified ILO Convention 182 on the worst forms of child labor.

e. Acceptable conditions of work.—For government and public sector employees, the minimum wage is approximately \$33 (140 Egyptian pounds) a month for a 6-day, 36-hour workweek. The Labor Law stipulates that 48 hours is the maximum number of hours that may be worked in 1 week. Overtime for hours worked beyond 36 per week is payable at the rate of 25 percent extra for daylight hours and 50 percent extra for nighttime hours. Some government agencies have instituted a 5-day, 36-hour workweek. The minimum wage, which is set by the Government and applied nationwide, generally is enforced effectively by the Ministry of Administrative Development. Larger private companies generally observe the requirement and pay bonuses as well; however, smaller firms do not always pay the minimum wage or bonuses. The minimum wage does not provide for a decent standard of living for a worker and family; however, base pay commonly is supplemented by a complex system of fringe benefits and bonuses that may double or triple a worker's take-home pay.

The Ministry of Labor sets worker health and safety standards, which also apply in the EPZ's; however, enforcement and inspections are uneven.

The law prohibits employers from maintaining hazardous working conditions, and workers have the right to remove themselves from hazardous conditions without risking loss of employment.

The Ministry of Manpower estimated in October that there were 20,100 foreign workers with work and residence permits. Unofficial estimates of undocumented workers are as high as 116,000. Foreign workers with the required permits enjoy legal protections. There are occasional reports of employer abuse of undocumented workers, especially domestic workers. A few employers were prosecuted during the year for abuse of domestic workers, but many claims of abuse go unsubstantiated because undocumented workers are reluctant to make their identities public.

f. Trafficking in Persons.—The law does not prohibit specifically trafficking in persons; however, the law prohibits prostitution and sex tourism. There were no reports that persons were trafficked to, from, or within country.

IRAN⁷

The Islamic Republic of Iran was established in 1979 after a populist revolution toppled the Pahlavi monarchy. The Constitution, ratified after the revolution by popular referendum, established a theocratic republic and declared as its purpose the establishment of institutions and a society based on Islamic principles and norms. The Government is dominated by Shi'a Muslim clergy. The Head of State, Ayatollah Ali Khamene'i, is the Supreme Leader of the Islamic Revolution and has direct control over the armed forces, the internal security forces, and the judiciary. Mohammad Khatami was elected to a second 4-year term as President in a popular vote in June, with 77 percent of the vote. A popularly elected 290-seat unicameral

⁷The United States does not have an embassy in Iran. This report draws heavily on non-U.S. Government sources.

Islamic Consultative Assembly, or Majles, develops and passes legislation. Reformers and moderates won a landslide victory in the February 2000 Majles election, and constitute a majority of that body; however, the Council of Guardians and other elements within the Government blocked much of the early reform legislation passed by the Majles. A Council of Guardians reviews all legislation passed by the Majles for adherence to Islamic and constitutional principles. The Council consists of six clerical members, who are appointed by the Supreme Leader, and six lay jurists, who are appointed by the head of the judiciary and approved by the Majles. The Constitution provides the Council of Guardians the power to screen and disqualify candidates for elective offices based on an ill-defined set of requirements, including candidates' ideological beliefs. According to Human Rights Watch (HRW), the Council of Guardians rejected the candidacy of 145 out of the 356 candidates who filed to run for 17 seats in the special Majles election held concurrently with the Presidential election in June. This constituted a far higher percentage than were rejected in the February 2000 Majles elections. The judiciary is subject to government and religious influence.

Several agencies share responsibility for internal security, including the Ministry of Intelligence and Security, the Ministry of Interior, and the Revolutionary Guards, a military force that was established after the revolution. Paramilitary volunteer forces known as Basijis, and gangs of thugs known as the Ansar-e Hezbollah (Helpers of the Party of God), act as vigilantes, and intimidate and threaten physically demonstrators, journalists, and individuals suspected of counterrevolutionary activities. The Ansar-e Hezbollah often are aligned with particular members of the leadership. Both the regular and the paramilitary security forces committed numerous serious human rights abuses.

Iran has a mixed economy that is heavily dependent on export earnings from the country's extensive petroleum reserves. The country has a population of approximately 65,620,000. The Constitution mandates that all large-scale industry, including petroleum, minerals, banking, foreign exchange, insurance, power generation, communications, aviation, and road and rail transport, be publicly owned and administered by the State. Large charitable foundations called bonyads, most with strong connections to the Government, control the extensive properties and businesses expropriated from the Pahlavi family and from other figures associated with the monarchy. The bonyads exercise considerable influence in the economy, but neither account publicly for revenue nor pay taxes. The Government subsidizes basic foodstuffs and energy costs heavily. Oil exports account for nearly 80 percent of foreign exchange earnings. Private property rights largely are respected. Although economic performance had improved somewhat when worldwide oil prices increased, the recent fall in prices has had an adverse effect. Government mismanagement and corruption also negatively affect economic performance. Unemployment is estimated to be between 25 and 30 percent, and inflation approximately 20–25 percent.

The Government's human rights record remained poor; although efforts within society to make the Government accountable for its human rights policies continued, serious problems remain. The Government significantly restricts citizens' right to change their government. Systematic abuses include summary executions, disappearances, widespread use of torture and other degrading treatment, reportedly including rape, severe punishments such as stoning and flogging, harsh prison conditions, arbitrary arrest and detention, and prolonged and incommunicado detention.

Judicial proceedings against some government officials for misconduct continued; however, perpetrators usually go unpunished. A group of 20 police officials was brought to trial in March 2000 for their actions in an attack on a Tehran University student dormitory in July 1999. However, according to the U.N. Special Representative for Iran of the Commission on Human Rights (UNSR), all but one were cleared of charges and released; the court sentenced one individual to 6 months in prison. In December 2000, 18 former officials of the Intelligence Ministry were tried before a military court in closed proceedings for the killings of four dissidents in 1998. On January 27, 15 were convicted. However, the Supreme Court reversed the convictions in August.

The influence of conservative government clerics, which pervades the judiciary, often prevents citizens from receiving due process or fair trials. The Government uses the judiciary to stifle dissent and obstruct progress on human rights. The Government infringes on citizens' privacy rights, and restricts freedom of speech, press, assembly, and association. Over the last 2 years, the Government has closed nearly all reform-oriented publications, and brought charges against prominent political figures and members of the clergy for expressing ideas viewed as contrary to the ruling orthodoxy. The Ministry of Culture and Islamic Guidance continued to issue

licenses for the establishment of newspapers and magazines, some of which eventually challenged government policies, but those, too, were shut down.

The Government restricts freedom of religion. Religious minorities, particularly Baha'is—who are viewed not as a religious group, but as a heretical group and a subversive political organization—continued to suffer repression by conservative elements of the judiciary and security establishment. In July 2000, 10 Iranian Jews were tried and convicted on charges of having illegal contact with Israel, and sentenced to between 2 and 13 years in prison. Three others were acquitted. The trial procedures were unfair, and violated numerous internationally recognized standards of due process. Their appeal to the Supreme Court was rejected in January. One was released at the conclusion of his 2-year sentence in March, but the other nine remain in prison.

The Government controls the selection of candidates for elections. An intense political struggle continued during the year between a broad popular movement that favored greater liberalization in government policies, particularly in the area of human rights, and certain hard-line elements in the government and society, which view such reforms as a threat to the survival of the Islamic republic. In many cases, this struggle was played out within the Government itself, with reformists and hard-liners squaring off in divisive internal debates. During the year, reformist members of Parliament were harassed, and for the first time, prosecuted and jailed for statements made under cover of parliamentary immunity.

Khatami's June reelection does not appear to have resulted in meaningful reform. To the contrary, the repression of reformers, including parliamentarians, continued, and according to some reports, intensified.

The Government restricts the work of human rights groups and continues to deny entry to the UNSR. Violence against women occurs, and women face legal and societal discrimination. The Government discriminates against religious and ethnic minorities and severely restricts important workers' rights, including freedom of association and the right to organize and bargain collectively. Child labor persists. Vigilante groups, with strong ties to certain members of the Government, enforce their interpretation of appropriate social behavior through intimidation and violence. There were reports of trafficking in persons.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life.—The Government has been responsible for numerous killings, and during the year reportedly there were executions that took place following trials in which there was a lack of due process.

There were anecdotal reports of security forces killing persons during the October "soccer riots." The Government acknowledged that it arrested hundreds of persons, but denies that anyone was killed.

Human rights groups reported that security forces killed at least 20 persons while violently suppressing demonstrations by Kurds that occurred in the wake of the February 1999 arrest of Kurdish Workers Party (PKK) leader Abdullah Ocalan in Turkey (see Sections 1.c., 2.b., and 5). HRW reported at least four student deaths in July 1999, when government-sanctioned agitators attacked a student dormitory during protests in Tehran (see Sections 1.c. and 2.b.).

Citizens continued to be tried and sentenced to death in the absence of sufficient procedural safeguards. In 1992 the domestic press stopped reporting most executions; however, executions continue in substantial numbers, according to U.N. and other reporting. The UNSR, based on media reports, cited an estimated 60 executions from January through July, down from 130 during the same period last year. The Government has not cooperated in providing the UNSR with a precise number of executions carried out. The UNSR reported that approximately two thirds of the executions took place in public, contrary to regulations, and that state television broadcasted scenes from hangings on at least two occasions during the year. He also noted that a woman was hanged publicly on March 19, a very rare event in the Islamic republic. Exiles and human rights monitors allege that many of those executed for criminal offenses, such as narcotics trafficking, actually are political dissidents. Supporters of outlawed political organizations, such as the Mujahedin-e Khalq organization, are believed to make up a large number of those executed each year.

A November 1995 law criminalized dissent and applied the death penalty to offenses such as "attempts against the security of the State, outrage against high-ranking Iranian officials, and insults against the memory of Imam Khomeini and against the Supreme Leader of the Islamic Republic." U.N. representatives, including the UNSR, and independent human rights organizations, continue to note the

absence of procedural safeguards in criminal trials. Harsh punishments are carried out, including stoning and flogging (see Section 1.c.). The UNSR reported the stoning deaths of two women and the sentencing to death by stoning of at least one other during the year. He cited press reports of the May stoning death of an unnamed 35-year-old woman at Evin Prison in Tehran, who was arrested 8 years earlier on charges of appearing in pornographic films. He also reported that the Supreme Court upheld the sentence of death by public stoning of 38-year-old Maryam Ayoubi, who was convicted for the murder of her husband. Her sentence was carried out in Evin Prison in July. The UNSR reported that a third woman was sentenced in June to death by stoning for the murder of her husband. The law also allows for the relatives of murder victims to take part in the execution of the killer.

The Government's investigation into the killings of several prominent Iranian dissidents and intellectuals in late 1998 continued throughout the year. The case involved the killings, over a 2-month period from October to December 1998, of prominent political activists Darioush and Parvaneh Forouhar and writers Mohammad Mokhtari and Mohammad Pouandeh. Political activist Pirouz Davani disappeared in the same time period and has never been found (see Section 1.b.). In February 2000, after several senior figures of the leadership blamed the disappearances and killings on "foreign hands," it was revealed that active-duty agents of the Ministry of Intelligence had carried out the killings. Minister of Intelligence Qorban Ali Dori-Najafabadi and several of his senior deputies resigned their posts following these revelations. Supervision for the case was placed in the hands of the Military Prosecutor's Office. In June 1999, the Prosecutor's Office released an initial report identifying a cell within the Ministry of Intelligence led by four "main agents" as responsible for the killings. The leader among the agents was reportedly a former Deputy Minister of Intelligence, Saeed Emami, who, the Government stated, had committed suicide in prison by drinking a toxic hair removal solution several days prior to the release of the Government's report. The report also indicated that 23 persons had been arrested in connection with the killings and that a further 33 were summoned for interrogation. In the early part of 2000, the Government announced that 18 men would stand trial in connection with the killings. The trial began in late December 2000 in a military court. The proceedings were closed. However, news reports indicated that 15 defendants pled guilty during the opening stages of the trial. The identity of the defendants still is unknown, but former Minister of Intelligence Dori-Najafabadi has not been charged. HRW reported that on January 27, a court convicted 15 out of the 18 defendants for the killings. Three were sentenced to death, five to life in prison, and seven to prison terms of between 2½ to 10 years. However, HRW also reported that the trial did not clarify who actually ordered the murders. Several high-ranking figures were mentioned as possible suspects in the press, but they were not charged, and the trial did not produce any incriminating information regarding their involvement. According to HRW, during the summer, the Supreme Court reversed the convictions of the 15 Ministry of Intelligence officials. There was no decision by year's end regarding whether they would be forced to retire.

Frustration over the slow pace of the murder investigation and doubt about the Government's willingness to investigate the case more fully have been frequent topics of criticism of the Government, particularly by those advocating greater adherence to the rule of law. Reform-oriented journalists and prominent cultural figures publicly demanded a full accounting in the case and have speculated that responsibility for ordering the killings lay at the highest level of the Government. Several citizens, including prominent investigative journalist Akbar Ganji, were arrested in connection with statements they made about the case (see Sections 1.c. and 1.e.). In December 2000, just before Ganji's case went to trial, the Military Court arrested a lawyer for the family of one of the victims for violating a public ban on comments regarding the case.

The UNSR reported in August that the serial murders of late 1998 and early 1999 continued to cause controversy at what is perceived to be as the Government's cover-up of involvement of high-level officials in the affair. The UNSR also reported rumors suggesting that there were more than 80 murders or disappearances over a 10-year period as part of a wider campaign to silence dissent.

According to the National Spiritual Assembly of the Baha'is of the United States, since 1979 more than 200 Baha'is have been killed and 15 others have disappeared and are presumed dead.

One organization in 1999 reported eight deaths of evangelical Christians at the hands of the authorities in the previous 10 years (see Section 2.c.).

Numerous Sunni clerics have been killing in recent years, some allegedly by government agents (see Section 2.c.).

The Government announced in September 1998 that it would take no action to threaten the life of British author Salman Rushdie, or anyone associated with his

work, The Satanic Verses, despite the issuance of a fatwa against Rushdie's life in 1989. The announcement came during discussions with the United Kingdom regarding the restoration of full diplomatic relations. Several revolutionary foundations and a number of Majles deputies within Iran repudiated the Government's pledge and emphasized the "irrevocability" of the fatwa, or religious ruling, by Ayatollah Khomeini in 1989, calling for Rushdie's murder. The 15 Khordad Foundation raised the bounty it earlier had established for the murder of Rushdie.

The Istanbul Court of Appeal upheld in 1998 the conviction of an Iranian national for complicity in the 1996 murders of Zahra Rajabi and Ali Moradi, both of whom were associated with the National Council of Resistance (NCR), an exile group that has claimed responsibility for several terrorist attacks within Iran. The UNSR reported in 1998 that Italian security authorities were continuing their investigation into the 1993 killing in Rome of Mohammad Hossein Naghdi, the NCR's representative in Italy.

b. Disappearance.—No reliable information is available regarding the number of disappearances. In the period immediately following arrest, many detainees are held incommunicado and denied access to lawyers and family members.

According to Amnesty International, Siamak Pourzand, the manager of the Tehran Cultural Center, disappeared in Tehran on November 24, and is believed to be in government custody. His daughter claims that he had not been heard from by year's end. Pourzand is the husband of human rights lawyer Mehrangiz Kar, who still faces charges in connection with her participation in the April 2000 Berlin conference (see Section 1.e.).

Pirouz Davani, a political activist who disappeared in late 1998 along with several other prominent intellectuals and dissidents who were later found murdered, remains unaccounted for, and is believed to have been killed for his political beliefs and activism (see Section 1.a.).

According to the National Spiritual Assembly of the Baha'is of the United States, since 1979 more than 200 Baha'is have been killed and 15 have disappeared and are presumed dead.

A Christian group reported that between 15 and 23 Iranian Christians disappeared between November 1997 and November 1998 (see Section 2.c.). Those who disappeared were reportedly Muslim converts to Christianity whose baptisms had been discovered by the authorities. The group that reported the figure believes that most or all of those who disappeared were killed.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—The Constitution forbids the use of torture; however, there were numerous credible reports that security forces and prison personnel continued to torture detainees and prisoners. Some prison facilities, including Tehran's Evin prison, are notorious for the cruel and prolonged acts of torture inflicted upon political opponents of the Government. Common methods include suspension for long periods in contorted positions, burning with cigarettes, sleep deprivation, and, most frequently, severe and repeated beatings with cables or other instruments on the back and on the soles of the feet. Prisoners also have reported beatings about the ears, inducing partial or complete deafness, and punching in the eyes, leading to partial or complete blindness. Stoning and flogging are prescribed expressly by the Islamic Penal Code as appropriate punishments for adultery (see Section 1.a.).

During the year, HRW reported that public floggings were "increasingly used for a wide range of social offenses, including breaches of the dress code, despite opposition from Interior Ministry officials who questioned the effectiveness of such punishments." For example, eight men convicted of drinking alcohol and causing public disturbance were flogged publicly in Tehran in July. Authorities flogged the men with 70 to 80 lashes.

HRW also reported that clashes between police and demonstrators broke out at public floggings and executions in Tehran in July and August when protesters demonstrated against these forms of punishment.

In November 2000, investigative journalist Akbar Ganji went on trial for statements he allegedly made during an April 2000 conference in Berlin regarding Iranian politics (see Sections 1.e. and 2.a.). He was arrested upon his return to the country and held over the next 6 months for long periods in solitary confinement. Ganji told the court that he was beaten and tortured in prison. Ganji previously had written articles implicating former President Rafsanjani in a series of murders of dissidents and intellectuals apparently carried out by security forces.

In March 2000, a gunman shot and severely wounded newspaper editor Saeed Hajarian, a senior political advisor to President Khatami. The methods used raised widespread suspicions that the security forces were involved in the attack. The gunman later was arrested and sentenced, along with four other defendants, to 15-year prison sentences.

On July 8, 1999, the Government and individuals acting with the consent of the authorities used excessive force in attacking a dormitory during student protests in Tehran, including reportedly throwing students from windows. Approximately 300 students were injured in the incident. The UNSR noted numerous credible reports that students arrested following the demonstration were tortured in prison (see Sections 1.a., 1.d., and 2.b.).

Prison conditions are harsh. Some prisoners are held in solitary confinement or denied adequate food or medical care in order to force confessions. Female prisoners reportedly have been raped or otherwise tortured while in detention. Prison guards reportedly intimidate family members of detainees and torture detainees in the presence of family members. In his 2000 report, the UNSR reported receiving numerous reports of prisoner overcrowding and unrest, and cited a reported figure of only 8.2 square feet (2.5 square meters) of space available for each prisoner. In his August report, the UNSR noted that the head of the National Prisons Organization (NPO) had told him that the prison population had risen 40 percent over the past year. The UNSR reported that much of the prisoner abuse was occurring in unofficial detention centers run by the secret service and military, among others. The UNSR further reported that according to the head of the NPO, the unofficial detention centers officially were brought under the control of the NPO during the year. In his latest report, the UNSR was unable to determine whether the change actually had taken place, and whether it had impacted the number of cases of prisoner abuse. HRW has reported that Prison 59 in Tehran, which is located in a Revolutionary Guard compound, is the only remaining prison that has not been brought under the jurisdiction of the NPO. Access to Prison 59 had been denied, including to Members of Parliament and the President's staff. During the year, the Iranian Human Rights Working Group reported that conditions for political prisoners have deteriorated. The group further noted that prisoner Reza Raiss-Toussi appeared physically ill and disoriented at his court hearing in March. He stated that prison officials keep him blindfolded at all times he is out of his cell.

According to HRW, in August a parliamentary group investigating abuses committed by state institutions produced a still-unreleased report that cites a large increase in the number of persons being imprisoned, more than two-thirds of them for drug-related offenses. It also noted that HIV/AIDS and other diseases were spreading rapidly throughout the prison population.

Other than the ICRC, the Government does not permit visits to imprisoned dissidents by human rights monitors.

d. Arbitrary Arrest, Detention, or Exile.—The Constitution prohibits arbitrary arrest and detention; however, these practices remain common. There is reportedly no legal time limit for incommunicado detention, nor any judicial means to determine the legality of detention. Suspects may be held for questioning in jails or in local Revolutionary Guard offices.

The security forces often do not inform family members of a prisoner's welfare and location. Prisoners also may be denied visits by family members and legal counsel. In addition families of executed prisoners do not always receive notification of the prisoners' deaths. Those who do receive such information reportedly have been forced on occasion to pay the Government to retrieve the body of their relative.

Mohammed Chehrangi, an advocate for the cultural rights of Azeris, was arrested in December 1999. Azeri groups claim that Chehrangi was arrested to prevent his registration as a candidate in the February 2000 Majles elections (see Sections 3 and 5).

In March authorities closed the 50-year-old Iran Freedom Movement for "attempting to overthrow the Islamic regime." HRW reported that the closure came after the March 11 arrest of 21 independent political activists, including a former chancellor of Tehran University. The activists were associated with religious-nationalism, which advocates constitutional Islamic rule and a respect for democratic principles. The Government has arrested more than 40 persons for association with the Freedom Movement, including one of its founders, the prominent legal scholar Dr. Seyed Ahmad Sadr Haj Seyed Javadi. Security forces also reportedly ransacked the offices of the Bazargan Cultural Foundation and the Society of Islamic Engineers while searching for suspects.

In February and March 1999, security forces in the cities of Isfahan and Shiraz arrested 13 Jews. Among the group were several prominent rabbis, teachers of Hebrew, and their students, one a 16-year-old boy. They were held for 14 months or more without formal charges until their trial began in May 2000. The delay in clarification of charges appeared to violate Article 32 of the Constitution, which states in part that in cases of arrest "charges with the reasons for accusation must, without delay, be communicated and explained to the accused in writing, and a provisional dossier must be forwarded to the competent judicial authorities within a max-

imum of 24 hours so that the preliminaries to the trial can be completed as swiftly as possible." The court eventually convicted 10 of the 13 of charges relating to illegal contacts with Israel. Governments around the world criticized the detentions and trial as unfair and in violation of due process (see Sections 1.e. and 2.c.).

Authorities detained as many as 1,500 students following student protests on July 8, 1999, and subsequent riots. Many of them remain in prison at year's end (see Sections 1.a., 1.c., and 2.b.).

Numerous publishers, editors and journalists either were detained, jailed, fined, or prohibited from publishing their writings during the year (see Section 2.a.). The Government appeared to follow a policy of intimidation toward members of the media whom it considers to pose a threat to the current system of Islamic government.

Adherents of the Baha'i Faith continue to face arbitrary arrest and detention. The Government appears to adhere to a practice of keeping a small number of Baha'is in detention at any given time. Sources claim that such arrests are carried out to "terrorize" the community and to disrupt the lives of its members. Most of those arrested are charged and then quickly released. However, the charges against them are often not dropped, forcing them to live in a continuing state of uncertainty and apprehension (see section 2.c.). According to Baha'i sources, five Baha'is remained in prison as of the end of October, including two who were convicted of either apostasy or "actions against God" and sentenced to death. In October authorities released two Baha'is from prison in Mashad. One of those, whose original death sentence was reduced to 5½ years was released after serving 5 years. The other was released after completing his 4-year sentence, which had been reduced from his original sentence of 10 years (see Section 2.c.).

The Government enforced house arrest and other measures to restrict the movements and ability to communicate of several senior religious leaders whose views regarding political and governance issues are at variance with the ruling orthodoxy. Several of these figures dispute the legitimacy and position of the Supreme Leader, Ayatollah Ali Khamenei. These clerics include Ayatollah Seyyed Hassan Tabataei-Qomi, who has been under house arrest in Mashad for more than 15 years, Ayatollah Ya'asub al-Din Rastgari, who has been under house arrest in Qom since late 1996, and Ayatollah Mohammad Shirazi, who died in December while under house arrest in Qom. Ayatollah Hossein Ali Montazeri, the former designated successor of the late Spiritual Leader, Ayatollah Khomeini, and an outspoken critic of the Supreme Leader, remains under house arrest and heightened police surveillance (see Section 2.a.). The followers of these and other dissident clerics, many of them junior clerics and students, reportedly have been detained in recent years and tortured by government authorities.

Iran and Iraq continued to exchange prisoners of war (POW's) and the remains of deceased fighters from the 1980-88 Iran-Iraq war, adding to the large number of Iraqi POW's returned by Iran in 1998. However, a final settlement of the issue between the two governments was not achieved by year's end.

Although reliable statistics are not available, international observers believe that between scores and hundreds of citizens are detained for their political beliefs.

No information is available regarding whether the law prohibits forced exile. The Government uses internal exile as a punishment.

The Government does not use forced exile, but many dissidents and ethnic and religious minorities leave the country due to a perception of threat from the Government.

e. Denial of Fair Public Trial.—The court system is not independent and is subject to government and religious influence. It serves as the principal vehicle of the State to restrict freedom and reform in the society.

There are several different court systems. The two most active are the traditional courts, which adjudicate civil and criminal offenses, and the Islamic Revolutionary Courts. The latter were established in 1979 to try offenses viewed as potentially threatening to the Islamic Republic, including threats to internal or external security, narcotics crimes, economic crimes (including hoarding and overpricing), and official corruption. A special clerical court examines alleged transgressions within the clerical establishment, and a military court investigates crimes committed in connection with military or security duties by members of the army, police, and the Revolutionary Guards. A press court hears complaints against publishers, editors, and writers in the media. The Supreme Court has limited authority to review cases.

The judicial system has been designed to conform, where possible, to an Islamic canon based on the Koran, Sunna, and other Islamic sources. Article 157 provides that the head of the judiciary shall be a cleric chosen by the Supreme Leader. Ayatollah Mohammad Yazdi resigned as the head of the judiciary in August 1999, and

was replaced by Ayatollah Mahmoud Hashemi Shahrudī. The head of the Supreme Court and Prosecutor General also must be clerics.

Many aspects of the prerevolutionary judicial system survive in the civil and criminal courts. For example, defendants have the right to a public trial, may choose their own lawyer, and have the right of appeal. Trials are adjudicated by panels of judges. There is no jury system in the civil and criminal courts. If a situation is not addressed by statutes enacted after the 1979 revolution, the Government advises judges to give precedence to their own knowledge and interpretation of Islamic law, rather than rely on statutes enacted during the Pahlavi monarchy.

Trials in the Revolutionary Courts, in which crimes against national security and other principal offenses are heard, are notorious for their disregard of international standards of fairness. Revolutionary Court judges act as both prosecutor and judge in the same case, and judges are chosen in part based on their ideological commitment to the system. Pretrial detention often is prolonged and defendants lack access to attorneys. Indictments often lack clarity and include undefined offenses such as "antirevolutionary behavior," "moral corruption," and "siding with global arrogance." Defendants do not have the right to confront their accusers. Secret or summary trials of 5 minutes duration occur. Others are show trials that are intended merely to highlight a coerced public confession.

In November 2000, a Revolutionary Court began the trials of 17 writers, intellectuals, and political figures who took part in an April conference in Berlin regarding the implications of the February 2000 Majles elections (see Section 3). The 17 defendants included 12 persons who had attended the conference and who were arrested upon their return to Iran. They were charged with taking part in antigovernment and anti-Islamic activities, and included investigative journalist Akbar Ganji, newspaper editor Mohammed Reza Jalaipour, Member of Parliament Jamileh Kadivar, women's rights activists Mehrangiz Kar and Shahla Lahidji, opposition politician Ezzatollah Sahabi, student leader Ali Afshari, and others, including two translators for the German Embassy in Tehran. According to HRW, on January 13, the Court convicted seven of them on the vague charge of "having conspired to overthrow the system of the Islamic Republic." The Court convicted three other defendants on lesser charges, imposing fines and suspended sentences, and acquitted seven others. The trial reportedly was closed, and HRW claimed that it violated recognized international standards for free trial because several of the defendants were held for months without access to legal counsel.

According to HRW, the sentences handed down by the Court included: 10 years in prison and then 5 years of internal exile for journalist Ganji (his sentence was reduced to 6 months on appeal, but increased to the original 10 years by the Tehran Press Courts); 10 and 9 year sentences for the 2 translators employed by the German Embassy in Tehran; 5 years for student leader Afshari; 4½ years for politician Ezzatollah Sahabi; and 4 years each for Lahidji and Kar. Sahabi's appeal of that verdict had not been heard by year's end. He was provisionally released but rearrested following public remarks he made in March, and remained in detention without new charges being filed against him at year's end. For a time, Kar was not allowed to travel abroad for medical treatment for breast cancer. Kar's husband Siamak Pourzand disappeared in late November and has not been heard from since (see Section 1.b.).

In late December 2000, a military court began the trials of 18 persons in connection with the killings of several prominent dissidents and intellectuals in late 1998 (see Section 1.a.). In January 15 of the defendants were convicted; however, the results were overturned by the Supreme Court in August.

The legitimacy of the Special Clerical Court (SCC) system continued to be a subject of debate. The clerical courts, which were established in 1987 to investigate offenses and crimes committed by clerics, and which are overseen directly by the Supreme Leader, are not provided for in the Constitution, and operate outside the domain of the judiciary. In particular, critics allege that the clerical courts are used to prosecute certain clerics for expressing controversial ideas and for participating in activities outside the sphere of religion, such as journalism.

During the latter part of 2000, an SCC began the trial of Hojatoleslam Hassan Yousefi Eshkevari, a cleric who participated in the Berlin conference, on charges of apostasy and "corruption on earth," which potentially carry the death penalty. Eshkevari had called for more liberal interpretations of Islamic law in certain areas. He was sentenced to death, but the sentence was overturned on appeal in May. He was permitted a 2-day furlough from prison in September.

In November 1999, former Interior Minister and Vice President Abdollah Nouri was sentenced by a branch of the SCC to a 5-year prison term for allegedly publishing "anti-Islamic articles, insulting government officials, promoting friendly relations with the United States," and providing illegal publicity to dissident cleric Aya-

tollah Hossein Ali Montazeri in Khordad, a newspaper that was established by Nouri in late 1998 and closed at the time of his arrest. Nouri used the public trial to attack the legitimacy of the SCC (see Section 2.a.).

In April 1999, a branch of the SCC convicted Hojatoleslam Mohsen Kadivar, a Shi'a cleric and popular seminary lecturer, to 18 months in prison for "dissemination of lies and confusing public opinion" in a series of broadcast interviews and newspaper articles. Kadivar advocated political reform and greater intellectual freedom and criticized the misuse of religion to maintain power. In an interview published in a newspaper, Kadivar criticized certain government officials for turning criticism against them into alleged crimes against the State. He also observed that such leaders "mistake themselves with Islam, with national interests, or with the interests of the system, and in this way believe that they should be immune from criticism." He also allegedly criticized former Supreme Leader Ayatollah Khomeini and demonstrated support for dissident cleric Ayatollah Montazeri. Kadivar's trial was not open to the public.

It is difficult for women to obtain legal redress. A woman's testimony in court is worth only half that of a man's, making it difficult for a woman to prove a case against a male defendant.

The Government frequently charges members of religious minorities with crimes such as "confronting the regime" and apostasy, and conducts trials in these cases in the same manner as is reserved for threats to national security. Ayatollah Mohammad Yazdi, who resigned as head of the judiciary in August 2000, stated in 1996 that the Baha'i faith is an espionage organization. Trials against Baha'is have reflected this view (see Section 2.c.). The trial of 13 Iranian Jews on charges related to espionage for Israel was marked throughout by a lack of due process. The defendants were held for more than 1 year without being charged formally or given access to lawyers. The trial was closed, and the defendants were not allowed to choose their own lawyers. Following the trial, defense lawyers told news reporters that they were threatened by judiciary officials and pressured to admit their clients' guilt (see Sections 1.d. and 2.c.).

In December 1999, authorities rearrested former Deputy Prime Minister and long-time political dissident Abbas Amir-Entezam after an interview with him was published in an Iranian newspaper. Amir-Entezam has spent much of the past 20 years in and out of prison since being arrested on charges of collaboration with the United States following the seizure of the U.S. Embassy in Tehran by revolutionary militants in 1979. In his original trial, Amir-Entezam was denied defense counsel and access to the allegedly incriminating evidence that was gathered from the overtaken U.S. Embassy and used against him. Since then he has appealed for a fair and public trial, which has been denied to him. He has been a frequent victim of torture in prison; he suffered a ruptured eardrum due to repeated beatings, kidney failure resulting from denial of access to toilet facilities, and an untreated prostate condition. He reported having been taken on numerous occasions before a firing squad, told to prepare for death, only to be allowed to live. Amir-Entezam remained in prison at year's end (see Section 1.c.).

Independent legal scholar and member of the Islamic clergy Hojatoleslam Sayyid Mohsen Saidzadeh, who was convicted by the SCC in 1998 for his outspoken criticism of the treatment of women under the law, was released from prison in early 1999; however, the Government banned him from performing any clerical duties for 5 years. Human rights groups outside the country noted reports that Saidzadeh's 1998 sentence also included a prohibition on publishing. He has ceased authoring monthly columns on legal issues, many focusing on the rights of women, since the time of his detention.

In December 2000, Judiciary Chief Mahmoud Hashemi Shahroudi announced an initiative to reform the Iranian judicial system. He said that the country is "still a long way off from having a reformed and developed judicial organization." He also announced that 40 judges, clerks, and other officials had been arrested on corruption charges. Some sources outside the country claim that Shahroudi used this initiative to purge the judiciary of some of its more moderate elements in the guise of fighting corruption.

No estimates are available regarding the number of political prisoners. However, the Government often arrests, convicts, and sentences persons on questionable criminal charges, including drug trafficking, when their actual "offenses" are political.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—The Constitution states that "reputation, life, property, (and) dwelling(s)" are protected from trespass except as "provided by law;" however, the Government infringes on these rights. Security forces monitor the social activities of citizens, enter homes and offices, monitor telephone conversations, and open mail without court authorization.

Organizations such as the Ansar-e Hezbollah, an organization of hard-line vigilantes who seek to enforce their vision of appropriate revolutionary comportment upon the society, harass, beat, and intimidate those who demonstrate publicly for reform or who do not observe dress codes or other modes of correct revolutionary conduct. This includes women whose clothing does not cover the hair and all parts of the body except the hands and face, or those who wear makeup or nail polish. Ansar-e Hezbollah gangs also have been used to destroy newspaper offices and printing presses, intimidate dissident clerics, and disrupt peaceful gatherings (see Sections 2.a. and 2.b.). Ansar-e Hezbollah cells are organized throughout the country and linked to individual members of the country's leadership.

Vigilante violence includes attacking young persons considered too "un-Islamic" in their dress or activities, invading private homes, abusing unmarried couples, and disrupting concerts or other forms of popular entertainment. Authorities occasionally enter homes to remove television satellite dishes, or to disrupt private gatherings in which unmarried men and women socialize, or where alcohol, mixed dancing, or other forbidden activities are offered or take place. For example, more than 1,000 satellite dishes were confiscated after the October soccer riots, according to press reports (see Section 2.a. and 2.b.). Enforcement appears to be arbitrary, varying widely with the political climate and the individuals involved. Authorities reportedly can be bribed in some of these circumstances.

There were reports during the year that authorities in several cities confiscated homes and property of a number of Baha'is (see Section 2.c.).

Prison guards intimidated family members of detainees (see Section 1.c.). Opposition figures living abroad reported harassment of their relatives in the country.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution provides for freedom of the press, except when published ideas are "contrary to Islamic principles, or are detrimental to public rights;" however, the Government restricts freedom of speech and of the press in practice. After the election of President Khatami in 1997, the independent press, especially newspapers and magazines, played an increasingly important role in providing a forum for an intense debate regarding reform in the society. However, basic legal safeguards for freedom of expression are lacking, and the independent press has been subjected to arbitrary enforcement measures by elements of the Government, notably the judiciary, which see in such debates a threat to their own hold on power.

During the year, approximately 60 parliamentarians were arrested and charged with "inciting public opinion." The cases were a result of the ongoing conflict between reformist parliamentarians and the hardline judiciary over precisely what type of speech is protected by parliamentary immunity (see Section 1.d.).

Newspapers and magazines represent a wide variety of political and social perspectives, some allied with particular figures within the Government. Many subjects of discussion are tolerated, including criticism of certain government policies. However, the 1995 Press Law prohibits the publishing of a broad and ill-defined category of subjects, including material "insulting Islam and its sanctities" or "promoting subjects that might damage the foundation of the Islamic Republic." Generally prohibited topics include fault-finding comment regarding the personality and achievements of the late Leader of the Revolution, Ayatollah Khomeini; direct criticism of the Supreme Leader; assailing the principle of velayat-e faqih, or rule by a supreme religious leader; questioning the tenets of certain Islamic legal principles; sensitive or classified material affecting national security; promotion of the views of certain dissident clerics, including Grand Ayatollah Ali Montazeri; and advocating rights or autonomy for ethnic minorities.

Oversight of the press is carried out in accordance with a press law that was enacted in 1995. The law established the Press Supervisory Board, which is composed of the Minister of Islamic Culture and Guidance, a Supreme Court judge, a Member of Parliament, and a university professor who is appointed by the Minister of Islamic Culture and Guidance. The Board is responsible for issuing press licenses and for examining complaints filed against publications or individual journalists, editors, and publishers. In certain cases, the Press Supervisory Board may refer complaints to the courts for further action, including closure. The Press Court hears such complaints. Its hearings are conducted in public and feature the presence of a jury that is composed of clerics, government officials, and editors of government-controlled newspapers. The jury is empowered to recommend to the presiding judge the guilt or innocence of defendants and the severity of any penalty to be imposed, although these recommendations are not binding legally.

In the past, recommendations made by Press Court juries for relatively lenient penalties often were disregarded by the presiding judge in favor of harsher meas-

ures, including closure. Recently some human rights groups have indicated that the increasingly conservative Press Court has assumed responsibility for cases before they have been considered by the Press Supervisory Board, thus resulting in harsher judgements in many cases.

In March 2000, immediately after the success of reformers to capture a majority of seats in Parliament in the February 2000 parliamentary elections, the outgoing Parliament passed amendments to the Press Law that gave the Press Court increased procedural and jurisdictional power. The amendments allowed prosecution of individual journalists, in addition to their editors and publishers, for a broad range of ill-defined political offenses. The new Parliament (which was seated in May 2000), introduced a bill in August 2000 to reverse the restrictive amendments. However, Supreme Leader Khamenei intervened with a letter to the Speaker demanding that the bill be dropped from consideration. Semiofficial vigilante groups appeared outside the Parliament, creating an atmosphere of intimidation. Despite some strongly worded objections from members, the bill was withdrawn.

Public officials frequently levy complaints against journalists, editors, publishers, and even rival publications. The practice of complaining about the writings of journalists crosses ideological lines. Offending writers are subject to lawsuits and fines. Suspension from journalistic activities and imprisonment are common punishments for guilty verdicts for offenses ranging from "fabrication" to "propaganda against the State" to "insulting the leadership of the Islamic Republic." Police raid newspaper offices, and Ansar-e Hezbollah mobs attack the offices of liberal publications and bookstores without interference from the police or prosecution by the courts.

The Government's record regarding freedom of expression, which has worsened during the past few years, continued to deteriorate. It remained a central issue in the struggle between hardliners and political reformers. The Government continued its policy of issuing licenses for new publications, some of which engaged in open criticism of certain government policies. However, the Government issues such licenses at a much slower rate than in past years. Beginning in late April 2000, the Press Court closed virtually all remaining newspapers associated with the reform-oriented press. Over the course of a few days, the 14 most prominent reform newspapers were ordered closed, without hearings. By the end of 2000, more than 30 independent newspapers and journals were closed. A few mildly proreform newspapers continued to publish, but with restrictions. Hamshahri, a daily newspaper published by the Tehran municipality, was ordered to restrict its circulation to the Tehran city limits. Others continued to publish, but only with heavy self-censorship.

Dozens of individual editors and journalists have been charged and tried by the Press Court, and several prominent journalists were jailed for long periods without trial. Others have been sentenced to prison terms or exorbitant fines. Among those imprisoned were Mashallah Shamsolvaezin, the editor of a number of now-banned newspapers; Latif Safari, Shamsolvaezin's publisher; and independent journalists, such as Akbar Ganji, Ahmed Zeidabadi, Massoud Behnoud, Ebrahim Nabavi, and Ezzatollah Sahabi. In November 2000, Ganji went on trial for statements that he made at a conference in Berlin regarding Iranian politics (see Sections 1.c. and 1.e.).

HRW reported that at a televised news conference on August 21, 2000, President Khatami stated that the situation regarding the press and other media cases is "not satisfactory". HRW also quoted conservative Ayatollah Mesbah Yazdi, who reportedly said on October 3, 2000 that the Government should have "hanged all these idle babblers." In December 2000, Minister of Culture and Islamic Guidance Ataollah Mohajerani, a moderate who had attempted to protect press freedoms, resigned, representing a further setback to the protection of freedom of the press.

Press freedom continued to deteriorate during the year. HRW reported that the Government closed philosophical and cultural monthly *Kiyan* in January. The Government also closed one daily and three monthly independent newspapers in March. Authorities arrested journalists Fariba Davoodi-Mohajer, Mohammed Vali-Beig, and Massoud Behnoud in February, and arrested Hoda Saber and Reza Alijani in March. HRW claimed that by November, more than 50 daily and weekly newspapers had been issued closure orders, and that more than 20 journalists, editors, and publishers remained in prison. In November the Committee to Protect Journalists published a report in which it reported 16 cases of government closures of newspapers.

The Government carefully monitors the statements and views of the country's senior religious leaders to prevent dissent within the clerical ranks. In November 1997, Ayatollah Hossein Ali Montazeri, a cleric formerly designated as the successor to the late Spiritual Leader Ayatollah Khomeini, called into question the authority of the Supreme Leader, Ali Khamenei, criticizing his increasing intervention in government policy. The comments sparked attacks by Ansar-e Hezbollah mobs on Montazeri's residence and on a Koranic school in Qom run by Montazeri. The promotion of Montazeri's views were among the charges brought against clerics Mohsen

Kadivar and former Interior Minister Abdollah Nouri at hearings of the Special Clerical Court in 1999 (see Section 1.e.).

The press reported throughout 2000 that several persons were jailed for expressing support for Grand Ayatollah Montazeri. In October 2000, Akbar Tajik-Saeeki, identified as the prayer leader at a Tehran mosque, reportedly was jailed by the SCC for signing a petition that protested the continued detention of Grand Ayatollah Montazeri. In December 2000, one of Montazeri's sons was arrested for distributing his father's writings. HRW reported that there were a number of protests against Montazeri's detention during the year, including a letter circulated in June by his children asking that the Government lift restrictions on him, and a petition signed on Montazeri's behalf by 126 out of the 290 members of Parliament.

The 134 signatories of the 1994 Declaration of Iranian Writers, which declared a collective intent to work for the removal of barriers to freedom of thought and expression, remain at risk. In July 1999, the Association of International Writers (PEN) released a statement noting that authorities had never solved the murders of signatories Ahmad Mirallai, Ghafar Hosseini, Ahmad Modhtari, Mohammad Jafar Pouyandeh, Ebrahim Zalzadeh, and Darioush and Parvaneh Forouhar, nor the disappearance in late 1998 of Pirouz Davani. PEN had reported in October 1998 that Declaration signatories Mohammad Pouyandeh, Mohammad Mokhtari, Houshang Golshiri, Kazem Kardevani, and Mansour Koushan were questioned by a Revolutionary Court in connection with their attempts to convene a meeting of the Iran Writer's Association. Mokhtari and Pouyandeh subsequently were killed, while signatory Mansour Koushan reportedly fled to Norway.

The Government directly controls and maintains a monopoly over all television and radio broadcasting facilities; programming reflects the Government's political and socio-religious ideology. Because newspapers and other print media have a limited circulation outside large cities, radio and television serve as the principal news source for many citizens. Satellite dishes that receive foreign television broadcasts are forbidden; however, many citizens, particularly the wealthy, own them. The Government confiscated many satellite dishes in the wake of the October soccer riots (see Section 2.b.).

The Ministry of Islamic Culture and Guidance is charged with screening books prior to publication to ensure that they do not contain offensive material. However, some books and pamphlets critical of the Government are published without reprisal. The Ministry inspects foreign printed materials prior to their release on the market.

Legal scholar Hojatoleslam Sayyid Mohsen Saidzadeh, who was convicted by the SCC in 1998 for his outspoken criticism of the treatment of women under the law, was released from prison early in 1999; however, the Government banned him from performing any clerical duties for 5 years and prohibited him from publishing (see Section 1.e.).

The Government effectively censors Iranian-made films, since it is the main source of funding for domestic film producers. Those producers must submit scripts and film proposals to government officials in advance of funding approval. However, such government restrictions appear to have eased since the 1997 election of President Khatami.

President Khatami announced in September 1998 that the Government would take no action to threaten the life of British author Salman Rushdie, or anyone associated with his work "The Satanic Verses." However, his remarks were repudiated by other parties, including the 15 Khordad Foundation, which claims to have financed a bounty for the murder of Rushdie (see Section 1.a.).

Academic censorship persists. Government informers who monitor classroom material reportedly are common on university campuses. Admission to universities is politicized; all applicants must pass "character tests" in which officials screen out applicants critical of the Government's ideology. To obtain tenure, professors must cooperate with government authorities over a period of years. Ansar-e Hezbollah thugs disrupt lectures and appearances by academics whose views do not conform with their own.

b. Freedom of Peaceful Assembly and Association.—The Constitution permits assemblies and marches "provided they do not violate the principles of Islam;" however, in practice the Government restricts freedom of assembly and closely monitors gatherings to ensure that they do not constitute uncontrolled antigovernment protest. Such gatherings include public entertainment and lectures, student gatherings, labor protests, funeral processions, and Friday prayer gatherings. A significant factor for groups in deciding whether to hold a public gathering is whether it would be opposed by the semiofficial Ansar-e Hezbollah, which uses violence and intimidation to disperse such assemblies.

In October riots and demonstrations broke out throughout the country after the national soccer team lost a match it had been heavily favored to win. The main participants in the unrest were young persons, who appeared to use the situation to show their general displeasure with the restrictive lifestyle imposed on them by the Government. The Government arrested hundreds of persons. There were anecdotal reports that some demonstrators were killed; however, the Government denied this.

The UNSR reported that in December 2000, police forcefully disrupted a peaceful demonstration by Kurdish students at the University of Tehran, injuring and arresting a number of the demonstrators.

In August 2000, two leading reform intellectuals, Mohsen Kadivar and Abdol Karim Soroush, were prevented by semiofficial vigilantes armed with clubs and knives from addressing a student convention in Khorramabad. Subsequent clashes between students and vigilantes resulted in the death of a police officer and injuries. The authorities arrested 150 persons.

On July 8, 1999, students at University of Tehran who were protesting proposed legislation by the Majles that would limit press freedoms and the Government's closure of a prominent reform-oriented newspaper, were attacked by elements of the security forces and Ansar-e Hezbollah thugs. Police forces reportedly looked on and allowed repeated attacks against the students and their dormitory. HRW reported that, according to witnesses, at least 4 students were killed in the assault on the dormitory, 300 were injured, and 400 were detained. The demonstrations continued to grow in subsequent days to include many nonstudents. Looting, vandalism, and large-scale rioting began and spread to cities outside Tehran. Student groups attempted to distance their organizations from these later acts, which they blamed on government-sanctioned agitators. The Government intervened to stop the rioting and announced a July 14th counter-demonstration of regime loyalists and off-duty government workers, many of whom were bussed in from other cities for the demonstration.

In September 1999, the head of the Tehran Revolutionary Court, Hojatoleslam Gholamhossein Rahbarpour, was quoted as saying that 1,500 students were arrested during the riots, 500 were released immediately after questioning, 800 were released later, and formal investigations were undertaken against the remaining 200. He also announced that four student leaders were sentenced to death by a Revolutionary Court for their role in the demonstrations. The death sentences reportedly were commuted to prison terms in 2000. The UNSR's 2000 report stated that about two-thirds of the students who initially were arrested subsequently were released, but noted that there has been no formal accounting of all the persons arrested in connection with the July 1999 demonstrations.

The Government arrested the leaders of the Iran Nations Party in the aftermath of the July 1999 demonstrations. The party is a secular nationalist movement that predates the revolution and is viewed as a threat by certain elements of the Government. The party was accused of inciting rioters and of encouraging disparaging slogans against "sacred values." Agents of the intelligence service in late 1998 killed the former head of the Iran Nations Party, Darioush Forouhar, along with his wife (see Section 1.a.).

In the aftermath of these events, the Government took action against members of the security forces for their violent assault on the student dormitory, and against student leaders, demonstrators, and political activists, whom it blamed for inciting illegal behavior. In August 1999, the commander of the security forces, General Hedayat Lotfian, was summoned before the Parliament to explain the role of his officers in the dormitory raid. He reportedly announced that 98 officers were arrested for their actions. In February 2000, 20 police officers and officials were tried on charges of misconduct in connection with the demonstrations. The court found that misconduct had occurred, and ordered compensation for 34 injured students. However, the court released all but two of the accused officers.

The Government limits freedom of association. The Constitution provides for the establishment of political parties, professional associations, Islamic religious groups, and organizations for recognized religious minorities, provided that such groups do not violate the principles of "freedom, sovereignty, and national unity," or question Islam as the basis of the Islamic Republic. President Khatami repeatedly has declared as a major goal the development of civil society. A newspaper reported in June 1999 that the Article Ten Commission, a government body responsible for reviewing applications for the establishment of political parties, guilds, societies, and nongovernmental organizations (NGO's), released figures indicating that as of April 1999, "85 political, 115 specialized, and 26 religious minority organizations and associations" were active in the country.

In March the Government closed the 50-year-old Iran Freedom Movement for "attempting to overthrow the Islamic regime" (see Section 1.d.).

c. Freedom of Religion.—The Government restricts freedom of religion. The Constitution declares that the “official religion of Iran is Islam and the sect followed is that of Ja’fari (Twelver) Shi’ism,” and that this principle is “eternally immutable.” It also states that “other Islamic denominations are to be accorded full respect,” and recognizes Zoroastrians, Christians, and Jews (Iran’s pre-Islamic religions) as the only “protected religious minorities.” Religions not specifically protected under the Constitution do not enjoy freedom of religion. This situation most directly affects the nearly 350,000 followers of the Baha’i Faith, who effectively enjoy no legal rights.

The central feature of the country’s Islamic republican system is rule by a “religious jurisconsult.” Its senior leadership, including the Supreme Leader of the Revolution, the President, the head of the Judiciary, and the Speaker of the Islamic Consultative Assembly (Parliament), is composed principally of Shi’a clergymen.

Religious activity is monitored closely by the Ministry of Intelligence and Security (MOIS). Adherents of recognized religious minorities are not required to register individually with the Government, although their community, religious, and cultural organizations, as well as schools and public events, are monitored closely. Baha’is are not recognized by the Government as a legitimate religious group; rather, they are considered heretics belonging to an outlawed political organization. Registration of Baha’is is a police function. Evangelical Christian groups are pressured by government authorities to compile and hand over membership lists for their congregations. Evangelicals have resisted this demand. Non-Muslim owners of grocery shops are required to indicate their religious affiliation on the fronts of their shops.

The population is approximately 99 percent Muslim, of which 89 percent are Shi’a and 10 percent are Sunni (mostly Turkomans, Arabs, Baluchs, and Kurds, living in the southwest, southeast, and northwest). Baha’i, Christian, Zoroastrian, and Jewish communities constitute less than 1 percent of the population. Sufi brotherhoods are popular, but there are no reliable figures available to judge their true size.

Other than seats set aside in the Parliament for one representative each from the Jewish, Christian, and Zoroastrian communities, religious minorities are barred from being elected to a representative body and from holding senior government or military positions (see Sections 3 and 5).

Members of religious minorities are allowed to vote, but they may not run for President. All religious minorities suffer varying degrees of officially sanctioned discrimination, particularly in the areas of employment, education, and housing (see Section 5).

The Government generally allows recognized religious minorities to conduct religious education of their adherents, although it restricts this right considerably in some cases. There are separate and privately funded Zoroastrian, Jewish, and Christian schools. The schools are supervised by the Ministry of Education, which imposes certain curriculum requirements. With few exceptions, the directors of the private schools must be Muslim. Attendance at the schools is not mandatory for recognized religious minorities. All textbooks used in course work must be approved for use by the Ministry of Education, including religious texts. Religious texts in non-Persian languages require approval by the authorities for use. This requirement imposes sometimes significant translation expenses on minority communities. Recognized religious minorities may use non-Persian languages to provide religious instruction, but often teach in Persian. Since the authorities understand what is being said in Persian, they may exercise greater control over what is being taught than they would be able to if the instruction were in a non-Persian language. In particular, evangelical Christian and Jewish communities have suffered harassment and arrest by authorities for the content of school instruction and religious services.

Recognized religious minorities are allowed by the Government to establish community centers and certain cultural, social, sports, or charitable associations that they finance themselves. This does not apply to the Baha’i community, which, since 1983, has been denied the right to assemble officially or to maintain administrative institutions. Because the Baha’i Faith has no clergy, the denial of the right to form such institutions and elect officers has threatened its very existence in the country.

In 1993 the UNSR reported the existence of a government policy directive regarding the Baha’is. According to the directive, the Supreme Revolutionary Council instructed government agencies to block the progress and development of the Baha’i community, expel Baha’i students from universities, cut Baha’i links with groups outside Iran, restrict employment of Baha’is, and deny Baha’is “positions of influence,” including those in education. The Government claims that the directive is a forgery. However, it appears to be an accurate reflection of government practice to slowly eradicate the Baha’i community.

In September in conjunction with an appeal connected to the 1998 raids and property confiscations, the Ministry of Justice issued a report that reiterated that government policy continued to be to eventually eliminate them as a community. It

stated in part that Baha'is could only be enrolled in schools provided they did not identify themselves as Baha'is, and that Baha'is preferably should be enrolled in schools that have a strong and imposing religious ideology. The report also stated that Baha'is must be expelled from universities, either in the admission process or during the course of their studies, once it becomes known that they are Baha'is.

University applicants are required to pass an examination in Islamic theology. Although public-school students receive instruction in Islam, this requirement limits the access of most religious minorities to higher education. Applicants for public sector employment similarly are screened for their knowledge of Islam.

The legal system discriminates against religious minorities, awarding lower monetary compensation in injury and death lawsuits and imposing heavier punishments than on Muslims. Muslim men are free to marry non-Muslim women, but the opposite does not apply. Marriages between Muslim women and non-Muslim men are not recognized.

The Government is highly suspicious of any proselytizing of Muslims by non-Muslims and can be harsh in its response, in particular against Baha'is and evangelical Christians. The Government regards the Baha'i community, whose faith originally derives from a strand of Islam, as a heretical sect, and has fueled anti-Baha'i and anti-Semitic sentiment in the country for political purposes.

The Government does not ensure the right of citizens to change or recant their religious faith. Apostasy, specifically conversion from Islam, may be punishable by death.

Although Sunni Muslims are accorded full respect under the terms of the Constitution, some Sunni groups claim to be discriminated against by the Government. In particular, Sunnis cite the lack of a Sunni mosque in Tehran and claim that authorities refuse to authorize construction of a Sunni place of worship in the capital. Sunnis also have accused the state broadcasting company of airing programming insulting to Sunnis. Numerous Sunni clerics have been killed in recent years, some allegedly by government agents.

Sufi organizations outside the country remain concerned about repression by the authorities of Sufi religious practices.

The largest non-Muslim minority is the Baha'i Faith, estimated at nearly 350,000 adherents throughout the country. The Baha'i Faith originated in Iran during the 1840's as a reformist movement within Shi'a Islam. Initially it attracted a wide following among Shi'a clergy. The political and religious authorities of that time joined to suppress the movement, and since then the hostility of the Shi'a clergy to the Baha'i Faith has remained intense. Baha'is are considered apostates because of their claim to a valid religious revelation subsequent to that of the Prophet Mohammed. The Baha'i Faith is defined by the Government as a political "sect," historically linked to the Pahlavi monarchy and, therefore, as counterrevolutionary. Historically at risk, Baha'is often have suffered increased levels of mistreatment during times of political unrest.

Baha'is may not teach or practice their faith or maintain links with coreligionists abroad. The fact that the Baha'i world headquarters is situated in what is now the state of Israel (established by the founder of the Baha'i Faith in the 19th century in what was then Ottoman-controlled Palestine) exposes Baha'is to government charges of "espionage on behalf of Zionism," particularly when Baha'is are caught communicating with or remitting monetary contributions to the Baha'i Faith headquarters.

Broad restrictions on Baha'is appear to be geared to destroying them as a community. Baha'is repeatedly have been offered relief from mistreatment in exchange for recanting their faith. Baha'i cemeteries, holy places, historical sites, administrative centers, and other assets were seized shortly after the 1979 revolution. None of these properties have been returned, and many have been destroyed. Baha'is are not allowed to bury and honor their dead in keeping with their religious tradition. They are permitted access only to areas of wasteland that the Government designates for their use, and are not allowed to mark graves. Many historic Baha'i gravesites have been desecrated or destroyed.

In 2000 in the city of Abadeh, a Baha'i cemetery with 22 graves was bulldozed by a Revolutionary Guard officer. In what seemed to be a hopeful sign, the Government this year offered the Tehran community a piece of land for use as a cemetery. However, the land was in the desert, with no access to water, making it impossible to perform Baha'i mourning rituals. In addition, the Government stipulated that no markers be put on individual graves and that no mortuary facilities be built on the site, making it impossible to perform a proper burial.

According to the National Spiritual Assembly of the Baha'is of the U.S., since 1979 more than 200 Baha'is have been killed and 15 disappeared and are presumed

dead. The Government continued to imprison and detain Baha'is based on their religious beliefs.

Manuchehr Khulusi was arrested in June 1999 while visiting fellow Baha'is in the town of Birjand, and was imprisoned until his release in May 2000. During his imprisonment, Khulusi was interrogated, beaten, held in solitary confinement, and denied access to his lawyer. The charges brought against him still are unknown, but they were believed to be related to his faith. The Islamic Revolutionary Court in Mashhad had held a 2-day trial in September 1999 and then sentenced him to death in February 2000. Despite Khulusi's release, it is unclear if the conviction and death sentence against him still stand.

Ruhollah Rowhani, a Baha'i, was executed in July 1998 after having served 9 months in solitary confinement on a charge of apostasy, which arose from his allegedly having converted a Muslim woman to the Baha'i Faith. The woman claimed that her mother was a Baha'i and she herself had been raised a Baha'i. Rowhani was not accorded a public trial, and no sentence was announced prior to his execution.

Two Baha'is Sirus Zabihi-Moghaddam and Hadayat Kashefi-Najafabadi, were tried alongside Rowhani in 1998 and later sentenced to death by a revolutionary court in Mashhad for practicing their faith. In 2000 the sentences were reduced to jail terms of 7 and 5 years, respectively. Kashefi-Najafabadi was released in October after serving 4 years of his sentence.

Baha'i group meetings and religious education, which often take place in private homes and offices, are curtailed severely. Public and private universities continue to deny admittance to Baha'i students, which is particularly demoralizing to a community that traditionally has placed a high value on education. Denial of access to higher education appears aimed at the eventual impoverishment of the Baha'i community.

The property rights of Baha'is generally are disregarded. Since 1979 large numbers of private and business properties belonging to Baha'is have been confiscated. In recent months, 14 Baha'i homes were seized and handed over to an agency of Supreme Leader Khamene'i. According to sources, authorities confiscated Baha'i properties in Kata and forced several families to leave their homes and farmlands. Authorities also imprisoned some, and did not permit others to harvest their crops. Sources also report that authorities in Tehran, Isfahan, and Shiraz also confiscated private Baha'i property during the year. In one instance, a woman from Isfahan who legally traveled abroad found that her home had been confiscated when she returned home. This year the Government also seized private homes in which Baha'i youth classes were held despite the owners having proper ownership documents. In 1999 three Baha'i homes in Yazd and one in Arbakan were confiscated because their owners were members of the Baha'i community. In September and October 1998, government officers plundered more than 500 Baha'i homes throughout the country and seized personal household effects, such as furniture and appliances. The Government's seizure of Baha'i personal property, as well as its denial of access to education and employment, is eroding the economic base of the Baha'i community.

In 1999 authorities in Khurasan intensified their efforts to intimidate and undermine Baha'i education. Two teachers in Mashhad were arrested and sentenced to 3 years' imprisonment. Their students were given suspended sentences, to be carried out if the students again participated in religious education classes. Three more Baha'is were arrested in Bujnurd in northern Khurasan for participating in religious education gatherings. After 6 days in prison, they were released with suspended sentences of 5 years. The use of suspended sentences appears to be a government tactic to discourage Baha'is from taking part in monthly religious gatherings.

In September 1998, authorities conducted a nationwide raid of more than 500 homes and offices owned or occupied by Baha'is to disrupt the activities of the Baha'i Institute of Higher Learning. Also known as the "Open University," the Institute was established by the Baha'i community shortly after the revolution to offer opportunities in higher education to Baha'i students who had been denied access to the country's high schools and universities. The Institute employed Baha'i faculty and professors, many of whom had been dismissed from teaching positions by the Government as a result of their faith, and conducted classes in homes or offices owned or rented by Baha'is. During the operation, which took place in at least 14 different cities, 36 faculty members were arrested, and a variety of personal property, including books, papers, and furniture, either were destroyed or confiscated. Government interrogators sought to force the detained faculty members to sign statements acknowledging that the Open University was defunct and pledging not to collaborate with it in the future. Baha'is outside the country report that none of the 36 detainees would sign the document. All but 4 of the 36 persons detained dur-

ing the September 1998 raid on the Baha'i Institute were released by November 1998.

In March 1999, Dr. Sina Hakiman, Farzad Khajeh Sharifabadi, Habibullah Ferdosian Najafabadi, and Ziaullah Mirzapanah, the four remaining detainees from the September 1998 raid, were convicted under Article 498 of the Penal Code and sentenced to prison terms ranging from 3 to 10 years. In the court verdict, the four were accused of having establishing a "secret organization" engaged in "attracting youth, teaching against Islam, and teaching against the regime of the Islamic Republic." According to Baha'i groups outside Iran, the four taught general science and Persian literature courses. In July 1999, Mirzapanah, who had been sentenced to 3 years in prison, became ill and was hospitalized. Prison authorities allowed him to return home upon his recovery on the understanding that they could find him whenever necessary. The other three were released in December 1999.

The Government appears to adhere to a practice of keeping a small number of Baha'is in arbitrary detention, some at risk of execution, at any given time. There were five Baha'is reported to be under arrest for practicing their faith at year's end, two under sentence of death. In addition the Government appears to engage in harassment of the Baha'i community by arresting persons arbitrarily, charging Baha'is, and then releasing them, often without dropping the charges against them. Those with charges still pending against them fear that they may be arrested at any time.

Baha'is regularly are denied compensation for injury or criminal victimization. Government authorities claim that only Muslim plaintiffs are eligible for compensation in these circumstances. In practice, Baha'is continue to be denied most forms of government employment (see Section 5).

The Government often prevents Baha'is from traveling outside the country. In February the Government denied visas to the Baha'i delegation to the Regional Preparatory Conference for the World Conference on Racism, held in Tehran. The delegation was composed of American, Japanese, South Korean, and Indian nationals. However, it has become somewhat easier for Baha'is to obtain passports in order to travel abroad. In addition some Iranian embassies abroad do not require applicants to state a religious affiliation. In such cases, Baha'is more likely are able to renew passports.

Over the past 2 years, the Government has taken some positive steps in recognizing the rights of Baha'is, as well as other religious minorities. In November 1999, President Khatami publicly stated that no one in the country should be persecuted because of his or her religious beliefs. He added that he would defend the civil rights of all citizens, regardless of their beliefs or religion. Subsequently the Expediency Council approved the "Right of Citizenship" bill, affirming the social and political rights of all citizens and their equality before the law. In February 2000, following approval of the bill, the head of the judiciary issued a circular letter to all registry offices throughout the country, which permits any couple to be registered as husband and wife without being required to state their religious affiliation. This measure effectively permits the registration of Baha'i marriages in the country. Previously Baha'i marriages were not recognized by the Government, leaving Baha'i women open to charges of prostitution. Consequently children of Baha'i marriages were not recognized as legitimate and therefore were denied inheritance rights.

The UNSR estimated the Christian Community at approximately 300,000. Of these the majority are ethnic Armenians and Assyro-Chaldeans. Protestant denominations and evangelical churches also are active, although nonethnically based groups report restrictions on their activities. The UNSR reported that Christians are emigrating at an estimated rate of 15,000 to 20,000 per year.

The authorities have become particularly vigilant in recent years in curbing what is perceived as increasing proselytizing activities by evangelical Christians, whose services are conducted in Persian. Government officials have reacted to this perceived activity by closing evangelical churches and arresting converts. Members of evangelical congregations are required to carry membership cards, photocopies of which must be provided to the authorities. Worshipers are subject to identity checks by authorities posted outside congregation centers. Meetings for evangelical services have been restricted by the authorities to Sundays, and church officials have been ordered to inform the Ministry of Information and Islamic Guidance before admitting new members to their congregations.

Since conversion by a Muslim to a non-Muslim religion may be considered apostasy under traditional Shari'a (Islamic law) practices enforced in the country, non-Muslims may not proselytize Muslims without putting their own lives at risk. Evangelical church leaders are subject to pressure from authorities to sign pledges committing them not to evangelize among Muslims or to allow Muslims to attend church services.

In 1999 one organization reported the deaths of 8 evangelical Christians at the hands of authorities in the previous 11 years, and between 15 and 23 disappearances between November 1997 and November 1998.

Mistreatment of Evangelical Christians has continued in recent years. Christian groups have reported instances of government harassment of churchgoers in Tehran, in particular of worshipers at the Assembly of God congregation in the capital. Cited instances of harassment included conspicuous monitoring outside Christian premises by Revolutionary Guards to discourage Muslims or converts from entering church premises and demands for presentation of identity papers of worshipers inside.

Estimates of the size of the Iranian Jewish community vary from 25,000 to 30,000. These figures represent a substantial reduction from the estimated 75,000 to 80,000 Jews who resided in the country prior to the 1979 revolution.

While Jews are a recognized religious minority, allegations of official discrimination are frequent. The Government's anti-Israel policies, coupled with a perception among radicalized Muslim elements in Iran that Jewish citizens support Zionism and the State of Israel, create a threatening atmosphere for the small Jewish community. Jewish leaders reportedly are reluctant to draw attention to official mistreatment of their community due to fear of government reprisal.

Some Jewish groups outside the country cite an increase in anti-Semitic propaganda in the official and semiofficial media as adding to the pressure felt by the Jewish community. One example cited is the periodic publication of the anti-Semitic and fictitious Protocols of the Elders of Zion, both by the Government and by periodicals associated with hard-line elements of the Government. In 1986 the Iranian Embassy in London was reported to have published and distributed the Protocols in English. The Protocols also were published in serial form in the country in 1994 and again in January 1999. On the latter occasion they were published in Sobh, a conservative monthly publication reportedly aligned with the security services.

In principle, with some exception, there appears to be little restriction or interference with the religious practice of Judaism. However, education of Jewish children has become more difficult in recent years. According to sources, the Government in theory allows the teaching of Hebrew, recognizing that it is necessary for Jewish religious practice. However, it strongly discourages teachers from distributing Hebrew texts to students, in practice making it difficult to teach the language. Furthermore the Government has required that several Jewish schools remain open on Saturdays, the Jewish Sabbath, in conformity with the schedule of other schools in the school system. Working or attending school on the Sabbath violates Jewish religious law, and this requirement has made it difficult for religious Jews to both attend school and practice their religion.

Jews were gradually dismissed from most government positions after 1979. Jews are permitted to obtain passports and to travel outside the country; however, with the exception of certain business travelers, they are required by the authorities to obtain government clearance (and pay additional fees) before each trip abroad. The Government appears concerned about the emigration of Jews and permission generally is not granted for all members of a Jewish family to travel outside the country at the same time (see Section 2.d.).

In February and March 1999, 13 Jews were arrested in the cities of Shiraz and Isfahan. Among the group were several prominent rabbis, teachers of Hebrew, and their students. The charges centered on alleged acts of espionage on behalf of Israel, an offense punishable by death. The 13 were jailed for more than a year before trial, largely in solitary confinement, without official charges or access to lawyers. In April 2000, the defendants were appointed lawyers, and a closed trial commenced in a revolutionary court in Shiraz. Human rights groups and governments around the world criticized the lack of due process in the proceedings. The UNSR characterized them as "in no way fair." In July 2000, 10 of the 13, along with 2 Muslim defendants, were convicted on charges of illegal contact with Israel, conspiracy to form an illegal organization, and recruiting agents. They received prison sentences ranging from 4 to 13 years. Three were acquitted. The lawyers of those convicted filed an appeal and in September 2000, an appeals court overturned the convictions for forming an illegal organization and recruiting agents, but upheld the convictions for illegal contacts with Israel. Their sentences were reduced to between 2 and 9 years' imprisonment. In January the Supreme Court rejected a final appeal. One of the 10 convicted was released in February upon completion of his prison term; 9 remained in prison at year's end.

Jewish groups outside the country noted that the March 1999 arrest of the 13 Jewish individuals coincided with an increase in anti-Semitic propaganda in newspapers and journals associated with hardline elements of the Government. Since the beginning of the trial, Jewish businesses in Tehran and Shiraz have been targets

of vandalism and boycotts, and Jews reportedly suffered personal harassment and intimidation.

According to the U.N. High Commissioner for Refugees (UNHCR), the Mandaeans are included among the country's recognized religious minorities. The small community faces discrimination similar to that experienced by the country's other pre-Islamic religious minorities.

The Government restricts the movement of several senior religious leaders, some of whom have been under house arrest for years (see Sections 1.d. and 2.d.), and often charges members of religious minorities with crimes such as drug offenses, "confronting the regime," and apostasy (see Section 1.e.).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The Government places some restrictions on these rights. Citizens may travel to any part of the country, although there have been restrictions on travel to Kurdish areas during times of occasional heavy fighting. Roadblocks and security checks are common on routes between major cities. Citizens may change their place of residence without obtaining official permission. The Government requires exit permits (a validation stamp placed in the traveler's passport) for draft-age men and citizens who are politically suspect. Some citizens, particularly those whose skills are in short supply and who were educated at government expense, had to post bonds to obtain exit permits. The Government restricts the movement of certain religious minorities and of several religious leaders (see Sections 1.d. and 2.c.).

Citizens returning from abroad at times are subject to search and extensive questioning by government authorities for evidence of antigovernment activities abroad. Cassette tapes, printed material, personal correspondence, and photographs are subject to confiscation.

The Government permits Jews to travel abroad, but often denies them the multiple-exit permits normally issued to other citizens. The Government normally does not permit all members of a Jewish family to travel abroad at the same time. Baha'is often experience difficulty in obtaining passports.

Women must obtain the permission of their husband, father, or other living male relative in order to obtain a passport. Married women must receive written permission from their husbands before leaving the country.

The law contains provisions for granting refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government generally cooperates with the UNHCR and other humanitarian organizations in assisting refugees. Although the Government generally provides first asylum, the Government has increased pressure on some refugees to return to their home countries, particularly as the economy has worsened.

The country hosts a large refugee population, mostly Afghans who fled during the Soviet occupation. The Government and the UNHCR estimate that there are approximately 2 million Afghan refugees in the country. Most subsist on itinerant labor, often moving from place to place within the country. Between April and December 2000, the Government and the UNHCR operated a joint program intended to facilitate the repatriation of Afghans who did not have a well-founded fear of persecution. Approximately 133,000 Afghans returned voluntarily with UNHCR assistance, and another 50,000 returned with help from the Government.

According to HRW, economic decline, exacerbated by droughts and floods, led to blaming of Afghans for increasing unemployment and rising crime. The Government accused many Afghans of involvement in drug trafficking. The Government arrested and executed many Afghans (see Sections 1.a. and 1.d.). With the late-year conflict in Afghanistan, many more Afghans attempted to enter the country across the Iranian border, which the Government closed in September. The Government set up several refugee camps just inside Afghanistan to deal with the crisis.

The UNHCR estimates that there were approximately 450,000 to 510,000 Iraqi Kurdish refugees in the country at year's end, of which approximately 83 percent were Shi'a and 17 percent non-Shi'a. An additional 70,000 refugees were Shi'a Arabs. Many of these Iraqi refugees originally were expelled by Iraq at the beginning of the Iran-Iraq war because of their suspected Iranian origin. In numerous instances, both the Iraqi and Iranian Governments dispute their citizenship, rendering many of them, in effect, stateless. Other Iraqi refugees arrived following Iraq's invasion of Kuwait in 1990.

Although the Government claims to host more than 30,000 refugees of other nationalities, including Tajiks, Bosnians, Azeris, Eritreans, Somalis, Bangladeshis, and Pakistanis, it has provided no information about them or allowed the UNHCR or other organizations access to them.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The right of citizens to change their government is restricted significantly. The Supreme Leader, the recognized Head of State, is selected for a life term by the Assembly of Experts. The Assembly of Experts may also remove the Supreme Leader. The Assembly itself is restricted to clerics, who serve an 8-year term and are chosen by popular vote from a list approved by the Government. There is no separation of state and religion, and clerics dominate the Government. The Government represses any attempts to separate state and religion, or to alter the State's existing theocratic foundation. The Government effectively controls the selection of candidates for elections.

The Constitution provides for a Council of Guardians composed of six Islamic clergymen and six lay members who review all laws for consistency with Islamic law and the Constitution. The Council also screens political candidates for ideological, political, and religious suitability. It accepts only candidates who support a theocratic state; clerics who disagree with government policies also have been disqualified.

Regularly scheduled elections are held for the President, members of the Majles, and the Assembly of Experts. Mohammad Khatami, a former Minister of Culture and Islamic Guidance who was impeached in 1992 by the Majles for "liberalism" and "negligence," was reelected President in a landslide, with 77 percent of the vote. The UNSR reported that the Guardian Council significantly limited the number of candidates permitted to run. He noted that the Interior Minister denounced the "unprincipled disqualification" of candidates.

Elections were held in the fall of 1998 for the 86-member Assembly of Experts. The Council of Guardians disqualified numerous candidates, which led to criticism from many observers that the Government improperly predetermined the election results.

Elections were held for the 290-seat Majles in February 2000. Of more than 6,000 candidates, 576 were disqualified before the elections by the Council of Guardians, which represented a substantial decrease from the 44 percent who were disqualified before the 1996 elections. Most of those disqualified were outspoken advocates of political reform, including some of the most prominent supporters of President Khatami. In addition, an Azeri activist was arrested in December 1999, reportedly to prevent him from registering to run in the elections (see Sections 1.d. and 5). However, candidates with a wide range of views were permitted to run. The elections resulted in a landslide victory for moderate and reform candidates, who constitute a large majority in the Majles. In June by-elections were held for Majles seats. The Council of Guardians reportedly disqualified 100 potential candidates, more than one-quarter of those wishing to run. Largely due to the disqualification of reform candidates, conservative candidates or conservatives running as independents won all six seats up for election. Vigorous parliamentary debates take place regarding various issues. However, the Supreme Leader and other conservatives within the Government used constitutional provisions to block much of the early reform legislation passed by the Majles.

HRW reported that during the year, approximately 60 reformist members have been brought to court during the year for a variety of alleged offenses. In the spring, authorities reportedly arrested Fatima Haghighatjoo, for inciting public opinion and insulting the judiciary, and for claiming that the Government tortured and mistreated prisoners. She was the first sitting Majles member to face prosecution for statements made under cover of immunity. Authorities released her on bail immediately after her arrest, but eventually sentenced her to 22 months in prison. In December her sentence was reduced to 17 months; however, at year's end, she had not been imprisoned. In December proreform Parliamentarian Hossein Loqmanian began serving a 13-month sentence for insulting the judiciary. He became the first Majles member to serve a jail sentence. Two other Majles members resigned their seats to protest Loqmanian's imprisonment. According to the New York Times, 4 of the 60 lost their cases by year's end, but only Loqmanian has so far been imprisoned. The cases were a result of the ongoing conflict between reformist Parliamentarians and the hard-line judiciary over precisely what type of speech is protected by parliamentary immunity.

In February 1999, elections for nationwide local councils were held for the first time since the 1979 revolution. Government figures indicated that roughly 280,000 candidates competed for 130,000 council seats across the nation. Women were elected to seats in numerous districts. The Councils do not appear to have been granted the autonomy or authority that would make them effective or meaningful local institutions; doing so would have been viewed as a threat to the control of the central Government.

The percentage of women in government and politics does not correspond to their percentage of the population. They hold 9 of 290 Majles seats. There are no female cabinet members. In 1997 President Khatami appointed Masoumeh Ebtekar as deputy president for environmental protection, she is the first female deputy president since the 1979 Islamic Revolution. Minister of Islamic Culture and Guidance Ayatollah Mohajerani appointed a second woman to a senior post, Azam Nouri, when he chose her in 1997 as his Deputy Minister for Legal and Parliamentary Affairs. President Khatami appointed a woman to serve as Presidential Adviser for Women's Affairs.

Christians, Jews, and Zoroastrians elect deputies to reserved Majles seats. However, the UNSR noted in his September 2000 report frequent assertions that religious minorities, by law and practice, are barred from being elected to a representative body (except to the seats in the Majles reserved for minorities), and from holding senior government or military positions. Religious minorities are allowed to vote, but they may not run for president.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government continued to restrict the work of local human rights groups. The Government denies the universality of human rights and has stated that human rights issues should be viewed in the context of a country's "culture and beliefs."

Various professional groups representing writers, journalists, photographers, and others attempted to monitor government restrictions in their field, as well as harassment and intimidation against individual members of their professions. However, their ability to meet, organize, and effect change is curtailed severely by the Government.

International human rights NGO's such as HRW and Amnesty International are not permitted to establish offices in or conduct regular investigative visits to the country. HRW and members of a European judicial monitoring NGO were permitted to send representatives to Shiraz for the trial of 13 Iranian Jews on espionage charges (see Section 2.c.). However, they were not permitted to monitor the trial proceedings.

The ICRC and the UNHCR both operate in the country. However, the Government did not allow the UNSR for Human Rights in Iran to visit the country during the year. The Special Representative last was allowed entry into the country to gather information for his yearly report in 1996. However, he corresponded with government officials during the year and received several replies to his correspondence.

The Islamic Human Rights Commission (IHRC) was established in 1995 under the authority of the head of the judiciary, who sits on its board as an observer. In 1996 the Government established a human rights committee in the Majles. Most observers believe that these bodies lack independence. The UNSR published statistics provided by the IHRC indicating that in the period from March 1998 to March 1999, 1,051 files were opened on the basis of complaints received by the organization. Of those the highest number of complaints were related to the judiciary. Of a total of approximately 3,000 currently active files, an estimated 1,000 were related to women and women's issues.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

In general the Government does not discriminate on the basis of race, disability, language, or social status. The Government discriminates on the basis of religion and sex.

Women.—Although spousal abuse and violence against women occurred, statistics regarding such abuse are not available publicly. Abuse in the family is considered a private matter and seldom is discussed publicly. Rape is illegal; however, the law rarely is enforced, and rape is a widespread problem. The Special Representative noted in his September 2000 report that media reporting on the situation of women has diminished, in part due to the closure of the reform-oriented press (see Section 2.a.).

Prostitution is illegal. Information regarding the extent of the problem is not available.

A girls' center in Karaj reportedly was involved in the trafficking of girls (see Section 6.f.).

Women have access to primary and advanced education; however, social and legal constraints limit their professional opportunities. In September 2000, the Majles approved a controversial bill to allow single women to travel abroad for graduate education. The Council of Guardians was considering the legislation at year's end.

Women are represented in many fields of the work force, and the Government has not prevented women from entering many traditionally male-dominated fields, including medicine, dentistry, journalism and agriculture. However, many women choose not to work outside the home. According to the International Monetary Fund (IMF), there were 2 million women in the work force, of whom approximately 1.8 million were employed during the year. A 1985 law enacted by the Government instituted 3 months of paid maternity leave, and 2 half-hour periods per day for nursing mothers to feed their babies. Pension benefits for women were established under the same law, which required companies hiring women to provide day-care facilities for young children of female employees.

The State enforces gender segregation in most public spaces, and prohibits women mixing openly with unmarried men or men not related to them. Women must ride in a reserved section on public buses and enter public buildings, universities, and airports through separate entrances. Women are prohibited from attending male sporting events, although this restriction does not appear to be enforced universally. While the enforcement of a conservative Islamic dress codes has varied with the political climate since the death of Ayatollah Khomeini in 1989, what women wear in public is not entirely a matter of personal choice. The authorities harass women if their dress or behavior is considered inappropriate, and women may be sentenced to flogging or imprisonment for such violations. The law prohibits the publication of pictures of uncovered women in the print media, including pictures of foreign women. There are penalties for failure to observe Islamic dress codes at work (see Section 6.a.).

Discrimination against women is reinforced by law through provisions of the Islamic Civil and Penal Codes, in particular those sections dealing with family and property law. Shortly after the 1979 revolution, the Government repealed the Family Protection Law, a hallmark bill adopted in 1967, that gave women increased rights in the home and workplace, and replaced it with a legal system based largely on Shari'a practices. In 1998 the Majles passed legislation that mandated segregation of the sexes in the provision of medical care. The bill provided for women to be treated only by female physicians and men by male physicians and raised questions about the quality of care that women could receive under such a regime, considering the imbalance between the number of trained and licensed male and female physicians and specialists.

In October 2000, the Parliament passed a bill to raise the legal age of marriage for women from 9 to 15. However, the Council of Guardians rejected the bill in November 2000 as contrary to Islamic law. Nonetheless, even under the law, marriage at the minimum age is rare. All women, no matter the age, must have the permission of their father or a living male relative in order to marry. The law allows for the practice of *Siqeh*, or temporary marriage, a Shi'a custom in which a woman or a girl may become the wife of a married or single Muslim male after a simple and brief religious ceremony. The *Siqeh* marriage may last for a night or as little as 30 minutes. The bond is not recorded on identification documents, and, according to Islamic law, men may have as many *Siqeh* wives as they wish. Such wives are not granted rights associated with traditional marriage.

The Penal Code includes provisions that mandate the stoning of women and men convicted of adultery (see Sections 1.a and 1.c.). Women have the right to divorce, and the grounds on which a woman may seek a divorce include proving that her husband is addicted to drugs or that he has not supported her for extended periods. However, a husband is not required to cite a reason for divorcing his wife. In 1986 the Government issued a 12-point "contract" to serve as a model for marriage and divorce, which limits the privileges accorded to men by custom and traditional interpretations of Islamic law. The model contract also recognized a divorced woman's right to a share in the property that couples acquire during their marriage and to increased alimony rights. Women who remarry are forced to give up to the child's father custody of children from earlier marriages. However, the law granted custody of minor children to the mother in certain divorce cases in which the father is proven unfit to care for the child, such as in cases in which the father suffers from drug addiction or has a criminal record. Muslim women may not marry non-Muslim men. The testimony of a woman is worth only half that of a man in court (see Section 1.e.). A married woman must obtain the written consent of her husband before traveling outside the country (see Section 2.d.).

In his August report, the UNSR reported that poverty severely impacts women and that there are about one million single-mother families, and that 29 percent of the families below the poverty line are single-mother families. In addition, 70 percent of the single mothers in rural areas are illiterate.

Children.—Single children have access to free education through the 12th grade (it is compulsory to age 11), and to some form of health care.

A girls' center in Karaj reportedly was involved in the trafficking of girls (see Section 6.f.).

There is no known pattern of child abuse.

Persons with Disabilities.—There is no available information regarding whether the Government has legislated or otherwise mandated accessibility for persons with disabilities, or whether discrimination against persons with disabilities is prohibited. However, the Cable News Network reported in 1996 on the harsh conditions in an institution for children with mental retardation who had been abandoned by their parents. Film clips showed children tied or chained to their beds, in filthy conditions, and without appropriate care. It is not known to what extent this represents the typical treatment of persons with disabilities.

Religious Minorities.—Members of all religious minorities, including Christians, Jews, Zoroastrians, and Baha'is, suffer varying degrees of officially sanctioned discrimination, particularly in the areas of employment, education, and housing. Applicants for public-sector employment are screened for their adherence to Islam. The law stipulates penalties for government workers who do not observe "Islam's principles and rules." Article 144 of the Constitution states that "the Army of the Islamic Republic of Iran must be an Islamic army," which is "committed to an Islamic ideology," and must "recruit into its service individuals who have faith in the objectives of the Islamic Revolution and are devoted to the cause of achieving its goals." Apostasy, or conversion from Islam to another religion, is punishable by death. Muslims who convert to Christianity also suffer discrimination.

University applicants are required to pass an examination in Islamic theology. Although public-school students receive instruction in Islam, this requirement limits the access of most religious minorities to higher education.

The legal system discriminates against minorities, awarding lower compensation awards in injury and death lawsuits and imposing heavier punishments than on Muslims.

The Government's anti-Israel policies and the trial of the 13 Jews in 2000, along with the perception that Jews support Zionism and the State of Israel, create a threatening atmosphere for the Jewish community (see Section 2.c.). Jews limit their contact with Israel and openly do not express support for Israel out of fear of reprisal. Recent anti-American and anti-Israeli demonstrations have included the denunciation of "Jews," as opposed to the past practice of denouncing only "Israel" and "Zionism," adding to the threatening atmosphere for the community.

In 1993 the UNSR reported the existence of a government policy directive to block the progress of Baha'is (see Section 2.c.).

Properties belonging to the Baha'i community as a whole, such as places of worship and graveyards, were confiscated by the Government in the years after the 1979 revolution and, in some cases, defiled. Baha'is are prevented from enrolling in universities. However, other Government restrictions have eased; Baha'is currently may obtain ration booklets and send their children to public elementary and secondary schools. Thousands of Baha'is who were dismissed from government jobs in the early 1980's receive no unemployment benefits and have been required to repay the Government for salaries or pensions received from the first day of employment. Those unable to do so face prison sentences (see Sections 1.d. and 2.c.).

Sunni Muslims encounter religious discrimination at the local level, and there were reports of discrimination against practitioners of the Sufi tradition during the year.

National/Racial/Ethnic Minorities.—The Kurds seek greater autonomy from the central Government and continue to suffer from government discrimination. The Kurds' status as Sunni Muslims is an aggravating factor in their relations with the Shi'a-dominated government. Such tensions predate the revolution. Kurds often are suspected by government authorities of harboring separatist or foreign sympathies. These suspicions have led to sporadic outbreaks of fighting between government forces and Kurdish groups.

The UNSR reported that in December 2000, police forcefully disrupted a peaceful demonstration by Kurdish students at the University of Tehran was broken up by the police, with accompanying arrests and injuries.

According to the UNSR, President Khatami, who won an overwhelming percentage of the Kurdish vote in the recent Presidential election, has made several conciliatory gestures to the Kurdish population. He appointed the first Kurd to hold the position of Governor of Kurdistan, and the Governor appears to be facilitating a "process of reconciliation." The UNSR reports that the Government appears to be encouraging Kurdish cultural expression, with the Government subsidizing some Kurdish language classes. The number of Kurdish publications is on the increase, and there is also the prospect of limited Kurdish TV broadcasting.

Azeris are well integrated into the Government and society, but complain of ethnic and linguistic discrimination. The Government traditionally has viewed Azeri nationalism as threatening, particularly since the dissolution of the Soviet Union and the creation of an independent Azerbaijan. Mohammed Chehrangi, an advocate for the cultural rights of Azeris, was arrested in December 1999. Azeri groups maintain that the arrest was made to prevent his registration as a candidate for the February parliamentary elections (see Sections 1.d. and 3).

Section 6. Worker Rights

a. The Right of Association.—The Labor Code grants workers the right to establish unions; however, the Government does not allow independent unions to exist. A national organization known as the Worker's House, founded in 1982, is the sole authorized national labor organization. It serves primarily as a conduit for the Government to exert control over workers. The leadership of the Worker's House coordinates activities with Islamic labor councils, which are made up of representatives of the workers and one representative of management in industrial, agricultural, and service organizations of more than 35 employees. These councils also function as instruments of government control, although they frequently have been able to block layoffs and dismissals.

The Labor Code allows employers and employees to establish guilds. The guilds issue vocational licenses and help members find jobs.

The Government does not tolerate any strike deemed to be at odds with its economic and labor policies. The law prohibits strikes by government workers. It also prohibits government workers from having contacts with foreigners and stipulates penalties for failure to observe Islamic dress codes and principles at work. Nevertheless, strikes occurred, apparently in increasing numbers as the economy has worsened. A European-based labor organization that follows Iranian labor issues reported 181 protests and strikes by workers in the period from March 1998 to March 1999. These reportedly included strikes and protests by oil, textile, electrical manufacturing, and metal workers, and by the unemployed.

Newspapers in 1999 reported an "unauthorized rally" by thousands of workers over the Government's labor policies and the poor economy. Instances of late or partial pay for government workers reportedly are common.

There are no known affiliations with international labor organizations.

b. The Right to Organize and Bargain Collectively.—Workers do not have the right to organize independently and negotiate collective bargaining agreements. No information is available regarding mechanisms used to set wages.

It is not known whether labor legislation and practice in the export processing zones differ from the law and practice in the rest of the country.

c. Prohibition of Forced or Compulsory Labor.—The Penal Code provides that the Government may require any person who does not have work to take suitable employment; however, this does not appear to be enforced regularly. This provision has been criticized frequently by the International Labor Organization (ILO) as contravening ILO Convention 29 on forced labor. The law prohibits forced and bonded labor by children; however, they are not enforced adequately, and such labor by children is a serious problem.

d. Status of Child Labor Practices and Minimum Age for Employment.—The Labor Law prohibits employment of minors under 15 years of age and places restrictions on the employment of minors under age 18; however, laws pertaining to child labor are not enforced adequately and child labor is a serious problem. The law permits children to work in agriculture, domestic service, and some small businesses. By law women and minors may not be employed in hard labor or, in general, night work. Information regarding the extent to which these regulations are enforced is not available. The law prohibits forced and bonded labor by children; however, it is a serious problem (see Section 6.c.).

e. Acceptable Conditions of Work.—The Labor Code empowers the Supreme Labor Council to establish annual minimum wage levels for each industrial sector and region. It is not known if the minimum wages are adjusted annually or enforced. The Labor Code stipulates that the minimum wage should be sufficient to meet the living expenses of a family and should take inflation into account. Under the poor economic conditions, many middle-class citizens must work two or even three jobs to support their families. The daily minimum wage was raised in March 1997 to \$2.80 (8,500 rials). This wage is not sufficient to provide a decent standard of living for a worker and family. Information regarding the percentage of the working population covered by minimum wage legislation is not available.

The Labor Code establishes a maximum 6-day, 48-hour workweek, with 1 weekly rest day, normally Fridays, and at least 12 days of paid annual leave and several paid public holidays.

According to the Labor Code, a Supreme Safety Council, chaired by the Labor Minister or his representative, is responsible for promoting workplace safety and health. The Council reportedly has issued 28 safety directives, and oversees the activities of 3,000 safety committees established in enterprises employing more than 10 persons. Labor organizations outside the country allege that hazardous work environments are common in Iran, and result in thousands of worker deaths per year. It is not known how well the Ministry's inspectors enforce regulations. It is not known whether workers may remove themselves from hazardous situations without risking the loss of employment.

f. Trafficking in Persons.—The law does not prohibit specifically trafficking in persons, and persons reportedly were trafficked to, through, and from the country during the year. The UNSR noted in his August report that “a girl’s shelter in Karaj, the Jasmine Center, was closed down after an investigation reportedly revealed that it had become involved in the trafficking of girls. The press focused on the high-level connections of the operators of the Center. The authorities subsequently charged a judge of the Revolutionary Court in the affair.”

There were reports that women were trafficked to the United Arab Emirates (UAE) for the purpose of forced prostitution. There also were reports that young boys were trafficked through the country to be camel jockeys in the UAE.

There reportedly were 3 trials during the year related to the trafficking of persons; however, there was no information regarding the details of the trials or their outcomes.

IRAQ⁸

Political power in Iraq lies exclusively in a repressive one-party apparatus dominated by Saddam Hussein and members of his extended family. The provisional Constitution of 1968 stipulates that the Arab Ba’th Socialist Party governs Iraq through the Revolutionary Command Council (RCC), which exercises both executive and legislative authority. President Saddam Hussein, who also is Prime Minister, Chairman of the RCC, and Secretary General of the Regional Command of the Ba’th Party, wields decisive power. Hussein and his Government continued to refer to an October 1995 non-democratic “referendum” on his presidency, in which he received 99.96 percent of the vote. This referendum included neither secret ballots nor opposing candidates, and many credible reports indicated that voters feared possible reprisal for a dissenting vote. Ethnically and linguistically the Iraqi population includes Arabs, Kurds, Turkmens, Assyrians, Yazidis, and Armenians. The religious mix likewise is varied and consists of Shi’a and Sunni Muslims (both Arab and Kurdish), Christians (including Chaldeans and Assyrians), and a small number of Jews and Mandaeans. Civil uprisings have occurred in previous years, especially in the north and the south. The Government has reacted with extreme repression against those who oppose or even question it. The judiciary is not independent, and the President may override any court decision.

The Government’s security apparatus includes militias attached to the President, the Ba’th Party, and the Interior Ministry. Military and paramilitary forces often fulfill an internal security role. The military and security forces play a central role in maintaining the environment of intimidation and fear on which government power rests. The Government makes no attempt to acknowledge, investigate, or punish officials or members of the military or security forces accused of human rights abuses. Military and security forces committed widespread, serious, and systematic human rights abuses.

The country has a population of approximately 22 million. The Government owns all major industries and controls most of the highly centralized economy, which is based largely on oil production. The Iran-Iraq and Gulf Wars damaged the economy, and the country has been under U.N. sanctions since its 1990 invasion of Kuwait. Sanctions ban all exports, except oil sales, under U.N. Security Council Resolution 986 and subsequent resolutions (the “oil-for-food” program). Under the program, the country also is permitted, under U.N. control, to import food, medicine, supplies for water, sanitation, electricity, agricultural, and educational projects, and spare parts for the oil sector. Reliable economic statistics are unavailable; however, estimates for GDP are approximately \$57 billion.

The Government’s human rights record remained extremely poor. Citizens do not have the right to change their government. The Government continued to execute

⁸The United States does not have diplomatic representation in Iraq. This report draws to a large extent on non-U.S. Government sources.

summarily alleged political opponents and leaders in the Shi'a religious community. Reports suggest that persons were executed merely because of their association with an opposition group or as part of a continuing effort to reduce prison populations. The Government continued to be responsible for disappearances and to kill and torture persons suspected of—or related to persons suspected of—economic crimes, military desertion, and a variety of other activities. Security forces routinely tortured, beat, raped, and otherwise abused detainees. Prison conditions are extremely poor and at times life threatening. The Government reportedly has conducted “prison cleansing” campaigns to kill inmates in order to relieve overcrowding in the prisons. The authorities routinely used arbitrary arrest and detention, prolonged detention, and incommunicado detention, and continued to deny citizens the basic right to due process. Saddam Hussein and his inner circle of supporters continued to impose arbitrary rule. The Government continued to infringe on citizens’ privacy rights.

The Government restricts severely freedoms of speech, the press, assembly, association, religion, and movement. The U.N. Special Rapporteur on the situation of human rights in the country issued a report in January detailing ongoing, grievous violations of human rights by the Government. The U.N. Commission on Human Rights and the U.N. General Assembly passed resolutions in April and November criticizing the Government’s suppression of these freedoms. Human rights abuses remain difficult to document because of the Government’s efforts to conceal the facts, including its prohibition on the establishment of independent human rights organizations, its persistent refusal to grant visits to human rights monitors, and its continued restrictions designed to prevent dissent. Denied entry to the country, the Special Rapporteur bases his reports on the Government’s human rights abuses on interviews with recent emigrants, interviews with opposition groups and others that have contacts inside the country, and on published reports from outside the country. Violence and discrimination against women occur. The Government has enacted laws affording a variety of protections to women; however, it is difficult to determine the practical effects of such protections. The Government neglects the health and nutritional needs of children, and discriminates against religious minorities and ethnic groups. The Government restricts severely trade union rights. Child labor persists, and there were instances of forced labor.

The Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK) have controlled most areas in the three northern provinces of Erbil, Duhok, and Sulaymaniah since the Government withdrew its military forces and civilian administrative personnel from the area after the 1991 Kurdish uprising. The KDP and the PUK fought one another from 1994 through 1997. In September 1998, they agreed to unify their separate administrations and to hold new elections in July 1999. The cease-fire has held; however, reunification measures have not been implemented. The PUK held municipal elections in February 2000 and the KDP held municipal elections in May, the first elections held in the Kurdish-controlled areas since 1992. Foreign and local election observers reported that the elections generally were fair. The KDP, PUK, and opposition groups committed human rights abuses. However, the PUK and KDP have enacted laws establishing an independent judiciary, providing for freedom of religion, freedom of the press, freedom of assembly, the right to form political parties, and women’s and workers’ rights, and, according to press reporting and independent observers, both groups generally observed such laws in practice. In addition both the PUK and KDP have established human rights ministries to monitor human rights conditions, to submit reports to relevant international bodies, including the ICRC, on worthy cases, and to recommend ways to end abuses.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life.—The Government committed numerous political and other extrajudicial killings. The Government has a long record of executing perceived or alleged opponents. In a report released by the U.N. Secretary General on September 13, the U.N. Special Rapporteur criticized the Government for the “sheer number of executions” taking place in the country, the number of “extrajudicial executions on political grounds,” and “the absence of a due process of the law.” The list of offenses requiring a mandatory death penalty has grown substantially in the past few years and now includes anything that could be characterized as “sabotaging the national economy,” including forgery, as well as smuggling cars, spare parts, material, heavy equipment, and machinery. The Special Rapporteur has noted that membership in certain political parties is punishable by death, that there is a pervasive fear of death for any act or expression of dissent,

and that there are recurrent reports of the use of the death penalty for such offenses as “insulting” the President or the Ba’th Party. “The mere suggestion that someone is not a supporter of the President carries the prospect of the death penalty,” the Special Rapporteur stated. The Government made no attempt to answer allegations of either past or present political or extrajudicial killings, investigate such abuses, nor identify and punish the perpetrators.

In a report released in January, Amnesty International reported that in October 2000 the Government had executed dozens of women accused of prostitution.

In February the Government reportedly executed 37 political detainees for opposition activity. According to press reports, prominent Kurd writer Muhammad Jamil Bandi Rozhbayani was killed in March after a visit to his home by intelligence service personnel investigating his writings regarding the Government’s Arabization and ethnic cleansing programs. In May the Government reportedly executed two Shi’a clerics, Abdulsattar Abed-Ibrahim al-Mausawi and Ahmad al-Hashemi, for claiming that the Government was involved in the killing of a Shi’a cleric in 1999 and the killings of four engineers from the Electricity Board for receiving bribes in May (see Section 1.d.). According to credible reporting, in June security forces killed another Shi’a cleric, Hussein Bahar al-Uloom, for refusing to appear on television to congratulate Qusay Saddam Hussein for his election to a Ba’th Party position.

Such killings continue an apparent government policy of eliminating prominent Shi’a clerics who are suspected of disloyalty to the Government. In 1998 and 1999, the Government killed a number of leading Shi’a clerics, prompting the former Special Rapporteur in 1999 to express his concern to the Government that the killings might be part of a systematic attack by government officials on the independent leadership of the Shi’a Muslim community (see Section 2.c.). The Government did not respond to the Special Rapporteur’s letter.

In September the Government executed 28 political prisoners in Abu Ghurayb prison as a part of its “prison cleansing” campaign. During 2000 the Special Rapporteur received reports referring to a “prison cleansing” execution campaign taking place in Abu Ghurayb, Radwanayah, and other prisons. Opposition groups, including the Supreme Council for the Islamic Revolution in Iraq (SCIRI), the Iraqi Communist Party (ICP), the Iraqi National Congress (INC), and others with a network inside the country, provided detailed accounts of summary executions, including the names of hundreds of persons killed. A former officer from the Mukhabarat (Intelligence Service) reported that he participated in a 1998 mass murder at Abu Ghurayb prison following a Revolutionary Command Council directive to “clean out” the country’s prisons. The Government’s motive for such high numbers of summary executions—estimated at more than 3,000 since 1997—may be linked to reported intimidation of the population and reduction of prison populations. The Government has made no effort to investigate current or past cases, answer accusations about the executions, or identify and punish the perpetrators.

As in previous years, there were numerous credible reports that the Government continued to execute persons thought to be involved in plotting against Saddam Hussein or the Ba’th Party. These executions included high-ranking civilian, military, and tribal leaders. For example, in March army Major General Tariq Sa’dun was arrested, tortured, and executed for criticizing the Government. Also in March, according to Amnesty International (AI) and press reports, three officers from the Iraqi Air Force: Sa’eed ‘Abd al-Majid ‘Abd al-Ilah, Fawzi Hamed al-Ubaidi, and Fares Ahmad al-Alwan, were executed.

Government agents targeted for killing family members of defectors (see Section 1.f.). For example, in May the Government reportedly tortured to death the mother of three Iraqi defectors for her children’s opposition activities. In 2000 government agents reportedly killed Safiyah Hassan, who allegedly criticized publicly the Government for killing her husband and two sons, Hussein and Saddam Kamal. Her husband and sons had been senior government officials; however, the brothers defected to Jordan in 1996. The Government offered the men immunity if they returned to the country; however, upon their return, government agents killed them and their father.

In October 2000, security forces reportedly beheaded a number of women suspected of prostitution and some men suspected of facilitating or covering up such activities (see Section 5). Security agents reportedly decapitated numerous women and men in front of their family members. According to Amnesty International (AI), the victim’s heads were displayed in front of their homes for several days. Thirty of the victims’ names reportedly were published, which included three doctors and one medical assistant.

Reports of deaths due to poor prison conditions continued (see Section 1.c.).

Many persons who were displaced forcibly still lived in tent camps under harsh conditions, which also resulted in many deaths (see Sections 2.d. and 5).

As in previous years, the Government continued to deny the widespread killings of Kurds in the north of the country during the "Anfal" Campaign of 1988 (see Sections 1.b. and 1.g.). Both the Special Rapporteur and Human Rights Watch (HRW) have concluded that the Government's policies against the Kurds raise questions of crimes against humanity and violations of the 1948 Genocide Convention.

Political killings and terrorist actions continued in the Kurd-controlled north of the country. For example, assailants assassinated the governor of Arbil, Fransu Hariri. PUK and KDP investigators blamed Islamic groups for the killing. In June the Supreme Council for the Islamic Revolution in Iraq reported that its members killed Raed Khidir, a Ba'th Party official in southern Iraq. In 2000 unknown persons killed the leader of the Democratic Nationalist Union of Kurdistan, Sirbit Mahmud. In July 2000, unknown assailants killed parliamentary deputy Osman Hassan. Also in July 2000, PUK forces reportedly killed a number of members of the Iraqi Communist Workers Party (IWCP), and KDP forces killed several members of the Iraqi Turkmen Front (ITF). Neither the PUK nor the KDP released information regarding investigations into the killings.

b. Disappearance.—There continued to be widespread reports of widespread disappearances. Hundreds still were missing in the aftermath of the brief Iraqi military occupation of Erbil in August 1996. Many of these persons may have been killed surreptitiously late in 1997 and throughout 1998, in the reported "prison-cleansing" campaign (see Section 1.a.). Sources inside the country reported the existence of special prison wards that hold individuals whose whereabouts, status, and fate was not disclosed (see Section 1.c.). The missing were primarily from the Kurd minority but include members of the Assyrian, Turkmen, and Yazidi community. In August AI reported that the Government has the world's worst record for numbers of persons who have disappeared and remain unaccounted for. The whereabouts of Hashem Hasan, a journalist and professor, who was arrested as he attempted to leave the country in 1999, remained unknown at year's end (see Section 2.a.).

The Government continued to ignore the more than 16,000 cases conveyed to it in 1994 and 1995 by the U.N., as well as requests from the Governments of Kuwait and Saudi Arabia to account for the whereabouts of those who had disappeared during Iraq's 1990–91 occupation of Kuwait, and from Iran regarding the whereabouts of prisoners of war that Iraq captured in the 1980–88 Iran-Iraq war. The majority of the 16,496 cases known to the Special Rapporteur are persons of Kurdish origin who disappeared during the 1988 Anfal Campaign. The Special Rapporteur estimated that the total number of Kurds who disappeared during that period could reach several tens of thousands. Human Rights Watch (HRW) estimated the total at between 70,000 and 150,000, and AI at more than 100,000. The second largest group of cases known to the Special Rapporteur consists of Shi'a Muslims who were reported to have disappeared in the late 1970's and early 1980's as their families were expelled to Iran due to their alleged Persian ancestry.

The Government failed to return, or account for, a large number of Kuwaiti citizens and citizens of other countries who were detained during the Iraqi occupation of Kuwait and continues to refuse to cooperate with the Tripartite Commission to resolve the cases. Of 609 cases of missing Kuwaiti citizens under review by the Tripartite Commission on Gulf War Missing, only 3 have been resolved. The Government denies having any knowledge of the others and claims that any relevant records were lost in the aftermath of the Gulf War. In a December report to the U.N. Security Council, the U.N. Secretary General criticized the Government's refusal to cooperate with the U.N. on the issue of the missing Kuwaiti citizens. Iran reports that the Government still has not accounted for 5,000 Iranian prisoners of war (POW's) missing since the Iran-Iraq War.

In 1997 and 1999, AI documented the repeated failure by the Government to respond to requests for information about persons who have disappeared. The report detailed numerous unresolved cases dating from the early 1980's through the mid-1990's. The report concludes that few victims became targets of the Government because of any crime they had committed; rather, they were arrested and held as hostages in order to force a relative, who may have escaped abroad, to surrender. Others were arrested because of their family's link to a political opponent or simply because of their ethnic origin (see Sections 1.d. and 1.f.).

The Special Rapporteur and several human rights groups continued to request that the Government provide information about the 1991 arrest of the late Grand Ayatollah Abdul Qasim Al-Khoei and 108 of his associates. The Ayatollah died while under house arrest in Al-Najaf. Other individuals who were arrested with him have not been accounted for, and the Government refuses to respond to queries regarding their status. Similarly, AI identified a number of Ayatollah Sadeq Al-Sadr's aides who were arrested in the weeks prior to his killing in February 1999 (see Sections

1.a., 1.d., and 1.g.). Their whereabouts remained unknown. In its November 1999 report, AI identified eight aides of Al-Sadr who disappeared.

In addition to the tens of thousands of reported disappearances, human rights groups reported during the year that the Government continued to hold thousands of other citizens in incommunicado detention (see Sections 1.c., 1.d., and 1.e.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—The Constitution prohibits torture; however, the security services routinely and systematically tortured detainees. According to former prisoners, torture techniques included branding, electric shocks administered to the genitals and other areas, beating, pulling out of fingernails, burning with hot irons and blowtorches, suspension from rotating ceiling fans, dripping acid on the skin, rape, breaking of limbs, denial of food and water, extended solitary confinement in dark and extremely small compartments, and threats to rape or otherwise harm family members and relatives. Evidence of such torture often was apparent when security forces returned the mutilated bodies of torture victims to their families. There were persistent reports that the families were made to pay for the cost of executions. Refugees who arrived in Europe often reported instances of torture to receiving governments, and displayed scars and mutilations to substantiate their claims. In August AI released a report entitled “Iraq: Systematic Torture of Political Prisoners,” which detailed the systematic and routine use of torture against suspected political opponents and, occasionally, other prisoners.

In May Saad Keis Naoman, an Iraqi soccer player who defected to Europe, reported that he and his teammates were beaten and humiliated at the order of Uday Saddam Hussein for poor performances. He was flogged until his back was bloody, forcing him to sleep on his stomach in the tiny cell in Al-Radwaniya prison in which he was jailed. His account supports allegations made by Sharar Haydar Mohamad Al-Hadithi, a former Iraqi international soccer player, who stated in August 1999 that he and his teammates were tortured on Uday Hussein’s orders for not winning matches. In 2000 three soccer players who played for a team that lost an October game in the Asian Cup quarter finals, reportedly were whipped and detained for 3 days. In 1997 members of the national football team reportedly were beaten and tortured on Uday’s orders because of poor play in a World Cup qualifying match.

The Special Rapporteur continued to receive reports that arrested persons routinely were subjected to mistreatment, including prolonged interrogations accompanied by torture, beatings, and various deprivations. For some years, the Special Rapporteur has expressed concern about cruel and unusual punishments prescribed by the law, including amputations and brandings. In 2000 the authorities reportedly introduced tongue amputation as a punishment for persons who criticize Saddam Hussein or his family, and on July 17, government authorities reportedly amputated the tongue of a person who allegedly criticized Saddam Hussein. Authorities reportedly performed the amputation in front of a large crowd. Similar tongue amputations also reportedly occurred in the city of Hilla during the year. The Government never has acknowledged such reports, conducted any investigation, nor taken action against those tortured prisoners.

Human rights organizations and opposition groups continued to receive reports of women who suffered from severe psychological trauma after being raped while in custody. Security forces also reportedly sexually assaulted both government officials and opposition members in order to blackmail them into compliance. Former Mukhabarat member Khalid Al-Janabi reported that a Mukhabarat unit, the Technical Operations Directorate, used rape and sexual assault in a systematic and institutionalized manner for political purposes. The unit reportedly also videotaped the rape of female relatives of suspected oppositionists and used the videotapes for blackmail purposes and to ensure their future cooperation (see Section 1.f.).

The security forces allegedly raped women who were captured during the Anfal Campaign and during the occupation of Kuwait. The Government never has acknowledged these reports, conducted any investigation, nor taken action against those who committed the rapes.

Prison conditions are extremely poor and life threatening. There reportedly are numerous official, semiofficial, and private prisons throughout the country. Overcrowding is a serious problem. In May 1998, Labor and Social Affairs Minister Abdul Hamid Aziz Sabah stated in an interview that “the prisons are filled to five times their capacity and the situation is serious.” Sabah was dismissed from his post after the interview, and the government-owned daily newspaper Babel reiterated the Government’s long-standing claim that it holds virtually no prisoners. It was unclear to what extent the mass executions committed pursuant to the “prison cleansing” campaign have reduced overcrowding (see Section 1.a.).

Certain prisons are infamous for routine mistreatment of detainees and prisoners. Abu Ghurayb, Baladiat, Makasib, Rashidiya, Radwaniyah, and other prisons report-

edly have torture chambers. There are numerous mentally ill prisoners at Al-Shamma'iya prison in Baghdad, which reportedly is the site of torture and a number of disappearances. The Al-Radwanayah detention center is a former POW facility near Baghdad and reportedly the site of torture as well as mass executions (see Section 1.a.).

In 2000 the Special Rapporteur reported receiving information about two detention facilities in which prisoners are locked in metal boxes the size of coffins that reportedly are opened for only 30 minutes each day. A multistory underground detention and torture center reportedly was built under the general military hospital building close to the Al-Rashid military camp on the outskirts of Baghdad. The Center for Human Rights of the Iraqi Communist Party stated that the complex includes torture and execution chambers. A section reportedly is reserved for prisoners in a "frozen" state—that is, those whose status, fate, or whereabouts are not disclosed (see Section 1.b.).

Hundreds of Fayli (Shi'a) Kurds and other citizens of Iranian origin, who had disappeared in the early 1980's during the Iran-Iraq war, reportedly were being held incommunicado at the Abu Ghurayb prison.

In 2000 the Iraqi Communist Party reported that 13 prisoners died at Makaseb detention center in December 1999 and January 2000 as a result of torture and poor prison conditions. The 13 prisoners reportedly were among the Shi'a detained in the aftermath of the protests following the February 1999 assassination of Sheik Al-Sadr (see Section 1.g.). In August 2000, the ICP reported that three political prisoners died from illnesses contracted in Abu Ghurayb prison. The prisoners reportedly were denied medical treatment.

The Government does not permit visits by human rights monitors.

Iraqi Kurdish regional officials reported in 2000 that prisons in the three northern provinces were open to the International Committee for the Red Cross (ICRC) and other international monitors. According to the ICRC, regular and consistent improvement in conditions was observed on their weekly prison visits to declared prisons. However, both the PUK and the KDP reportedly maintain private, undeclared prisons, and both groups reportedly deny access to ICRC officials. There were reports that authorities of both the PUK and KDP tortured detainees and prisoners.

d. Arbitrary Arrest, Detention, or Exile.—The Constitution and the Legal Code explicitly prohibit arbitrary arrest and detention; however, the authorities routinely engaged in these practices. The Special Rapporteur continued to receive reports of widespread arbitrary arrest and detention, often for long periods of time, without access to a lawyer or the courts. As indicated in the November 1999 AI report, "Iraq: Victims of Systematic Repression," many thousands of persons have been arrested arbitrarily in the last few years because of suspected opposition activities or because they were related to persons sought by the authorities. Those arrested often were taken away by plainclothes security agents, who offered no explanation and produced no warrant to the person or family members (see Section 1.f.). The authorities deny detainees legal representation and visits by family members. In most cases, family members do not know the whereabouts of detainees and do not make inquiries due to fear of reprisal. Many persons are taken away in front of family members, who hear nothing further until days, months, or years later, when they are told to retrieve the often-mutilated corpse of their relative. There also were reports of the widespread practice of holding family members and close associates responsible for the alleged actions of others (see Section 1.f.).

In July the Government initiated an arrest and detention campaign involving thousands of individuals who initially had volunteered to serve in the newly formed Al-Quds militia force, but who had not shown up for training.

Mass arbitrary arrests and detentions often occurred in areas in which antigovernment leaflets were distributed. In June the Coalition for Justice in Iraq reported that the Government arrested dozens of lawyers and jurists for distributing antigovernment leaflets. The leaflets reportedly indicated the authors' intent to expose the Government's violations of human rights. Security forces arrested hundreds of persons in al-Najaf, Karbala, and the Shi'a section of Baghdad following an anonymous distribution of antigovernment leaflets in 2000. Other arrests have no apparent basis.

In September the Government arrested and expelled six U.N. humanitarian workers and refused to provide any evidence as a basis for its actions (see Section 1.g.).

According to international human rights groups, numerous foreigners arrested arbitrarily in previous years also remained in detention.

The Government reportedly targeted the Shi'a Muslim community for arbitrary arrest and other abuses. For example, in May the Government reportedly executed two Shi'a clerics, Abdulsattar Abed-Ibrahim al-Mausawi and Ahmad al-Hashemi, for claiming that the Government was involved in the killing of a Shi'a cleric in 1999

and the killings of four engineers from the Electricity Board for receiving bribes. In the weeks preceding the February 1999 killing of Ayatollah Sadeq Al-Sadr and two of his sons, many of Al-Sadr's aides were arrested, and their whereabouts still were unknown at year's end (see Sections 1.a., 1.b., and 1.g.). Hundreds more reportedly were arrested and the houses of many demolished in the weeks following the killing (see Section 1.g.).

Hundreds of Fayli (Shi'a) Kurds and other citizens of Iranian origin, who had disappeared in the early 1980's during the Iran-Iraq war, reportedly were being held incommunicado at the Abu Ghurayb prison. According to a report received by the Special Rapporteur in 1998, such persons have been detained without charge for close to 2 decades in extremely harsh conditions. The report states that many of the detainees were used as subjects in the country's outlawed experimental chemical and biological weapons programs.

Although no statistics were available, observers estimated the number of political detainees to be in the tens of thousands, some of whom have been held for decades.

In May the press reported that the authorities released 3,000 prisoners who paid bribes to prison officials to have their prison terms cut. One former prisoner said his family paid approximately \$3,125 (5 million Iraqi Dinars) for him to be released after serving 7 years of his original 15-year sentence.

The Government announced in June 1999 a general amnesty for citizens who had left the country illegally or were exiled officially for a specified period of time but failed to return after the period of exile expired (see Section 2.d.). No citizens are known to have returned to the country based upon this amnesty. An estimated 1 to 2 million self-exiled citizens reportedly remain fearful of returning to the country.

The PUK and the KDP reportedly hold some political prisoners and detainees in the north of the country. The KDP and PUK reached agreement for the mutual release of political prisoners in 1999. In March 2000, the KDP released 10 PUK prisoners and the PUK released 5 KDP prisoners (see Section 1.g.). During the year, PUK and KDP officials reported that all remaining PUK and KDP political prisoners and detainees had been exchanged per the agreement.

e. Denial of Fair Public Trial.—The judiciary is not independent, and there is no check on the President's power to override any court decision. In 1999 the Special Rapporteur and international human rights groups observed that the repressive nature of the political and legal systems precludes the rule of law. Numerous laws facilitate continued repression, and the Government uses extrajudicial methods to extract confessions or coerce cooperation.

There are two parallel judicial systems: the regular courts, which try common criminal offenses; and the special security courts, which generally try national security cases but also may try criminal cases. In addition to the Court of Appeal, there is the Court of Cassation, which is the highest court.

Special security courts have jurisdiction in all cases involving espionage and treason, peaceful political dissent, smuggling, currency exchange violations, and drug trafficking. According to the Special Rapporteur and other sources, military officers or civil servants with no legal training head these tribunals, which hear cases in secret. Authorities often hold defendants incommunicado and do not permit contact with lawyers (see Section 1.d.). The courts admit confessions extracted by torture, which often served as the basis for conviction (see Section 1.c.). Many cases appear to end in summary execution, although defendants may appeal to the President for clemency. Saddam Hussein may grant clemency in any case that suits his political goals or personal predilection. There are no Shari'a (Islamic law) courts; however, regular courts are empowered to administer Shari'a in cases involving personal status, such as divorce and inheritance.

Procedures in the regular courts in theory provide for many protections; however, the Government often assigns to the security courts cases that, on their legal merits, would appear to fall under the jurisdiction of the regular courts. Trials in the regular courts are public, and defendants are entitled to counsel, at government expense in the case of indigents. Defense lawyers have the right to review the charges and evidence brought against their clients. There is no jury system; panels of three judges try cases. Defendants have the right to appeal to the Court of Appeal and then to the Court of Cassation.

The Government shields certain groups from prosecution for alleged crimes. For example, a 1990 decree grants immunity to men who commit "honor crimes," a violent assault with intent to commit murder against a woman by a relative for her perceived immodest behavior or alleged sexual misconduct (see Section 5). A 1992 decree grants immunity from prosecution to members of the Ba'th Party and security forces who killed anyone while in pursuit of army deserters. Unconfirmed but widespread reports indicate that this decree has been applied to prevent trials or punishment of government officials.

It was difficult to estimate the number of political prisoners, because the Government rarely acknowledges arrests or imprisonments, and families are afraid to talk about arrests. Many of the tens of thousands of persons who disappeared or were killed in the past few years originally were held as political prisoners.

Both the PUK- and the KDP-controlled local administrations maintain separate judicial systems. They use the Iraqi legal code. Both come under a separate Supreme Court of Cassation. During the year, PUK and KDP officials reported that all PUK and KDP political prisoners and detainees had been exchanged in accordance with a 1999 agreement. However, the PUK and the KDP reportedly continued to hold some political prisoners and detainees (see Section 1.d.).

f. Arbitrary Interference With Privacy, Family, Home, or Correspondence.—The Government frequently infringed on citizens' constitutional right to privacy, particularly in cases allegedly involving national security. The law defines security offenses so broadly that authorities effectively are exempt from the legal requirement to obtain search warrants, and searches without warrants are commonplace. The Government routinely ignored constitutional provisions designed to protect the confidentiality of mail, telegraphic correspondence, and telephone conversations. The Government periodically jammed news broadcasts from outside the country, including those of opposition groups (see Section 2.a.). The security services and the Ba'ath Party maintain pervasive networks of informers to deter dissident activity and instill fear in the public.

The authorities continued systematically to detain, abuse, and kill family members and close associates of alleged government opponents (see Sections 1.a., 1.b., 1.d., and 1.g.). For example, in May the authorities reportedly tortured to death the mother of three defectors because of her children's opposition activities. In June 2000, a former general reportedly received a videotape of security forces raping a female family member. He subsequently received a telephone call from an intelligence agent who stated that another female relative was being held and warned him to stop speaking out against the Government.

In November 1999, the Government expelled more than 4,000 families that had sought refuge in Baghdad after the 1991 Gulf War.

The Government continues its Arabization campaign of ethnic cleansing designed to harass and expel ethnic Kurds and Turkmen from government-controlled areas. According to press reports and opposition sources, the Government has displaced forcibly hundreds of families. As in previous years, the regime periodically sealed off entire districts in Kirkuk and conducted day-long, house-to-house searches (see Sections 2.d. and 5). Government officials also took hostage members of minority groups to intimidate their families into leaving their home regions (see Sections 1.d., 2.d., and 5).

In the past, the authorities demolished the houses and detained and executed family members of Shi'a who protested government actions (see Section 1.g.).

The Special Rapporteur noted that guilt by association is facilitated by administrative requirements imposed on relatives of deserters or other perceived opponents of the Government. For example, relatives who do not report deserters may lose their ration cards for purchasing government-controlled food supplies, be evicted from their residences, or face the arrest of other family members. The Supreme Council for the Islamic Revolution in Iraq reported in October and December 1999 that authorities denied food ration cards to families that failed to send their young sons to the "Lion Cubs of Saddam" compulsory weapons training camps (see Section 5). Conscripts are required to secure a guarantor to sign a document stating that the named conscript would not desert military service and that the guarantor would accept personal responsibility if the conscript deserted.

The Special Security Office reportedly continued efforts to intimidate the relatives of opposition members. Relatives of citizens outside the country who were suspected of sympathizing with the opposition were forced to call the suspected opposition members to warn them against participating in opposition conferences or activities.

g. Use of Excessive Force and Violations of Humanitarian Law In Internal Conflicts.—The authorities continued to detain, abuse, and kill family members and close associates of alleged government opponents (see Sections 1.a., 1.b., and 1.f.). The Government has continued a campaign of intimidation directed at U.N. and nongovernmental organization (NGO) relief workers. In February the Foreign Minister threatened to break off official ties to U.N. workers supervising Oil-for-Food Program distribution in northern Iraq, and to revoke their visas and deport them. In September the Government expelled six U.N. humanitarian relief workers without providing any explanation.

The Government continued to "Arabize" certain Kurdish areas, such as the urban centers of Kirkuk and Mosul, through the forced movement of local residents from

their homes and villages and their replacement by Arabs from outside the area (see Sections 2.d. and 5).

Landmines in the north, mostly planted by the Government before 1991, continued to kill and maim civilians. Many of the mines were laid during the Iran-Iraq and Gulf Wars; however, the army failed to clear them before it abandoned the area. Landmines also are a problem along the Iraq-Iran border throughout the central and southern areas in the country. There is no information regarding civilian casualties or the Government's efforts, if any, to clear old mine fields in areas under the central Government's control. According to reports by the U.N. Office of Project Services, the Mines Advisory Group, and Norwegian Peoples' Aid, landmines have killed more than 3,000 persons in the three northern governorates since the 1991 uprising. The Special Rapporteur repeatedly has reminded the Government of its obligation under the Landmines Protocol to protect civilians from the effects of mines. Various NGO's continued efforts to remove landmines from the area and increase awareness of mines among local residents.

In December 1998, the Government declared that mine-clearing activity was subversive and ordered NGO workers performing such activity to leave the country. In April 1999, a New Zealander working for the U.N. mine-clearing program in the north was shot and killed at close range by an unknown assailant. The KDP arrested a person who claimed to have killed the U.N. worker on behalf of Saddam Hussein's Fedayeen. In April Kurd sources accused the Government of exploding a bomb near an NGO working on mine clearing in the north.

Following the February 1999 killing of Ayatollah Mohammad Sadeq Al-Sadr and his sons (see Section 1.a.), there were widespread reports of military assaults on protesters in areas of Baghdad heavily populated by Shi'a, and in cities with a Shi'a majority such as Karbala, Nasiriyah, Najaf, and Basra, in which hundreds of persons were killed. While a funeral for Al-Sadr was prohibited, spontaneous gatherings of mourners took place in the days after his death. Government security forces used excessive force in breaking up these illegal gatherings, killing hundreds of persons.

In 2000 authorities continued to target alleged supporters of Al-Sadr. In February 2000, security officials reportedly executed 30 religious school students who had been arrested after Al-Sadr's killing. In March 2000, numerous Shi'a who fled the country in 1999 and 2000, told HRW that security forces interrogated, detained, and tortured them. In May 2000, six additional students who were arrested following the killing were sentenced to death.

In 1999 and 2000, as a reprisal for the disturbances following Al-Sadr's killing, the Government expelled approximately 4,000 Shi'a families from Baghdad.

After the 1991 Gulf War, victims and eyewitnesses described war crimes perpetrated by the Government, including deliberate killing, torture, rape, pillage, and hostage-taking. HRW and other organizations have worked with various governments to bring a genocide case at the International Court of Justice against the Government for its conduct of the Anfal campaign against the Kurds in 1988.

No hostilities were reported between the two major Iraqi Kurdish parties in de facto control of northern Iraq. The KDP and the PUK agreed in September 1998 to unify their administrations; however, little progress was made at the time toward implementing the agreement. In October 1999, senior officials from the two parties agreed on a series of measures, including prisoner exchanges, the return of internally displaced persons (IDP's) to their homes, and arrangements for freedom of movement between their respective areas. Most of the measures were not implemented (see Section 1.d.). However, during the year, the two main Kurdish parties reported some progress toward full implementation of the Washington Agreement, including the return of 3,000 IDP's displaced since the 1995-96 fighting, improved movement between the Kurd-controlled areas, and the exchange of all prisoners.

Armed hostilities, which resulted in deaths were reported between the PUK and Islamic Groups, the PUK and the Kurdistan Workers Party (PKK), and the KDP and the PKK. The heaviest fighting began in September, when a newly created Islamist group, the Jund al-Islam, seized control of some villages near the Iranian border and attempted to institute a strictly Islamic theocratic regime. According to press and opposition reporting, the Jund al-Islam attacked PUK fighters near Halabjah, killing dozens of persons. Intermittent fighting between the PUK, and the Jund al-Islam, and other Islamic groups continued until late November, when an agreement between those involved and the Iranian Government dissolved the Jund al-Islam and imposed a cease-fire.

In July 2000, the PUK reportedly ordered all opposition groups to move their offices out of Sulaymaniah's city center following a number of bombings; the IWCP reportedly refused to move. PUK security forces subsequently killed at least six IWCP members and arrested several others at an IWCP office in Sulaymaniah.

PUK forces also killed several IWCP members who were inside a car. In connection with this dispute, the PUK closed the IWCP-affiliated Independent Women's Organization and the Women's Protection Center in July 2000 and detained temporarily 12 women who had been staying at an abused women's shelter within the Center. The PUK announced that it would investigate the security forces' actions; however, no information was available by year's end.

There were no Turkish military invasions into the country during the year.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution provides for freedom of speech and of the press “in compliance with the revolutionary, national, and progressive trend;” however, in practice the Government does not permit freedom of speech or of the press, and does not tolerate political dissent in areas under its control. In November 2000, the U.N. General Assembly criticized the Government’s “suppression of freedom of thought, expression, information, association, and assembly.” The Special Rapporteur stated in October 1999 that citizens lived “in a climate of fear,” in which whatever they said or did, particularly in the area of politics, involved “the risk of arrest and interrogation by the police or military intelligence.” He noted that “the mere suggestion that someone is not a supporter of the President carries the prospect of the death penalty.” In June the Human Rights Alliance reported that the Government had killed more than 500 journalists and other intellectuals in the past decade.

The Ministry of Culture and Information periodically held meetings at which they issued general guidelines for the press. Foreign journalists must work from offices located within the ministry building and are accompanied everywhere they go by ministry officers, who reportedly restrict their movements and make it impossible for them to interact freely with citizens.

The Government, the Ba’th Party, or persons close to Saddam Hussein own all print and broadcast media, and operate them as propaganda outlets. They generally do not report opposing points of view that are expressed either domestically or abroad. A 1999 Freedom House report rated press freedom in the country at 98 out of a possible 100 points, with 0 being the most free and 100 being the most controlled. Several statutes and decrees suppress freedom of speech and of the press, including: Revolutionary Command Council Decree Number 840 of 1986, which penalizes free expression and stipulates the death penalty for anyone insulting the President or other high government officials; Section 214 of the Penal Code, which prohibits singing a song likely to cause civil strife; and the 1968 Press Act, which prohibits the writing of articles on 12 specific subjects, including those detrimental to the President, the Revolutionary Command Council, and the Ba’th Party. In February opposition press reported that the Government added the penalty of cutting out the tongue of anyone who ridiculed the President. There were several reports during the year that the penalty was imposed on citizens (see Section 1.e.).

Each reporter must inform a security officer regarding the nature of news intended for the foreign media, and intelligence officers screen broadcasts before they are aired. In September the Government threatened to fire any journalist who issued a report detrimental to national security.

In September 1999, Hashem Hasan, a journalist and Baghdad University professor, was arrested after declining an appointment as editor of one of Uday Hussein’s publications. The Paris-based Reporters Sans Frontieres (RSF) sent a letter of appeal to Uday Hussein; however, Hassan’s fate and whereabouts remained unknown at year’s end (see Section 1.b.).

According to the Special Rapporteur, journalists are under continuous pressure to join the Ba’th party and must follow the mandates of the Iraqi Union of Journalists, headed by Uday Hussein. According to Iraqi sources, in 1999 Uday Hussein dismissed hundreds of union members who had not praised Saddam Hussein and the Government sufficiently or often enough (see Section 6.a.).

The Government regularly jams foreign news broadcasts (see Section 1.f.). Satellite dishes, modems, and fax machines are banned, although some restrictions reportedly were lifted in 1999. Government-controlled areas have only two terrestrial television channels, the official Iraq Television and Youth TV, owned by Uday Saddam Hussein. The Information Ministry announced a plan to make limited satellite television service available, offering eight channels at a cost of \$33 to \$38 (10,000 to 12,000 dinars) per month, twice the average wage of a government employee. In September Uday Hussein reportedly had assumed control of the satellite television service.

Books may be published only with the authorization of the Ministry of Culture and Information. The Ministry of Education often sends textbooks with

progovernment propaganda to Kurdish regions; however, Kurds routinely remove propaganda items from such textbooks.

The Government does not respect academic freedom and exercises strict control over academic publications and foreign travel by academics. University staff are hired and fired depending on their support for the Government.

In the north, many independent newspapers have appeared over the past 8 years, as have opposition radio and television broadcasts. The absence of central authority permits significant freedom of expression, including criticism of the regional Kurdish authorities; however, most journalists are influenced or controlled by various political organizations. Satellite services and related equipment for telephone, fax, Internet, and television services are available. Although the rival Kurdish parties in the north, the PUK and KDP, state that full press freedom is allowed in areas under their respective control, in practice neither effectively permits distribution of the opposing group's newspapers and other literature.

The Internet was available widely through Internet cafes in major urban centers in Kurdish-controlled areas. In government-operated Internet cafes, users only are permitted to view Web sites provided by the Ministry of Culture and Information. The regional authorities did not try to limit access to preapproved web sites; however, they often monitored web usage by individuals.

b. Freedom of Peaceful Assembly and Association.—The Constitution provides for freedom of assembly; however, the Government restricted this right in practice. Citizens may not assemble legally other than to express support for the Government. The Government regularly orchestrated crowds to demonstrate support for the Government and its policies through financial incentives for those who participate and threats of violence against those who do not.

The Constitution provides for freedom of association; however, the Government restricts this right in practice. The Government controls the establishment of political parties, regulates their internal affairs, and monitors their activities. New political parties must be based in Baghdad and are prohibited from having any ethnic or religious character. The political magazine *Alef-Be*, which is published by the Ministry of Culture and Information, reported in December 1999 that two political groups would not be permitted to form parties because they had an insufficient number of members. The magazine reprinted the conditions necessary to establish political parties, which include the requirement that a political group must have at least 150 members over the age of 25. A 1999 law also stipulates that new parties must “take pride” in the 1958 and 1968 revolutions, which created the republic and brought the Ba’th party to power. Several parties are outlawed specifically, and membership in them is a capital offense (see Section 3). The law prescribes the death penalty for anyone “infiltrating” the Ba’th Party.

In the Kurdish-controlled north, numerous political parties and social and cultural organizations exist. The KDP- and PUK-controlled administrations impose restrictions on some political parties and groups they consider security risks, or that refuse to register as political parties or to participate in local elections. The PUK and KDP have forced political parties that violate these rules to shut down. Neither the KDP nor PUK allow the other group to open party offices in territory under their control; however, they do allow other political parties to operate in those territories and include them in their administrations.

c. Freedom of Religion.—The Constitution provides for freedom of religion provided that it does not violate “morality and public order;” however, the Government severely limited freedom of religion in practice. Islam is the official state religion.

The Ministry of Endowments and Religious Affairs monitors places of worship, appoints the clergy, approves the building and repair of all places of worship, and approves the publication of all religious literature.

More than 95 percent of the population are Muslim. The (predominantly Arab) Shi’a Muslims constitute a 60 to 65 percent majority, while Sunni Muslims make up 32 to 37 percent (approximately 18 to 20 percent are Sunni Kurds, 13 to 16 percent are Sunni Arabs, and the rest are Sunni Turkmens). The remaining approximately 5 percent consist of Christians (Assyrians, Chaldeans, Roman Catholics, and Armenian Orthodox), Yazidis, and a small number of Jews and Mandaeans.

The Government does not recognize political organizations that have been formed by Shi’a Muslims or Assyrian Christians. These groups continued to attract support despite their illegal status. There are religious qualifications for government office; candidates for the National Assembly, for example, “must believe in God” (see Section 3).

Although Shi’a Arabs are the largest religious group, Sunni Arabs traditionally have dominated economic and political life. Sunni Arabs are at a distinct advantage in all areas of secular life, including civil, political, military, and economic. Shi’a and Sunni Arabs are not distinct ethnically. Shi’a Arabs have supported an independent

country alongside Sunni Arabs since the 1920 Revolt, many joined the Ba'th Party, and Shi'a formed the core of the army in the 1980-88 Iran-Iraq War.

The Government has for decades conducted a brutal campaign of murder, summary execution, and protracted arbitrary arrest against the religious leaders and followers of the majority Shi'a Muslim population (See Sections 1.a., 1.d., and 1.g.). Despite nominal legal protection of religious equality, the Government has repressed severely the Shi'a clergy and those who follow the Shi'a faith. Forces from the Mukhabarat, General Security (Amn Al-Amm), the Military Bureau, Saddam's Commandos (Fedayeen Saddam), and the Ba'th Party have killed senior Shi'a clerics, desecrated Shi'a mosques and holy sites, and interfered with Shi'a religious education. Security agents reportedly are stationed at all the major Shi'a mosques and shrines and search, harass, and arbitrarily arrest worshipers.

The following government restrictions on religious rights remained in effect during the year: Restrictions and outright bans on communal Friday prayer by Shi'a Muslims; restrictions on the loaning of books by Shi'a mosque libraries; a ban on the broadcast of Shi'a programs on government-controlled radio or television; a ban on the publication of Shi'a books, including prayer books and guides; a ban on funeral processions other than those organized by the Government; a ban on other Shi'a funeral observances such as gatherings for Koran reading; and the prohibition of certain processions and public meetings that commemorate Shi'a holy days. Shi'a groups report that they captured documents from the security services during the 1991 uprising that listed thousands of forbidden Shi'a religious writings.

In June 1999, several Shi'a opposition groups reported that the Government instituted a program in the predominantly Shi'a districts of Baghdad that used food ration cards to restrict where individuals could pray. The ration cards, part of the U.N. oil-for-food program, reportedly are checked when the bearer enters a mosque and are printed with a notice of severe penalties for those who attempt to pray at an unauthorized location.

Shi'a groups reported numerous instances of religious scholars being subjected to arrest, assault, and harassment in the past several years, particularly in the internationally renowned Shi'a academic center of Najaf. In 2000 AI reported that the Government deported systematically tens of thousands of Shi'a (both Arabs and Kurds) to Iran in the late 1970's and early 1980's, on the basis that they were of Persian descent. According to Shi'a sources, religious scholars and Shi'a merchants who supported the schools financially were the principal targets for deportation. After the 1991 popular uprising, the Government relaxed some restrictions on Shi'a attending the schools. However, the revival of the schools appears to have exceeded greatly the Government's expectations, and led to an increased government crack-down on the Shi'a religious establishment, including the requirement that speeches by imams in mosques be based upon government-provided material that attacked fundamentalist trends.

Authorities continued to target alleged supporters of Grand Ayatollah Al-Sadr during the year (see Sections 1.a. and 1.g.). The Government neither acknowledged nor investigated the reported arrest and execution in February and May 2000 of 36 religious school students.

The Government consistently politicizes and interferes with religious pilgrimages, both of Iraqi Muslims who wish to make the Hajj to Mecca and Medina and of Iraqi and non-Iraqi Muslim pilgrims who travel to holy sites within the country (see Section 2.d.). For example, in 1998 the U.N. Sanctions Committee offered to disburse vouchers for travel and expenses to pilgrims making the Hajj; however, the Government rejected this offer. In 1999 the Sanctions Committee offered to disburse funds to cover Hajj-related expenses via a neutral third party; the Government again rejected the offer. Following the December 1999 passage of U.N. Security Council Resolution 1284, the Sanctions Committee again sought to devise a protocol to facilitate the payment for individuals making the journey. The Sanctions Committee proposed to issue \$250 in cash and \$1,750 in travelers checks to each individual pilgrim to be distributed at the U.N. office in Baghdad in the presence of both U.N. and Iraqi officials. The Government again declined and, consequently, no Iraqi pilgrims were able to take advantage of the available funds or, in 2000, of the permitted flights. The Government continued to insist that these funds would be accepted only if they were paid in cash to the government-controlled central bank, not to the Hajj pilgrims.

Twice each year—on the 10th day of the Muslim month of Muharram and 40 days later in the month of Safar—Shi'a pilgrims from throughout the country and around the world travel to the Iraqi city of Karbala to commemorate the death there centuries ago of the Imam Hussein. The Government for several decades has interfered with these Ashura commemorations by preventing processions on foot into the city. In 1998 and 1999, violent incidents were reported between Iraqi pilgrims on one

side and Ba'th party members and security forces enforcing the ban on the other. In 2000 security forces opened fire on persons who attempted to walk from Al-Najaf to Karbala (see Section 1.g.). During the year, there were no reports of violence during the pilgrimage; however, the Government reportedly imposed travel restrictions.

The Government also has sought to undermine the identity of minority Christian (Assyrian and Chaldean) and Yazidi groups.

The Special Rapporteur and others reported that the Government has engaged in various abuses against the country's 350,000 Assyrian and Chaldean Christians, especially in terms of forced movements from northern areas and repression of political rights (see Section 2.d.). Most Assyrians live in the northern governates, and the Government often has accused them of collaborating with Iraqi Kurds. In the north, Kurdish groups often refer to Assyrians as Kurdish Christians. Military forces destroyed numerous Assyrian churches during the 1988 Anfal Campaign and reportedly tortured and executed many Assyrians. Both major Kurdish political parties have indicated that the Government occasionally targets Assyrians, as well as ethnic Kurds and Turkmens, in expulsions from Kirkuk in order to attempt to Arabize the city (see Section 2.d.).

The Government imposes repressive measures on Yazidis (see Section 5).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The Government restricts movement within the country of citizens and foreigners. Police checkpoints are common on major roads and highways. Persons who enter sensitive border areas and numerous designated security zones are subject to arrest.

The Government requires citizens to obtain specific government authorization and expensive exit visas for foreign travel. Citizens may not make more than two trips abroad annually. Before traveling abroad, citizens are required to post collateral, which is refundable only upon their return. There are restrictions on the amount of currency that may be taken out of the country. Women are not permitted to travel outside the country alone; male relatives must escort them (see Section 5). Prior to December 1999, every student who wished to travel abroad was required to provide a guarantor who would be liable if the student failed to return. In December 1999, authorities banned all travel for students (including those in grade school), canceled spring and summer holidays, and enrolled students in compulsory military training and weapons-use courses.

In an apparent effort to convince citizens living abroad to return to the country, government radio announced in June 1999 an amnesty for teachers who left the country illegally after the Gulf War. Shortly thereafter the Revolutionary Command Council decreed a general amnesty for all citizens who either had left the country illegally or who had failed to return after the period of exile had expired (see Section 1.d.). In October 1999, Justice Minister Shabib Al-Maliki announced that authorities may seize assets belonging to citizens living outside the country who did not return in response to the amnesty decree. A special ministerial committee was formed to track and monitor citizens inside the country who received money from relatives living abroad.

A November 1999 law provides for additional penalties for citizens who attempt to leave the country illegally. Under the law, a prison term of up to 10 years and "confiscation of movable and immovable property" is to be imposed on anyone who attempts to leave illegally. Similar penalties face anyone found to encourage or assist persons banned from travel, including health care professionals, engineers, and university professors. In 2000 the director of the Real Estate Registration Department stated that pursuant to the decree, the Government confiscated the property of a number of persons.

The Government restricts foreign travel by journalists, authors, university professors, doctors, scientists, and all employees of the Ministry of Information. Security authorities interrogate all media employees, journalists, and writers upon their return from foreign travel.

The Government consistently politicizes and interferes with religious pilgrimages, both of Muslim citizens who wish to make the Hajj to Mecca and Medina and of citizen and noncitizen Muslim pilgrims to holy sites in the country (see Section 2.c.).

Foreign spouses of citizens who have resided in the country for 5 years (1 year for spouses of government employees) are required to apply for naturalization as citizens. Many foreigners thus become subject to travel restrictions. The penalties for noncompliance include, but are not limited to, loss of the spouse's job, a substantial financial penalty, and repayment of any governmental educational expenses. The Government prevents many citizens who also hold citizenship in another country, especially the children of Iraqi fathers and foreign-born mothers, from visiting the country of their other nationality.

The U.N. Secretary General estimated that there are more than 500,000 IDPs remaining in the 3 northern provinces (Arbil, Dohuk, and Sulaymaniah), most of whom fled government-controlled areas in early 1991 during the uprising that followed the Gulf War. The Government continued its Arabization policy by discriminating against and forcibly relocating the non-Arab population, including Kurds, Turkmens, and Assyrians living in Kirkuk, Khanaqin, Sinjar, Makhmour, Tuz, Khoramatu, and other districts. Most observers view the policy as an attempt to decrease the proportion of non-Arab citizens in the oil-rich Kirkuk region, and thereby secure Arab demographic control of the area.

Non-Arab citizens are forced to either change their ethnicity on their identity documents and adopt Arabic names or be expelled to the Kurd-controlled northern governates. Persons may avoid expulsion if they relinquish their Kurdish, Turkmen, or Assyrian identity and register as Arabs. Persons who refuse to relinquish their identity may have their assets expropriated and their ration cards withdrawn prior to being deported.

The Revolutionary Command Council has mandated that new housing and employment be created for Arab residents who have been resettled in Kirkuk, while new construction or renovation of Kurd-owned property reportedly is prohibited. Non-Arabs may not sell their homes, except to Arabs, nor register or inherit property. Authorities estimate that since 1991, more than 100,000 persons have been displaced as part of the Arabization program.

According to numerous deportees in the north, the Government generally uses a systematic procedure to evict and deport non-Arab citizens. Frequently, a security force official demands that a family change its ethnicity from Kurdish or Turkmen to Arab. Subsequently, security officials frequently arrest the head of household and inform the other family members that the person will be imprisoned until they agree to settle elsewhere in the country. Such families frequently choose to move to the north; family members must sign a form that states that the departure is voluntary and they are not allowed to take any property or their food ration cards issued under the U.N. oil-for-food program. The Government frequently transfers the families' houses to Arab Ba'ath Party members.

Those expelled are not permitted to return. The Special Rapporteur reported in 1999 that citizens who provide employment, food, or shelter to returning or newly arriving Kurds are subject to arrest. The Government denies that it expels non-Arab families.

According to the U.N. High Commissioner for Refugees (UNHCR), hundreds of thousands of Iraqi refugees remained abroad. Apart from those suspected of sympathizing with Iran, most fled after the Government's suppression of the civil uprising of 1991; others are Kurds who fled during the Anfal Campaign of 1988. Of the 1.5 million refugees who fled following the 1991 uprisings, the great majority, particularly Kurds, have repatriated themselves in northern areas outside of government control.

The Government does not cooperate with the UNHCR, does not provide first asylum, and does not respect the rights of refugees.

Approximately 12,000 Turkish Kurds who have fled civil strife in southeastern Turkey remain in northern areas controlled by the central Government. The UNHCR is treating such displaced persons as refugees until it reaches an official determination of their status.

During the year, the KDP and PUK reiterated their September 1998 agreement to begin returning to their rightful homes the many thousands of persons each side had expelled as a result of intra-Kurdish fighting in the three northern provinces. In June the first 70 families were returned. In April 2000, the UNHCR noted that displaced persons still were living in tents or in open, unheated buildings (see Section 1.g.).

In August 1999, the KDP reportedly imposed a blockade on eight Assyrian villages near Aqra. Some sources indicated that KDP forces reportedly reentered one of the villages a couple of days later, rounded up the villagers, and publicly beat two of them. The KDP denied that the blockade or village raids occurred.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government. The President wields power over all instruments of government. Most important officials either are members of Saddam Hussein's family or are family allies from his hometown of Tikrit. Although the Government has taken steps to increase the perception of democracy, the political process still is controlled firmly by the State. The 1995 so-called referendum on Saddam Hussein's presidency was not free and was dismissed as a sham by most international observers. It included neither voter privacy nor oppos-

ing candidates, and many credible reports indicated that voters feared possible reprisal if they cast a dissenting vote. A total of 500 persons reportedly were arrested in Karbala, Baghdad, and Ramadi provinces for casting negative ballots, and a member of the intelligence services reportedly was executed for refusing to vote for the President.

There are strict qualifications for parliamentary candidates; by law the candidates for the National Assembly must be over 25 years old and "believe in God, the principles of the July 17-30 revolution, and socialism." Elections for the National Assembly were held in March 2000; 220 of the 250 parliamentary seats were contested and presidential appointees filled the 30 remaining seats. Out of the 250 seats, members of the Ba'th reportedly won 165 seats, independents won 55, and 30 were appointed by Saddam Hussein to represent the northern provinces. According to the Special Rapporteur, the Ba'th Party allegedly instructed a number of its members to run as nominally independent candidates. Saddam Hussein's son Uday was elected to the National Assembly by receiving 99.9 percent of the vote.

Full political participation at the national level is restricted to members of the Arab Ba'th Socialist Party, who are estimated to constitute approximately 8 percent of the population. The political system is dominated by the Party, which governs through the Revolutionary Command Council. President Saddam Hussein heads the council. However, the RCC exercises both executive and legislative authority. The RCC dominates the National Assembly, which is completely subordinate to it and the executive branch.

Opposition political organizations are illegal and severely suppressed. Membership in certain political parties is punishable by death. In October 2000 security forces reportedly executed eight persons on charges of forming an opposition organization (see Sections 1.a. and 2.b.). In 1991 the RCC adopted a law that theoretically authorized the creation of political parties other than the Ba'th Party. However, in practice the law is used to prohibit parties that do not support the President and the Government. In 1999 various media published articles claiming that Saddam Hussein instructed officials in October 1999 to consider the formation of new political parties, a state council, and a new constitution. However, a Ministry of Culture and Information magazine later reported that the only two groups that attempted to form a party were refused for having an insufficient number of members.

The Government does not recognize the various political groupings and parties that have been formed by Shi'a Muslims, Kurds, Assyrians, Turkmens, or other communities. These political groups continued to attract support despite their illegal status.

The percentages of women and minorities in government and politics does not correspond to their percentages of the population. The law provides for the election of women and minorities to the National Assembly; however, they have only token representation.

In the north, all central government functions have been performed by local administrators, mainly Kurds, since the Government withdrew its military forces and civilian administrative personnel from the area after the 1991 uprising. A regional parliament and local government administrators were elected in 1992. The parliament last met in May 1995. The two major Kurdish parties in de facto control of the north, the KDP and the PUK, battled one another from 1994 through 1997. In September 1998, they agreed to unify their separate administrations and to hold new elections in July 1999. The cease-fire has held; however, reunification measures have not been implemented. The PUK held municipal elections in February 2000 and the KDP held municipal elections in May, the first elections held in the Kurdish-controlled areas since 1992. Foreign and local election observers reported that the elections generally were fair.

The KDP reportedly requires membership lists from ethnic minority political parties. The Government also imposes additional restrictions on some political parties (see Section 2.b.).

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government does not permit the establishment of independent human rights organizations. Citizens have established several human rights groups abroad and in northern areas not under government control. Monitors from most foreign and international human rights groups are not allowed in the country. However, the Government allows several international humanitarian and aid organizations to operate in the country.

The Government harassed and intimidated relief workers and U.N. personnel throughout the country, continued threatening to arrest or kill relief workers in the north, and staged protests against U.N. offices in the capital (see Sections 1.g. and

2.a.). In September the Government arrested and expelled six U.N. humanitarian workers without providing a basis for its actions.

As in previous years, the Government did not allow the U.N. Special Rapporteur to visit the country, nor did it respond to his requests for information.

In November the U.N. Commission on Human Rights and the U.N. General Assembly issued a report that noted "with dismay" the lack of improvement in the situation of human rights in Iraq. The report strongly criticized the "systematic, widespread, and extremely grave violations of human rights" and of international humanitarian law by the Government, which it stated resulted in "all-pervasive repression and oppression sustained by broad-based discrimination and widespread terror." The report called on the Government to fulfill its obligations under international human rights treaties.

For the ninth consecutive year, the Commission called on the U.N. Secretary General to send human rights monitors to "help in the independent verification of reports on the human rights situation in Iraq." The U.N. Subcommission on Prevention of Discrimination and Protection of Minorities made a similar request. The Government continued to ignore these requests.

The Government operates an official human rights group that routinely denies allegations of abuses.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution and the legal system provide for some rights for women, children, and minorities; however, in practice the Government systematically violates these rights.

Women.—Domestic violence against women occurs but little is known about its extent. Such abuse customarily is addressed within the tightly knit family structure. There is no public discussion of the subject, and no statistics are published. Spousal violence constitutes grounds for divorce and may be prosecuted; however, suits brought on such charges reportedly are rare. Under a 1990 law, men who committed honor crimes may receive immunity from prosecution (see Section 1.e.).

Rape is prohibited by law; however, security forces rape family members of persons in the opposition a punishment. No information is available regarding the frequency or severity of rape in society.

Prostitution is illegal. During the year, the Government reportedly beheaded women accused of prostitution (see Section 1.a.).

The Government states that it is committed to equality for women, who make up approximately 20 percent of the work force. It has enacted laws to protect women from exploitation in the workplace and from sexual harassment; to permit women to join the regular army, Popular Army, and police forces; and to equalize women's rights in divorce, land ownership, taxation, and suffrage. It is difficult to determine the extent to which these protections are afforded in practice. Women are not allowed to travel outside the country alone (see Section 2.d.).

In April 2000, the PUK declared that immunity would not be given for honor crimes in the area under its control. Several active women's organizations operate in the Kurd-controlled regions in the north. In September the KDP began admitting women into the police academy in preparation for the planned integration of women into the police force.

Children.—No information is available regarding whether the Government has enacted specific legislation to promote the welfare of children. However, the Special Rapporteur and several human rights groups have collected a substantial body of evidence indicating the Government's continued disregard for the rights and welfare of children. Education for boys is compulsory through the sixth grade. Children may continue in public schools through grade 12, but children often leave after grade 6 to help in family enterprises. The Government claims that it also has enacted laws to make education for girls compulsory.

The Government's failure to comply with relevant U.N. Security Council resolutions has led to a continuation of economic sanctions. There were widespread reports that food and medicine that could have been made available to the general public, including children, were stockpiled in warehouses or diverted for the personal use of some government officials. The executive director of the U.N. office in charge of the oil-for-food program confirmed the insufficient placement of orders in a January 2000 letter to the Government, in which he expressed concern about the low rate of submission of applications in the health, education, water, sanitation, and oil sectors. He also stated that of the \$570 million worth of medicines and medical supplies that had arrived in the country through the oil-for-food program in 1998 and 1999, only 48 percent had been distributed to clinics, hospitals, and pharmacies.

The Government's management of the oil-for-food program did not take into account the special requirements of children between the ages of 1 and 5, despite the U.N. Secretary General's specific injunction that the Government modify its implementation procedures to address the needs of this vulnerable group. In 1999 UNICEF issued the results of the first surveys of child and maternal mortality in the country that have been conducted since 1991. The surveys were conducted between February and May 1999, in cooperation with the Government in the southern and central regions, and in cooperation with the local Kurdish authorities in the north. The surveys revealed that in the south and center parts of the country, home to 85 percent of the population, children under 5 years old were dying at more than twice the rate that they were a decade before. In contrast mortality rates for children under 5 years old in the Kurdish-controlled north dropped in the period between 1994 and 1999. The Special Rapporteur criticized the Government for "letting innocent people suffer while [it] maneuvered to get sanctions lifted." Had the Government not waited 5 years to adopt the oil-for-food program in 1996, he stated in October 1999, "millions of innocent people would have avoided serious and prolonged suffering."

For the 8th, the Government held 3-week training courses in weapons use, hand-to-hand fighting, rappelling from helicopters, and infantry tactics for children between 10 and 15 years of age. Camps for these "Saddam Cubs" operated throughout the country. Senior military officers who supervised the course noted that the children held up under the "physical and psychological strain" of training that lasted for as long as 14 hours each day. Sources in the opposition report that the army found it difficult to recruit enough children to fill all of the vacancies in the program. Families reportedly were threatened with the loss of their food ration cards if they refused to enroll their children in the course. The Supreme Council for the Islamic Revolution in Iraq reported in October 1999 that authorities were denying food ration cards to families that failed to send their young sons to Saddam Cubs compulsory weapons-training camps (see Section 1.f.). Similarly, authorities reportedly withheld school examination results to students unless they registered in the Fedayeen Saddam organization (see Section 1.f.).

Government officials allegedly took children from minority groups in order to intimidate their families to leave cities and regions in which the Government wishes to create a Sunni Arab majority (see Sections 1.d., 1.f., and 2.d.).

Persons with Disabilities.—No information was available regarding the Government's policy towards persons with disabilities.

Religious Minorities.—The country's cultural, religious, and linguistic diversity is not reflected in its political and economic structure. Various segments of the Sunni Arab community, which itself constitutes a minority of the population, effectively have controlled the Government since independence in 1932. Shi'a Arabs, the religious majority of the population, have long been economically, politically, and socially disadvantaged. Like the Sunni Kurds and other ethnic and religious groups in the north, the Shi'a Arabs of the south have been targeted for particular discrimination and abuse (see Section 2.c.).

Assyrian groups reported several instances of mob violence by Muslims against Christians in the north in the past few years.

Although few Jews remain in the country, government officials frequently make anti-Semitic statements.

National/Racial/Ethnic Minorities.—Non-Arabs are denied equal access to employment, education, and physical security. Non-Arabs are not permitted to sell their homes except to Arabs, nor to register or inherit property. The Government continued to relocate forcibly the non-Arab population, including Kurds, Turkmens, and Assyrians living in Kirkuk, Sinjar, and other districts (see Sections 1.f. and 2.d.).

Assyrians and Chaldeans are considered by many to be a distinct ethnic group, as well as the descendants of some of the earliest Christian communities. These communities speak a different language (Syriac), preserve traditions of Christianity, and have a rich cultural and historical heritage that they trace back more than 2,000 years. Although these groups do not define themselves as Arabs, the Government, without any historical basis, defines Assyrians and Chaldeans as such, evidently to encourage them to identify with the Sunni-Arab dominated Government (see Section 2.c.).

The Government does not permit education in languages other than Arabic and Kurdish. Thus, in areas under government control, Assyrian and Chaldean children are not permitted to attend classes in Syriac.

The Constitution does not provide for a Yazidi identity. Many Yazidis consider themselves to be ethnically Kurdish, although some would define themselves as both religiously and ethnically distinct from Muslim Kurds. However, the Government,

without any historical basis, has defined the Yazidis as Arabs. There is evidence that the Government has compelled this reidentification to encourage Yazidis to join in domestic military action against Muslim Kurds. Captured government documents included in a 1998 HRW report describe special all-Yazidi military detachments formed during the 1988–89 Anfal campaign to “pursue and attack” Muslim Kurds. The Government imposes the same repressive measures on Yazidis as on other groups (see Section 2.c.).

Citizens considered by the Government to be of Iranian origin must carry special identification and often are precluded from desirable employment. Over the years, the Government has deported hundreds of thousands of citizens of Iranian origin.

Ethnic and religious minorities face some discrimination and harassment by Kurds in the north. In areas of the north under Kurdish control, classes in Syriac and Turkish have been permitted in primary schools run by Assyrian or Turkmen parties, since the 1991 uprising against the Government. However, teaching of Syriac reportedly remains restricted. The Kurdish administrations also require that all school children begin learning Arabic in primary school.

Assyrian groups reported several instances of mob violence by Muslims against Christians in the north in the past few years. Assyrians continue to fear attacks by the PKK, a Turkish-based terrorist organization that operates against indigenous Kurds in northern Iraq. In 2000 Christians reported feeling caught in the middle of intra-Kurdish fighting. Some Assyrian villagers reported in 2000 being pressured to leave the countryside for the cities as part of a campaign by indigenous Kurdish forces to deny the PKK access to possible food supplies. There were no reports during the year of the Kurdistan Regional Government’s investigation into a series of bombings in 1998 and 1999 that many Assyrian groups believed were part of a terror campaign designed to intimidate them into leaving the north.

Ethnic Turkmen also claim discrimination by Kurdish groups, including the required use of the Kurdistan flag in Turkmen schools and the assignment of Kurdish teachers to Turkmen schools.

Section 6. Worker Rights

a. The Right of Association.—There are no trade unions independent of government control. The Trade Union Organization Law of 1987 established the Iraqi General Federation of Trade Unions (IGFTU), a government controlled trade union structure, as the sole legal trade federation. The IGFTU is linked to the Ba’th Party, which uses it to promote party principles and policies among union members.

Workers in private and mixed enterprises, but not public employees or workers in state enterprises, have the right to join local union committees. The committees are affiliated with individual trade unions, which in turn belong to the IGFTU.

In 1999 Uday Hussein reportedly dismissed hundreds of members of the Iraqi Union of Journalists for not praising Saddam Hussein and the Government sufficiently (see Section 2.a.). Also in 1999, Uday Hussein reportedly jailed at least four leaders of the Iraqi National Students Union for failing to carry out his orders to take action against students known for their criticism of the situation in the country.

The Labor Law restricts the right to strike. According to the International Confederation of Free Trade Unions, such restrictions on the right to strike include penal sanctions. No strike has been reported for during the past 2 decades.

The IGFTU is affiliated with the International Confederation of Arab Trade Unions and the formerly Soviet-controlled World Federation of Trade Unions.

In the Kurd-controlled northern region, the law allows persons to form and join trade unions and other organizations, and to use such organizations for political action. Dozens of trade groups have been formed since 1991.

b. The Right to Organize and Bargain Collectively.—The right to bargain collectively is not recognized. The Government sets salaries for public sector workers, the majority of employed persons. Wages in the much smaller private sector are set by employers or negotiated individually with workers. Government workers frequently are shifted from one job and work location to another to prevent them from forming close associations with other workers. The Labor Code does not protect workers from antiunion discrimination, an omission that has been criticized repeatedly by the Committee of Experts of the International Labor Organization (ILO).

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor.—Compulsory labor is prohibited by law; however, the Penal Code mandates prison sentences, including compulsory labor, for civil servants and employees of state enterprises for breaches of labor “discipline,” including resigning from a job. According to the ILO, foreign workers in the country have been prevented from terminating their employment and returning to their native countries because of government-imposed penal sanctions on persons

who do so. There is no information available regarding forced and bonded labor by children.

d. Status of Child Labor Practices and Minimum Age for Employment.—The employment of children under the age of 14 is prohibited, except in small-scale family enterprises. However, children reportedly are encouraged increasingly to work in order to help support their families because of the country's harsh economic conditions. The law stipulates that employees between the ages of 14 and 18 work fewer hours per week than adults. Each year the Government enrolls children as young as 10 years of age in a paramilitary training program (see Section 5). There is no information available regarding forced and bonded labor by children (see Section 6.c.).

The Government has not ratified ILO Convention 182 on the worst forms of child labor.

e. Acceptable Conditions of Work.—There was no information available regarding minimum wages.

Most workers in urban areas work a 6-day, 48-hour workweek. The head of each ministry sets hours for government employees. Working hours for agricultural workers vary according to individual employer-employee agreements.

Occupational safety programs are in effect in state-run enterprises. Inspectors ostensibly inspect private establishments, but enforcement varies widely. There was no information regarding workers' ability to remove themselves from work situations that endanger their health or safety.

f. Trafficking in Persons.—There was no information available regarding whether trafficking in persons is prohibited by law, or whether persons were trafficked to, from, or within the country.

ISRAEL AND THE OCCUPIED TERRITORIES

Israel is a parliamentary democracy with a multiparty system and free elections. There is no Constitution; a series of "basic laws" provide for fundamental rights. The legislature, or Knesset, has the power to dissolve the Government and limit the authority of the executive branch. Following Labor Party Prime Minister Ehud Barak's resignation in December 2000, voters elected Likud Party leader Ariel Sharon Prime Minister in a February general election. Sharon took office in March as the head of a broad "unity" government that includes the Labor Party, the largest bloc in the Knesset. The judiciary is independent.

Since its founding in 1948, Israel has been in a state of war with most of its Arab neighbors. Throughout its existence, Israel also has experienced numerous terrorist attacks by a number of terrorist organizations that have had as their stated objective the elimination of the Israeli State. With the onset of the "Al-Aqsa Intifada" in September 2000, there was a dramatic escalation in the level of violence directed against Israelis. The number of terrorist incidents, and Israeli casualties due to such attacks, rose sharply during the year compared with the previous year.

Israel concluded peace treaties with Egypt in 1979 and with Jordan in 1994, and a series of agreements with the Palestinians beginning in 1993. As a result of the 1967 war, Israel occupies the West Bank, the Gaza Strip, East Jerusalem, and the Golan Heights (the human rights situation in the occupied territories is discussed in the annex appended to this report). The international community does not recognize Israel's sovereignty over any part of the occupied territories.

An historic process of reconciliation between Israel and the Palestinians began with the Madrid Conference in 1991 and continued with the September 1993 signing of the Israeli-Palestinian Declaration of Principles (DOP). In September 1995, Israel and the Palestine Liberation Organization (PLO) signed the Interim Agreement on the West Bank and the Gaza Strip. In January 1997, the parties concluded the Hebron Protocol and in October 1998, Israel and the PLO signed the Wye River Memorandum. In September 1999, the Israeli Government and the PLO signed the Sharm el-Sheikh Memorandum. The parties held intensive working-level talks between March and June 2000 and met at Camp David in July of that year; however, the Government and the PLO did not reach an agreement. After the outbreak of the Intifada in the fall of 2000, Israeli and Palestinian authorities made several attempts to reduce the level of violence and return to the negotiating process, including during talks in Taba, Egypt, in January. During the year, both sides attempted to implement recommendations contained in the Tenet Agreement and the Mitchell Report, both of which were designed to reduce the violence and return the parties to negotiations.

Internal security is the responsibility of the Israel Security Agency (the ISA—formerly the General Security Service, or GSS, and also known as Shin Bet, or Shabak), which is under the authority of the Prime Minister's office. The police are under the authority of the Minister of Internal Security. The Israel Defense Forces (IDF) are under the authority of a civilian Minister of Defense. The IDF includes a significant portion of the adult population on active duty or reserve status and plays a role in maintaining internal security. The Foreign Affairs and Defense Committee in the Knesset reviews the activities of the IDF and the ISA. Members of the security forces committed serious human rights abuses in the occupied territories and regarding Palestinian detainees.

The country's population is approximately 6.4 million (including Israeli settlers who live in the occupied territories). Israel has an advanced industrial economy, and citizens enjoy a relatively high standard of living, with a per capita income of more than \$17,000. Unemployment averaged approximately 9 percent during the year, but was substantially higher in the country's peripheral regions and among lower-skilled workers. The country's economic growth has been accompanied by an increase in income inequality. The longstanding gap in levels of income within the Jewish population and between Jewish and Arab citizens continues. The 14 towns with the highest unemployment rate in the country all are populated by Arab citizens. The country's heavy reliance on foreign workers, principally from Asia and Eastern Europe, was increasingly controversial during the year. Such workers generally are employed in agriculture and the construction industry and constitute approximately 10 percent of the labor force. The country has moved gradually to reduce state intervention in the economy through privatization of several state-owned companies and through deregulation, although progress in these areas has slowed in recent years. The Government made progress in its effort to privatize the government-owned phone company (Bezeq) during the year. Numerous other enterprises remain government owned. State-owned companies continue to dominate such fields as electricity generation and transmission, oil refining, shipping, and international air travel. However, individuals are free to invest in private interests and to own property. The Government owns and manages 77 percent of the country's land area, and as a matter of policy it does not sell land. The Jewish National Fund (JNF), an organization established in 1897 for the purchase and management of land for the Jewish people, owns 8 percent of the country's land area, including a considerable amount transferred directly from the Government, and manages another 8 percent on behalf of the Government. Foreigners and citizens of all religions are allowed freely to purchase or lease the 7 percent of land not controlled by the Government or the JNF. In March 2000, the High Court of Justice ruled that the Government's use of the JNF to develop public land was discriminatory, since the JNF's statute prohibits the sale or lease of land to non-Jews.

The Government generally respects the human rights of its citizens. However, there continued to be problems with respect to its treatment of Arab citizens. Historically, Israel's main human rights problems have arisen from its actions in response to the terrorist threat and its policies and practices in the occupied territories. Hostility from states in the region has exacerbated these problems. The Islamic Resistance Movement (Hamas), Hizballah, Islamic Jihad in Palestine, and the Popular Front for the Liberation of Palestine (PLFP), among others, all committed acts of terrorism in Israel during the year. Nearly 2,000 terror attacks, including suicide bombings, drive-by shootings, mortar and grenade attacks, and stabbings took place during the year in the West Bank, Gaza, and Israel proper. Also during the year, more than 200 Israelis were killed and over 1,500 injured, a sharp increase over the previous year, when 22 Israelis were killed and 244 injured in terrorist incidents. In November 2000, a Legal Commission of Inquiry headed by Justice Theodore Or was established to investigate the demonstrations and riots of October 2000, during which police used excessive force and killed 13 Arab citizens. During the first round of testimony, police officers involved in the events admitted that they were underprepared for dealing with potentially violent demonstrations and that, despite initial denials, the police, including snipers, had used live ammunition against unarmed demonstrators. The Commission's work was expected to continue into 2002. A landmark decision by the High Court of Justice in September 1999 prohibited the use of a variety of other abusive practices, including violent shaking, painful shackling in contorted positions, sleep deprivation for extended periods of time, and prolonged exposure to extreme temperatures; however, during the year, human rights organizations, including B'tselem, Human Rights Watch (HRW), and the Public Committee Against Torture in Israel (PCATI), and the Mandela Institute for Political Prisoners reported that there was an increase in the number of allegations that security forces tortured detainees, including using methods prohibited in the High Court decision. There also were numerous allegations that police

officers beat detainees. The Government states that the security forces have complied with the High Court's decision and that the Attorney General's office investigates any allegations of mistreatment. Detention and prison conditions for Palestinian security detainees held in Israel were poor and did not meet international standards regarding the provision of sufficient living space, food, and access to medical care. The Government continued to detain without charge Palestinians, some of them for lengthy periods; the number of such detainees increased following the outbreak of violence in September 2000. During the year, the Government held 62 persons without charge in administrative detention. As of early December, 35 individuals were being held in administrative detention. In April 2000, an Israeli High Court ruling declared illegal the holding of Lebanese detainees in Israeli prisons as "bargaining chips" to extract concessions or the release of Israeli prisoners held in Lebanon; however, at year's end, there were approximately 19 Lebanese prisoners in custody, two of whom—Sheikh al-Karim Obeid and Mustafa Dirani—were held without charge. The Government did not comply with High Court decision mandating that the International Committee of the Red Cross (ICRC) have access to Obeid. One Lebanese prisoner completed his sentence during the year and was released. Following the outbreak of violence in September 2000, and increasingly during the year, the Government detained without charge hundreds of persons in Israel, the West Bank, and Gaza. Some security prisoners are sentenced on the basis of coerced confessions, of both themselves and others. According to human rights organizations, the legal system often imposes more severe punishments on Arab citizens than on Jewish citizens, although such discrepancies are not provided by law. The Government interferes with individual privacy in some instances. The Government imposed severe restrictions on the movement of persons and some restrictions on the movement of goods between Israel and the West Bank and Gaza as well as between cities in the West Bank and Gaza. Also known as "closure," this practice has been in effect to varying extents since 1993 (see Section 2.d. of the annex). The Government claims that the closures are necessary to prevent terrorism. A number of NGO's claim that these restrictions often exceed those justified by security concerns, and that they are provocative and incite public reaction.

Discrimination and societal violence against women persists, although the Government continued to take steps to address the problems. Discrimination against persons with disabilities persists. The Government made little headway in reducing institutional, legal, and societal discrimination against Israel's Arab citizens, who constitute approximately 20 percent of the population but do not share fully the rights provided to, and obligations imposed on, the country's Jewish citizens. Demonstrations and clashes between the police and Israeli Arabs in October 2000 brought renewed attention to the different treatment accorded to the Jewish and Arab sectors of the country. The Government did not take significant, tangible steps to improve the situation of the country's Arab citizens during the year. In October 2000, the Government approved a \$975 million economic assistance plan for Arab citizens to be phased in over 4 years; however, some human rights groups criticized the plan as inadequate. No money for the plan was disbursed during the year. There were a number of instances of societal violence between Jewish and Arab citizens during the year. Trafficking in women for the purpose of forced prostitution is a continuing problem.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life.—There were no reports of political killings during the year.

In October 2000, in violent incidents that coincided with the outbreak of violence in the occupied territories, police used excessive force to disperse demonstrations in the north of the country, killing 13 Arab citizens and injuring 300. There were reports that the police used a combination of live ammunition and rubber-coated steel bullets against the demonstrators and fired tear gas at the Arab citizens. On October 8, 2000, a group of approximately 1,000 Israeli Jews attacked Arab homes in Nazareth. The attackers allegedly targeted Arab citizens due to their anger over the Hizballah kidnaping of three IDF soldiers and the attack on Joseph's Tomb in the West Bank in early October 2000. Police reportedly arrived at the scene late, did not take action beyond inserting themselves between the two groups, and fired live ammunition, rubber bullets, and tear gas at the Arab citizens. Two Israeli Arabs were killed in the incident and approximately 50 others were injured. In November 2000, the Government of Ehud Barak established a legal Commission of Inquiry, chaired by Justice Theodore Or and including an Israeli Arab judge, to investigate the causes of the riots and the police response. By year's end, the Commission had

held more than 50 sessions and heard the testimony of more than 330 witnesses. In testimony taken during the year, numerous police officers testified that the police, including snipers, fired live ammunition into crowds of demonstrators, something police officials vehemently had denied in the period after the demonstrations. Doctors testified that rubber-coated steel bullets being fired from too close a range apparently caused several of the 13 deaths. Police witnesses testified that they had not been trained in the proper use of rubber-coated steel bullets and were not aware of regulations requiring that officers be a minimum distance from targets before firing such bullets. Police witnesses also testified that there was confusion regarding the chain of command and that some local commanders had not been informed that snipers had been deployed in the towns. Some local commanders believed the use of snipers was inappropriate. Some police described a few of their colleagues as having engaged in overly aggressive actions. The Commission's activities were expected to continue well into 2002. At the conclusion of the investigation, the Commission may make recommendations, including whether certain individuals should be indicted.

During the year, there were no violent demonstrations on the scale of those that occurred in late 2000. During demonstrations in Arab areas in March, May, and October, the police worked closely with local Arab leaders to prevent a recurrence of the events of October 2000 (see Section 2.b.).

There was a sharp increase in the number of suicide bombings, shootings, and other acts of terrorism by Palestinian groups or individuals in Israel and the occupied territories, which resulted in the deaths of approximately 208 Israelis (also see Sections 1.a. and 1.c. of the annex). For example, on February 14, a Palestinian driving a bus purposefully rammed into a bus stop south of Tel Aviv, killing eight persons.

On March 4, a suicide bomber killed 3 Israelis and injured 60 persons on Herzl Street in Netanya.

In June a suicide bomber killed 22 Israelis outside the Dolphinarium discotheque in Tel Aviv. The terrorist group Hamas claimed responsibility for the attack.

In August a suicide bomber blew himself up in the Sbarro Restaurant in West Jerusalem, killing 15 persons and injuring 130. The Palestinian Islamic Jihad took responsibility.

In October Palestinian gunmen opened fire on a bus stop in Hadera, killing 4 and injuring more than 40 persons. Islamic Jihad took responsibility for the incident.

In early December, two suicide bombers killed 11 persons and injured 188 in a pedestrian mall in West Jerusalem. The next day, a bus bomb in Haifa killed 15 and injured 40. Hamas took responsibility for the Haifa and the December Jerusalem pedestrian mall bombings.

There were at least 1,970 terror attacks directed against Israelis during the year, including drive by shootings, ambushes, firing of mortars or anti-tank missiles, use of grenades, and stabbings in the West Bank, Gaza, and Israel proper.

Attacks by Hizballah in the Sheba Farms/Har Dov in northern Israel area resulted in the death of one Israeli soldier. On February 16, the soldier was killed by a rocket fired by Hizballah while on IDF patrol in the area.

b. Disappearance.—In October 2000, Hizballah guerrillas kidnaped 3 Israeli soldiers on patrol in the Har Dov area of the Golan Heights, demanding that the Israeli government release all remaining Lebanese detainees in Israeli prisons. Hizballah continued to deny other governments and the ICRC access to the prisoners during the year. In June there were reports that U.N. forces videotaped the area of the kidnaping before and after the event. Families of the kidnaped soldiers believe that U.N. forces may possess other videotapes that could provide information regarding the condition of the victims or the kidnapers' identities. In October the Ministry of Defense announced that it had received information that the three soldiers had been killed during the ambush or had died of injuries sustained during the kidnaping.

After consulting with the Ministry of Defense, rabbinical authorities declared the two Israeli soldiers dead and stated that they believed the Muslim soldier also was dead. However, for cultural reasons, the Muslim soldier's family chose not to accept the determination of death unless they received additional proof of the soldier's death or a body. The families of the two Jewish soldiers accepted the determination of death and performed traditional mourning rituals, despite the fact that no bodies have yet been recovered.

A fourth hostage, Elhannan Tannenbaum, who was kidnaped in either Europe or Lebanon in October 2000, was believed to be in Hizballah custody at the end of the year. The ICRC attempted to pass medication and messages to Tannenbaum, but was unable to ascertain whether he received the packages.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—Laws and administrative regulations prohibit the physical abuse of detainees; however, during the year, human rights organizations, including B'tselem, Human Rights Watch, Palestinian Society for the Protection of Human Rights and the Environment (LAW), and the Mandela Institute for Political Prisoners reported that there was an increase in the number of allegations that security forces tortured detainees, including using methods prohibited in the 1999 High Court decision. There also were numerous allegations that police officers beat detainees. The Government states that the security forces have complied with the High Court's decision and that the Attorney General's office investigates any allegations of mistreatment. Although it is not clear that any formal complaints of torture have been filed, human rights groups point out that no GSS agent has been criminally charged with torture or other ill-treatment for the past several years. Human rights groups further complain that the investigators who do field work for the Attorney General's office on such claims are GSS agents.

Prior to the High Court's 1999 decision, laws prohibiting the physical abuse of detainees were not enforced. Regulations authorized security officers to use "moderate physical and psychological pressure" (which included violent shaking) while interrogating detainees. These practices often led to excesses. In 1999 the Attorney General issued guidelines that denied blanket immunity from prosecution for interrogators.

A Commission of Inquiry continued to conduct throughout the year an investigation into the causes of the October 2000 demonstrations and riots, and the police response. During the year, the Commission held more than 50 sessions in which it heard testimony from more than 330 witnesses (see Section 1.a.).

In March a mob of Jewish persons severely beat a Palestinian man in Netanya. The authorities sentenced one Jewish man who was convicted of being part of the mob to 18 months in prison. The mob attacked the victim after a bomb exploded in the area. The victim sustained brain damage and other serious injuries during the incident.

During the year, an estimated 1,523 Israelis were injured in terrorist attacks carried out by Palestinian groups or individuals in Israel and the occupied territories (see Sections 1.a. and 1.c. of the annex).

Conditions vary in incarceration facilities in Israel and the occupied territories, which are administered by the Israeli Prison Service (IPS), the IDF, or the national police. IPS prisons, which generally house Israeli citizens convicted of common crimes, usually provide inmates with sufficient living space, food, and access to medical care. In general IPS guards do not subject inmates to physical abuse, and prisoners receive basic necessities. Inmates receive mail, have television sets in their cells, and receive regular visits. Prisoners receive wages for prison work and benefits for good behavior. Many IPS prisons have drug treatment, educational, and recreational programs. The IPS established a national police unit to investigate allegations of offenses committed by guards, including complaints about the use of force against inmates.

Since the 1995 closure of the main IDF detention camps in the occupied territories, all security detainees from the occupied territories who were held for more than a few days were transferred to facilities within Israel. During the year, security detainees usually were held in the IDF's Megiddo prison, in IPS facilities, and in special sections of police detention facilities. Prisoners incarcerated for security reasons were subject to a different regimen, even in IPS facilities, and conditions for them were poor. According to the Government, security detainees may receive financial assistance from the Palestinian Authority (PA); food, including food required for observing religious holidays, from their families and other persons or organizations; and medical supplies from the ICRC and other aid organizations. Security detainees include some minors. Detention facilities administered by the IDF are limited to male Palestinian detainees. The total number of Palestinian prisoners held by Israel, which was approximately 1,832 at the beginning of the year, reached 2,226 by year's end. The Government stated that it held 35 persons from Gaza and the West Bank, and no Israeli Arabs in administrative detention (without charge or trial) at year's end, and that it had held 62 prisoners, including at least 2 Israeli citizens, in administrative detention at some point during the year (see Section 1.d.).

Conditions at the Russian Compound, which is run by police and houses a combination of security and common prisoners and detainees in Jerusalem, were criticized in 1997 as "not fit to serve as lock-up" by High Court of Justice President Aharon Barak. Conditions in other IDF facilities have improved in some respects. For example, inmates are provided more time to exercise outside their cells. During the year, prisoners in the Megiddo facility told diplomatic visitors that conditions there were acceptable. Nevertheless, recreational facilities remained minimal, and there are strict limitations on family visits to detainees.

Male family members of Palestinian prisoners who are between 16 and 40 years of age, and any family members with security records, generally are barred from visiting relatives in facilities in Israel. Relatives of Palestinian prisoners also claimed that in some instances they learned that visitation rights have been canceled only when they arrived at the prison after traveling for many hours from the occupied territories. Following the outbreak of violence in late September 2000, the Israeli Government banned all family visits for Palestinian prisoners in Israeli jails, although some visitation rights were restored during the year after ICRC interventions (see Section 1.c. of the annex).

Since the Intifada began, only Israeli lawyers or Palestinian lawyers with Jerusalem identification cards have been permitted to visit Palestinian prisoners in Israeli jails as advocates or monitors. This has reduced significantly the availability and timeliness of legal aid for such prisoners.

Conditions at some national police detention facilities are poor. Such facilities are intended to hold criminal detainees prior to trial but often become de facto prisons. Those held include some security detainees and some persons who have been convicted and sentenced. Inmates in the national police detention facilities often are not accorded the same rights as prisoners in the IPS system. Moreover, conditions are worse in the separate facilities for security detainees maintained both in police facilities and in IPS prisons.

In 1996 the Government began a reform program for the country's detention facilities. Improvements included the opening of a model detention center near Netanya; however, problems, including dilapidation and overcrowding, persist. The 1997 Arrest and Detention law provided for the right to live in conditions that would not harm the health or dignity of the detainee, access to adequate health care, the right to a bed for each detainee, and access to exercise and fresh air on a daily basis. The Government has made strides towards implementing this legislation, although problems remain. For example, in October Ha'aretz newspaper reported on continuing deficiencies in the care of prisoners with mental illness (see Section 5).

Children's rights groups have expressed particular concern over the separate sections of holding facilities set aside for the detention of children. Overcrowding, poor physical conditions, lack of social workers, and denial of visits by parents are among the main problems. In addition to some Israeli minors held in criminal cases, there are juveniles among Palestinian detainees. Children's rights activists had recommended the construction of a separate detention facility for children, and after a prolonged legal battle, separate prison facilities were built for Arab and Jewish children separate from the adult prison population.

All incarceration facilities are monitored regularly by various institutions including branches of the Government, members of the Knesset, the ICRC, and human rights groups (see Section 1.d. of the annex).

d. Arbitrary Arrest, Detention, or Exile.—The law prohibits arbitrary arrest; however, in some instances, the Government has not observed this prohibition. Defendants are considered innocent until proven guilty and have the right to writs of habeas corpus and other procedural safeguards. However, a 1979 law permits, subject to judicial review, administrative, or preventive, detention (i.e., without charge or trial), which is used in a small percentage of security cases. In such cases, the Minister of Defense may issue a detention order for a maximum of 1 year, although such orders may be extended. Within 24 hours of issuance, detainees must appear before a district judge who may confirm, shorten, or overturn the order. If the order is confirmed, an automatic review takes place after 3 months. Detainees have the right to be represented by counsel and to appeal detention orders to the High Court of Justice; however, the security forces may delay notification of counsel with the consent of a judge. According to human rights groups and legal experts, there were cases in which a judge denied the Government's request to delay notification of counsel. At detention hearings, the security forces may withhold evidence from defense lawyers on security grounds. The Government also may seek to renew administrative detention orders. However, the security services must "show cause" for continued detention, and, in some instances, individuals were released because the standard could not be met.

In felony cases and in ordinary security cases, a district court judge may postpone for 48 hours the notification of arrest to the detainee's attorney. The Minister of Defense may extend the postponement to 7 days on national security grounds or by the police inspector general to conduct an investigation. Moreover, a judge may postpone notification for up to 15 days in national security cases.

The 1997 Arrest and Detention Law more narrowly defined the grounds for pre-trial detention in criminal and security cases and reduced to 24 hours the length of time a person may be held without charge; however, this law does not extend to

administrative detention cases. Human rights groups alleged abuse of detention orders in cases in which the accused did not pose a clear danger to society.

Children's rights activists have recommended separate legislation to define when and how a child may be arrested and how long children may be detained.

After the October 2000 violent demonstrations, the Government arrested and held numerous Arab citizens of Israel, including some minors, as security prisoners, which enabled the government to hold the prisoners without access to counsel for up to 2 weeks. The Government never charged any of the detainees with security offenses, although many of them were convicted of nonsecurity crimes based on confessions elicited during the periods they were denied access to counsel (see Section 1.e.). There also were credible reports that police made the initial security charges in bad faith, in attempts to elicit confessions of crimes such as stone-throwing, which carries a penalty of up to 20 years in prison. Many of the persons arrested also reportedly were held without bail until the end of criminal proceedings against them. Several detainees appealed their cases to the High Court of Justice; however, the Court upheld their detentions without bail on the basis that calm had not yet been restored in the country. Most were released after a short period. According to Amnesty International, the Government denied at least 10 Arab citizens detained in connection with disturbances in October access to counsel for up to 1 week.

In February the Government arrested another Israeli Arab, Kamal Obeid, and briefly held him under administrative detention.

In December 2000, for the first time since 1994, the Government placed an Israeli Arab, Jhasan Athamnah, in administrative detention based on secret evidence. In March the High Court refused a petition to release Athamnah. In June the Ministry of Defense declined to renew Athamnah's detention order, and he was released.

Some protections afforded to Israelis are not extended to Palestinian detainees, who fall under the jurisdiction of military law even if they are detained in Israel. Following IDF redeployment in the West Bank, detention centers there were closed in 1995. As a result, all Palestinian detainees held for longer than 1 or 2 days are incarcerated in Israel (see Section 1.d. of the annex).

At year's end, the Government held approximately 2,200 Palestinians in custody. Those held were a combination of common criminal prisoners (approximately 1,300), administrative detainees, and ordinary security detainees (between 800 and 900). The Government continues to deny the ICRC access to one Lebanese citizen, Mustafa Dirani, a head of security for the Amal militia, who the Government has held without charge since 1994. The Government has held Sheikh Obeid, a Hizballah leader, without charge since 1989. The Government claims that Obeid and Dirani are security threats. In May 1998, the High Court of Justice ruled that the Government was entitled to continue holding both Obeid and Dirani for use in a possible exchange for Israelis who still may have been held by hostile forces. The High Court's ruling emphasized that national security needs took precedence over the detainees' individual rights under Israeli and international law. However, in April 2000, the High Court declared illegal the detention of individuals to be used as "bargaining chips." The Government subsequently released 13 Lebanese prisoners; however, Obeid, Dirani, and approximately 17 other Lebanese prisoners remained in custody at year's end. Obeid and Dirani are administrative detainees, and the 17 other prisoners have been charged and convicted of crimes. One Lebanese detainee completed his sentence during the year and was released.

The Government granted the ICRC access to Obeid for the first time in 1999 and allowed the ICRC four additional visits during 2000. However, following the October 2000 kidnaping of IDF soldiers by Hizballah guerrillas (see Section 1.b.), the Government suspended ICRC access to Sheikh Obeid. In September the High Court ruled that the Government must grant the ICRC access to Obeid. However, families of the missing IDF soldiers requested that the Government delay action on the order, and implementation of the court's decision was postponed, and had not occurred by year's end.

The law prohibits forced exile of citizens, and the Government generally respects this prohibition in practice.

e. Denial of Fair Public Trial.—The law provides for an independent judiciary, and the Government respects this provision. The September 1999 landmark High Court of Justice decision barring the use of torture (see Section 1.c.) was a major change from the judiciary's previous practice of acquiescence to the government's position in cases, as did the April 2000 ruling prohibiting the holding of detainees for use as "bargaining chips." The judiciary generally provides citizens with a fair and efficient judicial process. However, in practice, according to some human rights organizations, Arab citizens often receive stiffer punishments than Jewish citizens.

The judicial system is composed of civil, military, religious, labor relations, and administrative courts, with the High Court of Justice as the ultimate judicial au-

thority. The High Court of Justice is both a court of first instance (in cases involving government action) and an appellate court (when it sits as the Supreme Court). All courts in the judicial system, including the High Court of Justice, have appellate courts or jurisdictions.

The law provides for the right to a hearing with representation by counsel, and authorities observe this right in practice. A regional and national system of public defenders operated by the Ministry of Justice employs approximately 700 attorneys through 5 regional offices. Under the system, economically disadvantaged persons who face sentences of 5 years or longer, and all persons who are accused of crimes with sentences of 10 years or longer, receive mandatory legal representation. Judges also have discretionary power to appoint an attorney in all cases. Approximately 70 percent of defendants are represented by counsel. All nonsecurity trials are public except those in which the interests of the parties are deemed best served by privacy.

Cases involving national security may be tried in either military or civil courts and may be partly or wholly closed to the public. The prosecution must justify closing the proceedings to the public in such cases, and the Attorney General determines the venue. Adult defendants have the right to be represented by counsel even in closed proceedings but may be denied access to some evidence on security grounds. Under the law, convictions may not be based on any evidence denied to the defense, although it may influence a judge's decision.

The 1970 regulations governing military trials allow for evidentiary rules that are the same in criminal cases. Convictions may not be based solely on confessions, although in practice some security prisoners have been sentenced on the basis of the coerced confessions of both themselves and others. The accused may be assisted by counsel, and a judge may assign counsel to those defendants when it is deemed necessary. Charges are made available to the defendant and the public in Hebrew, and the court may order that the charges be translated into Arabic if necessary. Sentencing in military courts is consistent with that in criminal courts. Defendants in military trials have the right to appeal through the Military High Court. Defendants in military trials also may petition to the civilian High Court of Justice (sitting as a court of first instance) in cases in which they believe there are procedural or evidentiary irregularities.

According to human rights organizations, the legal system in practice often imposes stiffer punishments on Arab citizens than on Jewish citizens. For example, human rights advocates claim that Israeli Arabs are more likely to be convicted of murder (which carries a mandatory life sentence) than Jewish Israelis. The courts reportedly also are more likely to detain Israeli Arabs until the conclusion of proceedings. For example, in the first month after the October 2000 riots in Arab and Jewish locales, police arrested approximately 1,000 persons, including 660 Arabs and 340 Jews. Of the Arabs arrested, 79 percent reportedly were indicted, compared to 21 percent of the Jews; 72 percent of the Arabs were detained without bond, compared to 11 percent of the Jews. A number of Arabs accused of crimes such as stone-throwing during the year received sentences of more than 3 years. In contrast in October a Jewish man who was convicted of being part of a mob that severely beat a Palestinian man in Netanya in March was sentenced to 18 months in prison (see Section 1.c.). The Government has stated that allegations of systematic discrimination of non-Jews in the courts are unfounded.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—Privacy of the individual and the home generally are protected by law; however, there also are laws that provide that authorities may interfere with mail and monitor telephone conversations in certain circumstances. In criminal cases, the law permits wiretapping under court order; in security cases, the order must be issued by the Ministry of Defense. Under emergency regulations, authorities may open and destroy mail based on security considerations.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The law provides for freedom of the press, and the Government generally respects this right in practice. The law authorizes the Government to censor any material reported from Israel or the occupied territories that it regarded as sensitive on national security grounds; however, authorities rarely apply the law in practice. A censorship agreement between the Government and media representatives applies to all media organizations in the country and provides that military censorship is to be applied only in cases involving national security issues that have a near certainty of harming the country's defense interests. All media organizations may appeal the censor's decision to the High Court of Justice. Moreover, a clause prohibits the military censor from closing a newspaper for censorship violations and from appealing a court judgement against it. News printed

or broadcast abroad may be reported without the censor's review, which permits the media to run previously censored stories that have appeared in foreign sources. Emergency regulations prohibit persons from expressing support for illegal organizations. On occasion the Government has prosecuted persons for speaking or writing on behalf of terrorist groups. In August the Attorney General announced that he would file an indictment against Knesset Member Azmi Bisharah for making statements perceived by some as supportive of Hizballah during Bisharah's June visit to Syria (a country still in a state of war with Israel). In November the Knesset voted to lift Bisharah's immunity so that he could face prosecution. During the year, there were reports that the military censor intervened in at least one case related to national defense. For instance, in late March, authorities arrested Retired Brigadier General Yitzhak Ya'acov on charges that he had revealed secret information. The censorship office notified media outlets that a court had issued a gag order on Ya'acov's arrest. However, after a foreign newspaper printed an article on the case in April, Israeli media outlets, including a military radio station, began carrying the story and the court rescinded the gag order.

One Palestinian-owned newspaper, Al-Quds, is required to submit its entire contents, including advertising, to the military censor by 4 p.m. each day. The editor claims that this process caused his journalists to practice self-censorship. Journalists and professional journalist groups claimed that the Government placed limitations on their freedom of movement within the occupied territories, between the West Bank and Gaza, and between the occupied territories and Israel during the violent unrest throughout the year. The Government and security forces do not target journalists due to their profession; however, 2 journalists were killed and at least 10 were injured while covering events in the occupied territories during the year (see Section 2.a. of the annex).

The Government Press Office, due to security concerns, requires foreign journalists to sign an agreement stating that they will submit certain news stories and photographs for censorship; however, they rarely are challenged for not doing so.

Individuals, groups, and the press freely address public issues and criticize government policies and officials without reprisal. Laws prohibit hate speech and incitement to violence. The Government investigated a significantly higher number of Arab Members of the Knesset (MK's) than Jewish MK's under such laws. At least five MK's were under investigation at some point during the year. Adalah has noted that Jewish MK's and political leaders made inflammatory or provocative remarks during the year but were not investigated. Such remarks included some seeming to support the Kach-Kahane Chai terrorist movement and some supporting the transfer of Israeli Arab citizens to other countries.

All newspapers are privately owned and managed. Newspaper licenses are valid only for Israel; separate licenses are required to distribute publications in areas in the occupied territories still under the Government's authority. Sixteen daily newspapers are published in the country. There are approximately 90 weekly local newspapers and more than 250 periodical publications.

Directed by a government appointee, the quasi-independent Israel Broadcast Authority (IBA) controls television Channel 1 and Kol Israel (Voice of Israel) radio, both major sources of news and information. The privately operated Channel 2, the country's first commercial television station, is operated by 3 franchise companies and supervised by the Second Television and Radio Authority, a public body that also supervises 14 private radio stations. There are five cable television companies that carry both domestic and international networks, and produce shows specifically for the Israeli audience.

The Government generally respects academic freedom; however, in December the human rights organization Adalah claimed that the Government interferes with the education of Israeli Arab students because a member of the GSS monitors and approves the appointment of teachers and administrators in Arab schools. Adalah claims that the GSS discriminates against candidates for education positions based on political affiliations (see Section 5).

b. Freedom of Peaceful Assembly and Association.—The law provides for the right of assembly, and the Government generally respects this provision in practice.

During the year, there were a number of peaceful demonstrations against the division of Jerusalem and for and against peace negotiations with the Palestinians.

In March, May, and October, Israeli Arabs demonstrated against the past expropriation of their lands, and in remembrance of the previous year's riots in October 2000, during which police killed 13 Arab citizens and injured hundreds of others. Police officials and Israeli Arab leaders cooperated closely before each of the demonstrations. Police maintained a low profile and in most cases did not approach the demonstrations. The demonstrations passed relatively peacefully, with no injuries

during those in March and May. In demonstrations in October, a fight broke out, injuring protesters and a police officer.

A Commission of Inquiry continued to conduct an investigation into the causes of the October 2000 demonstrations and riots, and the police response (see Section 1.a.).

The law provides for the right of association, and the Government generally respects this provision in practice.

c. Freedom of Religion.—The law provides for freedom of religion, and the Government generally respects this right; however, it imposes some restrictions. Approximately 80 percent of citizens are counted as Jewish, although some persons in that group are not considered Jewish under Orthodox Jewish law or are merely related by marriage to a Jewish citizen. Muslims, Christians, and Druze make up the remaining 20 percent of the population. The Government recognized 5 religions, including 10 Christian groups. The status of some Christian organizations with representation in the country heretofore has been defined by a collection of ad hoc arrangements with various government agencies. Several of these organizations seek to negotiate with the Government in an attempt to formalize their status. Each recognized religious community has legal authority over its members in matters of marriage and divorce. Secular courts have primacy over questions of inheritance, but parties, by mutual agreement, may bring cases to religious courts. Jewish and Druze families may ask for some family status matters, such as alimony and child custody in divorces, to be adjudicated in civil courts as an alternative to religious courts. Christians only may ask that child custody and child support be adjudicated in civil courts as an alternative to religious courts. Muslims have no recourse to civil courts in family-status matters.

Under the Law of Return, the Government grants automatic citizenship and residence rights to Jewish immigrants and their families; the Law of Return does not apply to non-Jews or to persons of Jewish descent who have converted to another faith (see Section 2.d.).

Orthodox Jewish religious authorities have exclusive control over Jewish marriages, divorces, and most burials. The State does not recognize marriages or conversions to Judaism performed in the country by non-Orthodox rabbis. In June the Chief Rabbinate issued new regulations stipulating that immigrants who arrived in the country after 1990 must be investigated to confirm that they are Jewish before they can be married in a Jewish ceremony. Many Israeli Jews who wish to marry in secular or non-Orthodox religious ceremonies do so abroad, and the Ministry of Interior recognizes such marriages. However, many Jewish citizens object to such exclusive control, and it has been at times a source of serious controversy in society, particularly in recent years, as thousands of immigrants from the former Soviet Union have not been recognized as Jewish by Orthodox authorities. For example, following the Dolphinarium discotheque bombing in June, which killed 22 Israelis (see Section 1.a.), some religious authorities questioned whether several of the young victims, who were immigrants from the former Soviet Union, qualified for Jewish burial. One of the victims ultimately was buried in a special part of a cemetery reserved for persons whose Jewish identity was “in doubt.” Newspapers reported that the decision caused pain to many Russian immigrants.

Under the Jewish religious courts’ interpretation of personal status law, a Jewish woman may not receive a final writ of divorce without her husband’s consent. Consequently, there are thousands of so-called “agunot” in the country who are unable to remarry or have legitimate children because their husbands either have disappeared or refused to grant a divorce.

Rabbinical tribunals have the authority to impose sanctions on husbands who refuse to divorce their wives or on wives who refuse to accept a divorce from their husbands. However, in some cases, rabbinical courts have failed to invoke these sanctions. In cases in which a wife refuses to accept a divorce, the rabbinical courts occasionally allow a husband to take a second wife; however, a wife never may take a second husband. Rabbinical courts also may exercise jurisdiction over and issue sanctions against non-Israeli persons present in the country.

A group of more than 100 Orthodox, Conservative, and Reform women continued a long legal battle to hold women’s prayer services at the Western Wall. In May 2000, the High Court ruled that women could pray aloud and wear prayer shawls at the Western Wall. In November 2000, an expanded High Court reheard the case; a decision remained pending at year’s end. Most Orthodox Jews believe that mixed gender prayer services violate the precepts of Judaism, and Jews generally still are unable to hold egalitarian (mixed gender) prayer services at the Western Wall. The Conservative movement is experimenting with conducting services at a different, recently excavated portion of the wall. The North American Reform Movement has rejected such an alternative.

Some Islamic law courts have held that Muslim women may not request a divorce, but that women may be forced to consent if a divorce is granted to a man.

Members of unrecognized religious groups (particularly evangelical Christians), at times face problems obtaining marriage certificates or burial services. However, informal arrangements provide relief in some cases.

A 1999 High Court ruling enabled Reform and Conservative rabbis to hold seats on the powerful municipal and religious councils. In 1998 the High Court ruled that draft exemptions for yeshiva students were illegal; however, it delayed implementation of the ruling several times and gave the Knesset until December 21, 2000, to pass legislation on the matter. On December 20, 2000, an 11-justice panel of the High Court rejected the Government's request for another extension; however, it stated that it would grant the IDF a "reasonable period" of time in which to implement the ruling. The Government had not implemented the ruling by year's end.

The Government provides proportionally greater financial support to institutions in the Jewish sector compared with those in the non-Jewish sector, i.e., Muslim, Christian, and Druze. For example, the budget for the Ministry of Religious Affairs for 2000 only allocated 2.9 percent of its resources to the non-Jewish sector, although Muslims, Christians, and Druze constitute approximately 20 percent of the population. In 1998 the High Court of Justice ruled that the Ministry of Religion budget allocation constituted "prima facie discrimination" but that the plaintiff's petition did not provide adequate information about the religious needs of the various communities. The Court refused to intervene in the budgetary process on the grounds that such action would invade the proper sphere of the legislature. However, in 2000 the Court ordered the Government to allocate resources equitably to cemeteries of the Jewish and Arab communities. The Government began implementing to some degree the decision during the year.

The Government generally continued to permit Muslim citizens to make the Hajj; however, for security reasons, the Government imposes restrictions on its citizens who perform the Hajj, including requiring that they be over the age of 30 (see Section 2.d.).

Missionaries are allowed to proselytize, although the Church of Jesus Christ of Latter-Day Saints voluntarily refrains from doing so under an agreement with the Government. The law prohibits anyone from offering or receiving material benefits as an inducement to conversion; however, there have been no reports of the enforcement of this law.

In previous years, Jehovah's Witnesses suffered verbal abuse, assaults, theft, and vandalism; however, no such incidents occurred during the year. There were no prosecutions of the more than 120 cases of harassment filed by members of Jehovah's Witnesses between 1998 and 2000.

The Government has recognized only Jewish holy places under the 1967 Protection of Holy Sites Law. The Government states that it also protects the holy sites of other faiths. It also states that it has provided funds for some holy sites of other faiths. Muslim groups claim that the Government has been reluctant to renovate mosques in areas in which there no longer is a Muslim population. In May the High Court sustained a demolition order for a mosque in the unrecognized village of Husseinya, which was built without a permit in 1996.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The law provides for these rights, and the Government respects them in practice for citizens, except with regard to military or security zones or in instances in which citizens may be confined by administrative order to their neighborhoods or villages. Since the outbreak of violence in September 2000, the Government has imposed some restrictions on the movement of persons between Israel and the West Bank and Gaza, and between cities inside the West Bank and Gaza (also see Section 2.d. of the annex).

Citizens are free to travel abroad and to emigrate, provided they have no outstanding military obligations and are not restricted by administrative order. During the year, the Government generally continued to permit Muslim citizens to make the Hajj. However, for security reasons, the Government imposes some restrictions on its Muslim citizens who perform the Hajj (see Section 2.c.). The Government does not allow persons to return if they leave the country without formal permission. The Government justifies these restrictions on the grounds that Saudi Arabia remains officially at war with Israel and that travel to Saudi Arabia therefore is considered subject to security considerations.

The Government states that non-Jewish female citizens who marry noncitizen men, including men from the occupied territories, may retain their citizenship. The law includes provisions that allow a male spouse of a non-Jewish citizen to acquire citizenship and enter the country after the spouse passes a 4½ year, multistage period of adaptation, except in cases in which the man has a criminal record or is sus-

pected of posing a threat to security. A small number of Christian, Muslim, and Druze women who have married men from Arab states or the West Bank and Gaza have made unsubstantiated claims that the Government revoked their Israeli citizenship and their right to reenter Israel, particularly after marrying men who are citizens of countries technically at war with Israel. During the year, the Ministry of Interior informed a Jewish citizen that the Government considered him to have "converted to another faith" because he was married in a church wedding in the U.S. In October the High Court ruled that the man was still Jewish and that his wife had the right to immigrate to the country.

Journalists claimed that the Government placed limits on their freedom of movement within the occupied territories, between the West Bank and Gaza, and between Israel and the occupied territories, during the violent unrest throughout the year (see Section 2.a.).

The Government welcomes Jewish immigrants, their Jewish or non-Jewish family members, and Jewish refugees, on whom it confers automatic citizenship and residence rights under the Law of Return. Beginning in February, children of female converts to Judaism are eligible to immigrate only if the children were born after the woman's conversion. The Law of Return does not apply to non-Jews or to persons of Jewish descent who have converted to another faith.

Other than the Law of Return and the family reunification statutes, there is no immigration law that provides for immigration to the country, or for political asylum or refugee status. The law does allow individuals to live in the country as permanent residents. The Government cooperates with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The Government does not provide asylum to refugees from states with which the country remains in a state of war. Individuals present in the country on tourist or work visas, or illegally, sometimes file petitions with the UNHCR to obtain refugee status. If a person is granted such status by the UNHCR, it is the government policy to grant renewable temporary visas, provided that the person is not from a state with which the country is at war. In those cases, the Government attempts to find a third country in which the individuals can live. The Government provides refugees all the protections under refugee conventions, although in some instances individual ministries have not complied in an expeditious manner.

The issue of first asylum did not arise during the year. There was one unconfirmed allegation that the Government returned persons to a country where they feared persecution.

Section 3. Respect for Political Rights: The Right of Citizens To Change Their Government

The law provides citizens with the right to change their government peacefully, and citizens exercise this right in practice through periodic, free, and fair elections held on the basis of universal suffrage for adult citizens. The last national elections were held on February 6, when Ariel Sharon was elected Prime Minister and the governing coalition changed party affiliation.

The country is a parliamentary democracy with an active multiparty system in which a wide range of political views is represented. Relatively small parties, including those whose primary support is among Israeli Arabs, regularly win seats in the Knesset. Elections are by secret ballot.

There are no legal impediments to the participation of women and minorities in government; however, the percentage of women in government and politics does not correspond to their percentage of the population. Women hold 15 of 120 Knesset seats, compared with 9 female members in the previous Knesset. Of the Knesset's 19 committees, 4 (including the Committee on the Status of Women) are chaired by women. At year's end, there were 3 women in the Cabinet and 1 Druze minister; 4 women serve on the 14-member High Court of Justice.

There are 11 Arabs and 2 Druze in the Knesset; most represent parties that derive their support largely or entirely from the Arab community. No Arab or Druze citizens, serve on the 14-member High Court of Justice.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of local and international human rights groups operate without government restriction, investigating and publishing their findings on human rights cases. Government officials generally cooperate with investigations.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The law prohibits discrimination on the basis of sex or marital status. The law also prohibits discrimination by both government and nongovernmental entities on

the basis of race, religion, political beliefs, and age. Local human rights groups are concerned that these laws often are not enforced, either as a result of institutionalized discrimination, or because resources for implementing those laws, or mechanisms for their enforcement, sometimes are lacking.

Women.—The law prohibits domestic violence; however, violence against women is a problem, despite the steps taken by the Government and other organizations to reduce violence against women in Jewish and Arab communities.

Twenty-one women were killed by their husbands or other male relatives during the year. According to one prominent women's group, between 150,000 and 200,000 women and girls are victims of domestic violence each year; an estimated 7 percent of them are abused on a regular basis. According to women's organizations, approximately 2,800 women and girls were assaulted sexually and approximately 1,200 were victims of incest during the year; an estimated 44 percent of them were girls under the age of 18. Only a small percentage of the victims complained to the police. According to the Domestic Violence Law, a district or magistrate court may prohibit access by violent family members to their property.

Government funding to combat such violence increased significantly in 1998 but has remained level since. In 1998 the Government appointed a commission to address the subject of domestic violence; on the basis of the commission's recommendations, the Government allotted a supplementary budget allocation to combat domestic violence during this year. Funds went to fund crisis center projects, victim support programs, and education programs. Groups that focus on domestic violence include a committee established by the Ministry of Labor and Social Affairs that includes Jewish and Arab NGO's as well as government representatives, and a coalition of human rights organizations; however, women's rights activists reported that most of the groups are funded privately.

The Government provides partial funding for 12 shelters for battered women, including 1 exclusively for Arab women and 1 for ultra-Orthodox Jewish women. Women's rights advocates consider this number inadequate. The Government also provides funding for 13 rape crisis centers. There are approximately 10 hot lines and 25 domestic violence prevention and treatment centers, which mainly are funded privately.

Rape is illegal. While sentences handed down to men convicted of rape have increased in recent years, some women's rights activists argue that the penalties are not sufficiently severe. In June the Knesset amended the law to simplify the definition of rape as a crime. The Knesset also amended laws in order to facilitate the delivery of welfare benefits to women staying in shelters. The amendment also prohibited any employer from dismissing an employee during that person's first 6 months of residence in a shelter.

Arab human rights advocates also have formed a coalition to raise public awareness of so-called honor crimes, a violent assault with intent to commit murder against a woman or girls by a relative for her perceived immodest behavior or alleged sexual misconduct. At least 10 of the 11 Arab women killed during the year by male relatives were killed in family "honor" cases; families often attempted to cover up the cause of such deaths. NGO's and press accounts reported that the Government investigated and tried the perpetrators of so-called honor crimes.

Unlike in previous years, there were no reports that Jewish religious extremists attacked physically women whom they considered to be dressed immodestly in public.

Prostitution per se is not illegal; however, the operation of brothels and organized sex enterprises is outlawed. Prostitution is a problem. NGO's report that an unknown number, possibly between 100 and 200, of the nation's prostitutes are under the age of 18.

Trafficking in women has become a significant problem in recent years. According to recent studies, every year hundreds of women from the former Soviet Union are trafficked to Israel by well-organized criminal networks to work as prostitutes (see Section 6.f.).

In 1998 Israel adopted a comprehensive sexual harassment prevention law; since that time, several prominent cases have increased public awareness of the issue. For example, in July 2000, the Government lifted the immunity of then-Transportation Minister Yitzhak Mordecai following complaints that he had sexually harassed three women. Mordecai was convicted in January on two of the three counts and given a suspended sentence of 18 months.

Women's advocacy groups report that women routinely receive lower wages for comparable work, are promoted less often, and have fewer career opportunities than their male counterparts. Despite 1996 legislation that provides for class action suits and requires employers to provide equal pay for equal work, including important side benefits and allowances, women's rights advocates claim that deep gaps re-

mained. For example, the wage gap between men and women for year-round, full-time employment was approximately 30 percent, and only 2 percent of women serve in positions of senior management in large companies. According to recent reports, 52 percent of doctoral students were women, but women made up 24 percent of the senior faculty members at universities and 10 percent of full professors.

Legislation in 1993, reinforced by a 1994 ruling of the High Court of Justice, led to an increase in the percentage of women on the boards of government-owned companies. Women occupied 39 percent of director slots, up from 28.8 percent in 1997.

The adjudication of personal status law in the areas of marriage and divorce is left to religious courts, in which Jewish and Muslim women are subject to restrictive interpretations of their rights. Under personal status law, Jewish women are not allowed to initiate divorce proceedings without their husbands' consent; consequently there are estimated to be thousands of so-called "agunot" who may not remarry or have legitimate children because their husbands either have disappeared or have refused to grant a divorce (see Section 2.c.).

In accordance with Orthodox Jewish law, the 1995 Rabbinical Courts Law allows rabbinical tribunals to impose sanctions on husbands who refuse to divorce wives who have ample grounds for divorce, such as abuse. However, in some cases, rabbinical courts have failed to invoke these sanctions. In addition there have been cases in which a wife has failed to agree to a divorce, but rabbinical authorities have allowed the man to "take a second wife;" this remedy is not available to wives. Such restrictive practices have been used by husbands to extort concessions from their wives in return for agreeing to a divorce. Rabbinical courts also may exercise jurisdiction over and issue sanctions against non-Israeli Jews present in Israel.

Some Islamic law courts in the country have held that Muslim women may not request a divorce, but that women may be forced to consent if a divorce is granted to a man.

Jewish women are subject to the military draft. While they cannot be "placed" in combat positions, they are free to volunteer for such units. In January 2000, the Knesset amended the Defense Service Law to state that women have the same right as men to serve in every profession in the Israeli military. In response to a High Court of Justice ruling, the Israeli Air Force (IAF) since 1996 has permitted women to enter pilot training. There are several female Air Force navigators. Women serve as flight surgeons and flight paramedics; there are no female flight mechanics.

In March 2000, the Knesset passed the Equality of Women Law, which provides for equal rights for women in the workplace, the military, education, health, housing, and social welfare, and entitles women to protection from violence, sexual harassment, sexual exploitation, and trafficking (see Section 6.f.).

Women's groups cooperate with legal and social service institutions to provide women's rights education.

Children.—The Government has stated its commitment to the rights and welfare of children; however, in practice resources at times are insufficient, particularly with respect to low-income families. Government spending was proportionally lower in predominantly Arab areas than in Jewish areas, which adversely affects children in Arab villages and cities. Education is compulsory up to the age of 15, or until the child reaches the 10th grade, whichever comes first. Government ministries, children's rights groups, and members of the legislature often cooperate on children's rights issues. The Government provides an extensive health care program for children. There is a broad network of mother and child clinics, which provide prenatal care as well as postnatal follow-up.

Arab children make up approximately one-quarter of the public school population, but historically government resources allocated for them were proportionately less than for Jewish children. Current expenditures do not make up for the historic inequities in government investments in educational infrastructure. Many schools in Arab communities are dilapidated and overcrowded, lack special education services and counselors, have poor libraries, and have no sports facilities. The Government allocated 26 percent of the school budget for the year for the construction of new classrooms for schools in Arab Communities (not including Druze communities).

High school graduation rates for Arabs are significantly lower than for Jews. According to 1998 statistics, 58 percent of the teachers in Jewish schools had university degrees compared with 39 percent of the teachers in Arab schools. Preschool attendance for Bedouin children is the lowest in the country, and the dropout rate for Bedouin high school students is the highest.

Arab groups note that the public school curriculum stresses Israel's Jewish culture and heritage. Israeli Arab students also are not eligible to participate in a special education program to provide academic assistance to students from disadvantaged backgrounds. A petition was filed with the High Court of Justice in May 1997 charging that the Ministry of Education's refusal to provide this program to Israeli

Arab students was discriminatory. The Attorney General's office agreed that the policy constituted impermissible discrimination but asked for 5 years to expand the program to Israeli Arab students. The petitioners rejected this proposal as being too slow. The court held hearings in the case twice in 1999; during the hearings, the Government promised to equalize special education resources by 2004. In July 2000, the Commission to Examine the Implementation of the Special Education Law (the Margalit Commission) published its detailed recommendations on how to improve special education in the Arab sector. The Government still had not implemented those recommendations by year's end, and the budget for 2002 did not contain provisions to equalize spending on Arab and Jewish special education.

In December Human Rights Watch (HRW) released a report regarding discrimination against Israeli Arab children's access to education. HRW reported that Arab schools are segregated from Jewish schools, that the Education Ministry allocates less money per Israeli Arab student than per Jewish student, and that Arab children overall receive an inferior education to that of Jewish children. HRW also noted that the education system provides less training to teachers in Arab schools, that those teachers earn less money, and that their qualifications are not as high as teachers in Jewish schools.

In December Adalah requested that the Government discontinue GSS monitoring and approval of teachers and administrators in Arab schools, and claimed that in its role at the Ministry of Education, the GSS has discriminated against persons on the basis of their political affiliation (see Section 2.a.).

There has been concern regarding the thousands of children of the country's growing population of foreign workers, many of whom reside in the country illegally. Children born in the country of legal foreign workers are entitled to health and education benefits until the age of 18. Children of parents who are in the country illegally live in social limbo, occasionally without access to education.

The Government has legislated against sexual, physical, and psychological abuse of children and has mandated comprehensive reporting requirements regarding these problems. Although there has been a sharp increase in reported cases of child abuse in recent years, activists believe that this largely is due to increased awareness of the issue rather than a growing pattern of abuse. There are five shelters for children at risk of abuse.

NGO's in the field of children's welfare concentrate their efforts on public education, on promoting the concept of children's rights as citizens, on improving legal representation for minors, and on combating the problems of poverty, which are most notable for the Bedouin children of the south.

Privately funded children's rights information centers have been established in some communities, and the Government assists in funding additional centers in other cities.

Persons with Disabilities.—The Government provides a range of benefits, including income maintenance, housing subsidies, and transportation support for persons with disabilities, who constitute approximately 10 percent of the population. Existing antidiscrimination laws do not prohibit discrimination based on disability, and persons with disabilities continue to encounter difficulties in areas such as employment and housing. A law requiring access for persons with disabilities to public buildings is not widely enforced. There is no law providing for access to public transportation for persons with disabilities. A 1996 law extended disability assistance for deaf children from the age of 14 to maturity. Extended protests by organizations for persons with disabilities in 1999 led to an increase in government spending in support of persons with disabilities.

In 2000 the Government implemented a law seeking to rehabilitate and integrate persons with mental disabilities into the community; however, government discrimination against persons with mental disabilities remained a problem. According to the Ministry of Health, there are between 60,000 and 80,000 persons with mental disabilities in the country; however, only 4 percent of the Ministry of Health's \$5 billion (20 billion NIS) budget is allocated for mental health services. Additionally, 80 percent of the mental health budget is allocated to psychiatric hospitals in which less than 6,000 persons with mental disabilities reside; the remaining tens of thousands of persons with mental disabilities live on their own with little or no government support to help them integrate into the community.

In October Ha'aretz newspaper reported on the insufficient mental health services, vocational training, and recreational opportunities provided by the Government for prisoners with mental illness.

Religious Minorities.—Unlike in previous years, there were no reports that evangelical Christians, Jehovah's Witnesses, and Reform and Conservative Jews complained of incidents of harassment, threats, and vandalism directed against their building, and other facilities, many of which were committed by two ultraorthodox

groups, Yad L'Achim and Lev L'Achim. In civic areas where religion is a determining criterion, such as the religious courts and centers of education, non-Jewish institutions routinely receive less state support than their Jewish counterparts.

National/Racial/Ethnic Minorities.—The Government has not allocated sufficient resources or taken adequate measures to provide Israeli Arabs, who constitute approximately 20 percent of the population, with the same quality of education, housing, and social services, as well as the same opportunities for government employment, as Jews. In addition government spending is proportionally far lower in predominantly Arab areas than in Jewish areas; on a per capita basis, the Government spends two-thirds as much for Arabs as for Jews.

Municipalities, including Arab municipalities, are responsible for issuing building permits within the municipal boundaries. Some Arab NGO's claim that outside of Arab-governed municipalities, the Government is more restrictive in issuing building permits to Arabs than to Jews. Bedouin living in unrecognized villages have no way to obtain building permits; the Government demolished at least two homes in unrecognized villages during the year. Many ministers publicly acknowledged the continuing disparities in government funding for the country's non-Jewish citizens. Following the demonstrations and disturbances in September and October 2000, the Government approved a \$975 million (4 billion NIS) economic assistance plan for the country's Arab citizens to be phased in over 4 years. Most of the money included in the plan is allocated for education and new infrastructure development. Israeli Arab leaders and human rights groups criticized the plan because it was not based on a comprehensive survey of the economic and development needs of the country's Arab population and was considered inadequate to meet that population's needs. Critics also pointed out that only half of the total sum represented newly allocated money. The Government had not implemented the plan by year's end.

The Government reports that, according to its own statistics, it made some progress in addressing discriminatory allocation of resources. For example, the budget allocated a higher portion for development, public transportation, education, and sanitation for Israeli Arab communities than in 2000.

The Government appointed an Arab citizen to the board of the Israel Land Authority in November 1999. This marked the first representation of non-Jews on the board, which by law has 18–24 members. Half of the members represented organizations forbidden by statute to transfer land to non-Jews. During the year, the High Court of Justice ruled that the Government must appoint an additional Arab to the board. In March 2000, the High Court ruled on an October 1995 petition brought by an Arab couple who were barred from buying a home in Katzir, a Jewish municipality that was built on state-owned land. The High Court ruled that the Government's use of the Jewish National Fund to develop public land was discriminatory, since the fund's by-laws prohibit the sale or lease of land to non-Jews. The High Court determined that its ruling in the case would not affect previous land allocations and that differentiating between Jews and non-Jews in land allocation might be acceptable under unspecified "special circumstances." The municipality was instructed to develop and publish criteria for its decisions and a plan for implementation. Israel Lands Authority had not fully implemented the ruling by year's end.

Israeli Arab organizations have challenged publicly the 1996 "Master Plan for the Northern Areas of Israel," which listed as priority goals increasing the Galilee's Jewish population and blocking the territorial contiguity of Arab villages and towns, on the grounds that it discriminates against Arab citizens; the Government continued to use this document for planning in the Galilee.

Relative to their numbers, Israeli Arabs are underrepresented in the student bodies and faculties of most universities and in higher level professional and business ranks. In 1999 Arabs constituted 8.7 percent of the students at major universities in the country. Well-educated Arabs often are unable to find jobs commensurate with their level of education. Arab citizens hold fewer than 60 of the country's 5,000 university faculty positions. The Government states that it is committed to granting equal and fair conditions to Israeli Arabs, particularly in the areas of education, housing, and employment. A small number of Israeli Arabs have risen to responsible positions in the civil service, generally in the Arab departments of government ministries. In 1994 a civil service commission began a 3-year affirmative action program to expand that number, but it has achieved only modest results. In 2000 only the Ministry of Health and Ministry of Religious Affairs had representation of more than 5 percent of Arabs in their workforce. The Ministry of Housing, Transportation, Industry, and Media all had representation of less than 1 percent of Arabs in their workforce. Arab composition in the remaining nine ministries was approximately 5 percent. In October 2000, the Knesset passed a bill requiring that minorities and underrepresented populations be granted "appropriate representation" in the civil service, and on the boards of government corporations. The Government took steps

toward implement the law during the year, including setting aside civil service positions for Arab candidates and appointing more Israeli Arabs to corporate boards.

In practice few Israeli Arabs serve in the military or work in companies with defense contracts or in security-related fields. The Israeli Druze and Circassian communities are subject to the military draft and the overwhelming majority accepts service willingly. Some Bedouin and other Arab citizens who are not subject to the draft serve voluntarily. Those who do not serve in the army have less access than other citizens to those social and economic benefits for which military service is a prerequisite or an advantage, such as housing, new-household subsidies, and government or security-related industrial employment. The social security child allowance for parents who did not serve in the military and did not attend a yeshiva (including Arabs) is to equal the allowance of those who had done so.

Israeli Arab groups allege that many employers use the prerequisite of military service to avoid hiring non-Jews. For example, a September 1999 survey revealed that 40 percent of employment ads in one weekend newspaper listed "army service necessary." Jobs included ice cream sales, typist, bus driver, and customer service. In August the municipality of Tel Aviv advertised for parking lot attendants; "military service" was a prerequisite.

There are approximately 130,000 Bedouin in the Negev; of this number approximately half live in 7 state planned communities and the other half live in 45 settlements that are not recognized by the Government. The recognized Bedouin villages receive basic services from the Government; however, they are among the poorest communities in the country. The unrecognized villages were declared illegal by the National Planning and Building Law of 1965 when the lands on which they sit were rezoned as nonresidential and the Government claimed ownership. According to the Government, recognizing these villages would conflict with its attempts to establish new villages in "an orderly manner, and would leave disputes over the land unresolved." Residents of the unrecognized villages pay taxes to the Government; however, their villages are not eligible for government services. Consequently, such villages have limited access to infrastructure, such as electricity, water, and sewers, provided to recognized communities. The lack of basic services has caused difficulties for the villagers in regard to their education, health care, and employment opportunities. New building in the unrecognized villages is considered illegal and subject to demolition. Private efforts have supplied some unrecognized villages with water, and the courts have ordered the provision of limited health and education services. The Government has yet to fulfill its commitment to resolve the legal status of unrecognized Arab villages. Eight villages have been recognized officially since 1994, but nearly 100 more, of varying size and with a total population of nearly 70,000 persons, remain in limbo. In 1998 the High Court of Justice ordered the Ministry of Education to provide electricity to schools in several unrecognized villages in the Negev. In March 1999, the High Court ordered the Ministry of Health to provide within 2 months six permanent health clinics to serve the unrecognized villages; only one clinic had been built by year's end. The Government notes that following the High Court case, it agreed to begin a study to determine the infrastructure needed in each village, and that the implementation of plans made by a professional team of researchers will be discussed with villagers. A planning committee is required to submit a report regarding the progress of these plans to the Court in October 2002. No projects related to the planning committee had begun by year's end.

Unresolved problems of many years' standing also include claims by Arab groups that land expropriation for public use has affected the Arab community disproportionately; that Arabs have been allowed too little input in planning decisions that affect their schools and municipalities; that mosques and cemeteries belonging to the Islamic Waqf (religious endowment) have been neglected or expropriated unjustly for public use; and that successive governments have blocked the return to their homes of citizens displaced in the early years of the country's history. The Government has yet to agree with the pre-1948 residents of the northern villages of Bir Am and Ikrit, and their descendants, regarding their long-term demand to be allowed to rebuild their houses. In 1997 a special interministerial panel recommended that the Government allow the villagers to return to Bir Am and Ikrit. The High Court has granted the Government several extensions for implementing the recommendation. In October after the expiration of the most recent extension, under instructions from the Sharon government, the State Prosecutor's Office submitted an affidavit to the High Court asking it to reject the villagers' appeal, stating that the Government had legally appropriated the land and that the precedent of returning displaced persons to their villages would be used for propaganda and political purposes by the Palestinian Authority. The Court's decision was pending at year's end.

There were a number of incidents of ethnically based violence during the year. After the bombing at the Dolphinarium discotheque in June (see Section 1.a.), a crowd of several hundred Jews attempted to attack a mosque across the street from the site of the bombing. The police contained the crowd and safely evacuated the occupants of the mosque. In March in Netanya, a mob attempted to lynch a Palestinian man after a terrorist bomb exploded nearby (see Section 1.c.). The man suffered severe brain damage. In August in a shopping mall in Haifa, a man threw a Druze baby against a wall after he heard the child's parents speaking Arabic.

Unlike in previous years, there were no reports of societal discrimination against Ethiopian immigrants.

Section 6. Worker Rights

a. The Right of Association.—Citizen workers may join and establish labor organizations freely. Most unions belong to Histadrut (the General Federation of Labor in Israel), or to a much smaller rival federation, the Histadrut Haovdim Haleumit (National Federation of Labor). These organizations are independent of the Government. Histadrut members democratically elect national and local officers, and officials of its affiliated women's organization Na'amat, from political party lists of those already in the union. Plant or enterprise committee members are elected individually. Approximately 650,000 workers are members of Histadrut, and much of the non-Histadrut work force is covered by Histadrut's collective bargaining agreements.

The right to strike is exercised regularly. Unions must provide 15 days' notice prior to a strike unless otherwise specified in the collective bargaining agreement. However, unauthorized strikes occur. Strike leaders—even those organizing illegal strikes—are protected by law. If essential public services are affected, the Government may appeal to labor courts for back-to-work orders while the parties continue negotiations. There were a number of strikes in both the public and private sectors during the year by employees protesting the effects of privatization. Worker dismissals and the terms of severance arrangements often were the central issues of dispute.

Palestinians from the West Bank and Gaza Strip who worked in Israel were not able to join Israeli trade unions or organize their own unions in Israel. Palestinian trade unions in the occupied territories are not permitted to conduct activities in Israel (see Section 6.a. of the annex). However, nonresident workers in the organized sector are entitled to the protection of Histadrut work contracts and grievance procedures. They may join, vote for, and be elected to shop-level workers' committees if their numbers in individual establishments exceed a minimum threshold. Palestinian participation in such committees is minimal.

Labor laws apply to Palestinians in East Jerusalem and to the Syrian Druze living on the Golan Heights.

Unions are free to affiliate with international organizations.

b. The Right to Organize and Bargain Collectively.—Citizen workers fully exercise their legal rights to organize and bargain collectively. While there is no law specifically prohibiting antiunion discrimination, the law against discrimination could be cited to contest discrimination based on union membership. No antiunion discrimination has been reported.

Nonresident workers may not organize their own unions or engage in collective bargaining, but they are entitled to be represented by the bargaining agent and protected by collective bargaining agreements. They do not pay union dues, but are required to pay a 1 percent agency fee in lieu of dues, which entitles them to union protection by Histadrut's collective bargaining agreements. The Ministry of Labor may extend collective bargaining agreements to nonunionized workplaces in the same industrial sector. The Ministry of Labor also oversees personal contracts in the unorganized sectors of the economy.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor.—The law prohibits forced or compulsory labor, specifically including forced and bonded labor by children, and neither citizens nor nonresident Palestinians working in Israel generally are subject to this practice; however, civil rights groups charge that unscrupulous employers often take advantage of illegal workers' lack of status to hold them in conditions amounting to involuntary servitude (see Section 6.e.).

Women are trafficked for the purpose of prostitution (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment.—Children who have attained the age of 15 years, and who fall under the compulsory education law (which applies to all children except those who have completed grade 10), may not be employed unless they work as apprentices under the Apprenticeship Law. Children who are 14 years old may be employed during official school holidays. Em-

ployment of those 16 to 18 years of age is restricted to ensure time for rest and education; and the Government enforces these restrictions in practice.

There are no reliable data regarding illegal child workers. The small number of child workers reportedly is concentrated among the country's Arab population and its most recent Jewish immigrants. Illegal employment is found primarily in urban, light-industrial areas.

Children's rights groups have called for more vigorous enforcement of child labor laws, combined with a parallel effort to deal with the causes of illegal child labor.

The Government specifically prohibits forced and bonded labor by children, and it generally does not occur (see Section 6.c.).

Activists estimate that there may be several hundred prostitutes among the nation's children (see Section 5).

e. Acceptable Conditions of Work.—During the year, the minimum wage was raised to 47.5 percent of the average wage. The minimum wage is calculated periodically and adjusted for cost of living increases. At year's end, the minimum wage was approximately \$760 (3,266 NIS) per month. The minimum wage often is supplemented by special allowances and generally is sufficient to provide a worker and family with a decent standard of living. Union officials have expressed concern over enforcement of minimum wage regulations, particularly with respect to employers of illegal nonresident workers, who sometimes pay less than the minimum wage.

By law the maximum hours of work at regular pay are 47 hours a week, 8 hours per day, and 7 hours on the day before the weekly rest, which must be at least 36 consecutive hours and include the Sabbath. By national collective agreements, the private sector established a maximum 45-hour workweek in 1988. The public sector moved to a 5-day, 42-plus hour workweek in 1989, while the military adopted it in 1993.

Employers must receive a government permit to hire nonresident workers from the occupied territories, certifying that no citizen is available for the job. All Palestinians from the occupied territories are employed on a daily basis and, unless they are employed on shift work, are not authorized to spend the night in Israel. Palestinians without valid work permits are subject to arrest. Due to security concerns, the Government stopped issuing almost all permits for Palestinian workers following the outbreak of violence in October 2000.

Nonresident workers are paid through the employment service of the Ministry of Labor, which disburses wages and benefits collected from employers. The Ministry deducts a 1 percent union fee and the workers' required contributions to the National Insurance Institute (NII), the agency that administers the Israeli social security system, unemployment benefits, and other benefits. Despite these deductions, Palestinian workers are not eligible for all NII benefits. They continue to be insured for injuries suffered while working in the country, maternity leave, as well as the bankruptcy of a worker's employer. However, they do not have access to unemployment insurance, general disability payments, or low-income supplements. Since 1993 the Government has agreed to transfer the NII fees collected from Palestinian workers to the Palestinian Authority, which is to assume responsibility for all the pensions and social benefits of Palestinians working in Israel. Mechanisms for providing these services in the PA controlled territories, as well as mechanisms for transferring the funds, have not been established. The funds currently are held in a trust.

Following the outbreak of violence in September 2000, the Government implemented a closure policy, which prevented thousands of Palestinians from getting to their places of employment in Israel (see Section 2.d.).

Along with union representatives, the Labor Inspection Service enforces labor, health, and safety standards in the workplace, although resource constraints affect overall enforcement. Legislation protects the employment rights of safety delegates elected or appointed by the workers. In cooperation with management, these delegates are responsible for safety and health in the workplace.

Workers do not have the legal right to remove themselves from dangerous work situations without jeopardy to continued employment. However, collective bargaining agreements provide some workers with recourse through the work site labor committee. Any worker may challenge unsafe work practices through government oversight and legal agencies.

Public debate continued regarding the role in the workplace and society of (non-Palestinian) foreign workers, who are estimated to number at least 300,000 and about half of whom are undocumented and employed illegally. The majority of such workers come from Eastern Europe and Southeast Asia, and work in the construction and agricultural sectors. The law does not allow foreign workers the ability to obtain citizenship or permanent residence status, unless they happen to be Jewish, in which case they would qualify under the laws which allow for Jewish persons to

immigrate. As a result, foreign workers, and their families, especially those who enter the country illegally, experience uncertainty in addressing legal and social problems, including exploitation or abuse in the workplace.

Illegal foreign workers facing deportation are brought before a special court established to deal with issues related to deportation, and workers may contest the deportations. Many workers lack fluency in Hebrew, and this is a hindrance in these courts. NGO's exist to aid workers facing deportations, and there have been cases in which the worker's status has been reinstated. The court also provides a forum where deportable workers can claim that they were not paid or given benefits according to the law. In some cases, the court has delayed deportation until all claims, including severance, have been paid. However, some NGO's suggest that illegal workers often live in situations amounting to involuntary servitude, due primarily to their tenuous legal status.

Human rights groups claim that since foreign worker residency permits are tied to specific employment, even legal foreign workers have little leverage to influence their work conditions.

f. Trafficking in Persons.—The law prohibits trafficking in women for the purpose of prostitution; however, it is a continuing problem. During the year, the Government reported that it increasingly pursued legal action against traffickers.

Women are trafficked to Israel from the former Soviet Union, including Moldova, Russia, Ukraine, Georgia, Kazakhstan, and Lithuania; Turkey; South Africa; Brazil; the Dominican Republic; and some countries in Asia. According to Amnesty International (AI), every year hundreds of women from the former Soviet Union are brought to Israel by well-organized criminal networks and forced, often through violence and threats, to work illegally as prostitutes. According to some local NGO's, approximately 500 women are trafficked into the country annually. NGO's have reported that the number of trafficked women entering the country has fallen from previous years, partially due to increased security at border points.

Traffickers reportedly often lure women into traveling to the country by offering them jobs in the service industry. In many cases, traffickers meet women at the border and confiscate all of their official documents. Many trafficked women are forced to live and work under extremely harsh conditions and to give most of the money that they earn to their traffickers. The women reportedly often are raped and beaten, and often are afraid to report their situation to the police because they are in the country illegally. According to press reports, brothels are common despite being illegal.

Some victims have accused individual police officers of complicity with brothel owners and traffickers.

In June 2000, the Government enacted a law that prohibits the trafficking of persons for the purpose of prostitution. The law does not prohibit specifically prostitution; however, the operation of brothels and "organized sex enterprises" is outlawed, as are many of the abuses committed by traffickers and pimps, such as assault, rape, abduction, and false imprisonment. The Penal Code stipulates that it is a criminal offense, punishable by between 5 and 7 years' imprisonment, to force or coerce a person to engage in prostitution. The Penal Code also makes it a criminal offense to induce a woman to leave the country with the intent to "practice prostitution abroad." In March 2000, the Knesset passed the Equality of Women Law (see Section 5), which stipulates that every woman is entitled to protection from violence, sexual harassment, sexual exploitation, and trafficking.

During the year, the Government opened 405 files for trafficking and related crimes; most files dealt with multiple victims and suspects—40 of the files specifically included trafficking as a charge. A total of 213 persons were detained for trafficking related crimes during the year and an additional 981 interrogated; 60 persons were arrested and 39 detained until the beginning of legal proceedings. The Government convicted 12 persons and delivered sentences. In nine cases, the Government settled by plea bargaining with the defendants.

Police often detain trafficked women following raids on brothels; the number of such raids increased during the year. The Ministry of Interior has broad powers to deport illegal aliens and to hold them in detention pending deportation. The Ministry may issue deportation orders against any person who is in the country without a residence permit and may hold the deportee in detention following the issuance of a deportation order. The deportee may appeal the deportation order to the Ministry within 3 days of its issuance. According to the Ministry of Public Security, by July the Government had deported 300 prostitutes, not all of whom were victims of trafficking, who had been living illegally in the country.

The Government has provided training to immigration officials at Ben Gurion Airport on how to detect women being trafficked into the country.

Authorities generally keep trafficked women who are arrested in a special section of a women's prison and then deport them. Since 1997 police have arrested and deported approximately 1,200 women who were trafficked into the country for prostitution. Trafficked women often do not challenge a deportation order because they do not speak the language, or are unaware of the appeals procedure. The Government transfers women who testify against their traffickers to a hotel or hostel and provides them with funds on which to live. However, AI has reported that the Government also has detained some trafficked women for extended periods of time by issuing orders requiring them to remain in the country to testify in criminal proceedings against their traffickers. Many women are reluctant or afraid to testify in trials due to threats and intimidation by their traffickers. During the year, the courts began to allow victims to submit testimony on video in order to expedite their return home.

According to AI, women refuse to testify in court in approximately 90 percent of all the cases that are prosecuted. NGO reports and witness testimony has indicated that the Government does not attempt to determine whether or not a trafficked woman or girl would be at risk of abuse if she were deported to her country of origin, even in cases in which the woman or girl has testified in criminal proceedings.

The Government provides limited funding to NGO's for assistance to victims.

According to the Government, it finalized a plan to make a shelter available for trafficked women; however, it had not opened the shelter by year's end. The Government also reported that it began to provide legal representation to some trafficked women.

The Government has acknowledged the need to educate trafficked women regarding where to go for help and was developing such programs, but had not finalized any plans for or begun such education programs by year's end.

THE OCCUPIED TERRITORIES

(INCLUDING AREAS SUBJECT TO THE JURISDICTION OF THE PALESTINIAN AUTHORITY)

Israel occupied the West Bank, Gaza Strip, Golan Heights, and East Jerusalem during the 1967 War. The West Bank and Gaza Strip now are administered to varying extents by Israel and the Palestinian Authority (PA). Pursuant to the May 1994 Gaza-Jericho Agreement and the September 1995 Interim Agreement, Israel transferred most responsibilities for civil government in the Gaza Strip and parts of the West Bank to the PA while retaining responsibility for external security; foreign relations; the overall security of Israelis, including public order in the Israeli settlements; and certain other matters (this annex on the occupied territories should be read in conjunction with the report on Israel).

The historic process of reconciliation between Israel and the Palestinians, which began with the Madrid Conference in 1991 and continued with the September 1993 signing of the Israeli-Palestinian Declaration of Principles (DOP) and subsequent agreements, has been impeded significantly by the ongoing conflict between Palestinians and Israelis, known as the "al-Aqsa Intifada," or merely the Intifada. Violence associated with the conflict has claimed approximately 1,000 Palestinian lives. The Intifada started in late September 2000. Its causes are complex and remain highly controversial between the parties. During the initial stage of the Intifada, Palestinian demonstrators threw stones and Molotov cocktails at Israeli security forces. The security forces responded using rubber-coated metal bullets and live ammunition to disperse the demonstrators, resulting in injuries and deaths. Demonstrations and clashes continued daily through the end of 2000 and throughout the year. The nature of the violence changed during this year, leading to increased armed attacks and terrorism by Palestinians against Israeli targets. In addition to violent demonstrations, Palestinians attacked Israelis, including settlers, other civilians, and soldiers, on a daily basis in the occupied territories and Israel proper, including by suicide bombings, using other types of bombs, shooting at Israeli vehicles and military installations, firing of anti-tank missiles and mortars, and use of hand grenades. IDF retaliation against Palestinians included violence and abuse at checkpoints, incursions into Palestinian-controlled towns and villages, targeted killings, firing toward civilian areas, and intense gun battles with Palestinian shooters.

In October 2000, pursuant to an international conference held in Sharm el-Sheikh, a fact-finding committee headed by former U.S. Senate leader George Mitchell was established to examine the causes of the violent events that began in late September 2000 and to recommend ways to prevent their recurrence. The committee began its work in December 2000. The report of the Sharm el-Sheikh Fact-Finding Committee was published on April 30, and both Israel and the PA agreed

in principle to implement its recommendations, along with the Tenet Plan, which outlines specific steps that both the Israeli Government and the PA should take to maintain a cease-fire, restore security, and resume political negotiation. None of the provisions of the Report or the Plan had been implemented by year's end.

During 2000 and early in the year, the parties held intensive talks concerning final status issues, including water rights, refugees, settlers, the status of Jerusalem, and border and security issues, most notably in July 2000 and in Taba in January; however, they did not reach an agreement by year's end. Despite meetings between high level Israeli and Palestinian political and security officials, and repeated declarations of cease-fires by both sides, efforts to end the violence yielded few results by year's end.

Israel and the PA have varying degrees of control and jurisdiction over the Gaza Strip and the West Bank. Israel continues to control certain civil functions and is responsible for all security in portions of the occupied territories categorized as Area C. In the West Bank, this constitutes more than 61 percent of the land, and approximately 4 percent of the total West Bank Palestinian population, including the Israeli settlements. In Gaza more than 12 percent of the land is designated as Area C equivalent, and includes the Israeli settlements. In areas designated as Area B, the PA has jurisdiction over civil affairs and shares security responsibilities with Israel. Approximately 21 percent of West Bank land is Area B, and approximately 41 percent of the West Bank Palestinian population resides there. The Area B equivalent in Gaza constitutes almost 19 percent of the land. The PA has control over civil affairs and security in Area A; however, contrary to the terms of the Interim Agreement, Israeli forces entered cities and villages in Area A for periods of a few hours up to several weeks during the year. The West Bank Area A constitutes nearly 18 percent of the land, and includes roughly 55 percent of the West Bank Palestinian population. The Gaza Area A equivalent constitutes approximately 69 percent of the land. The PA also has jurisdiction over some civil affairs in Area C, as specified in the Interim Agreement.

Israel continues to exercise civil authority in parts of the West Bank and Gaza through the Israeli Ministry of Defense's Office of Coordination and Liaison, known by the Hebrew acronym MATAK. The approximately 175,000 Israeli settlers living in Area C of the West Bank and in the Gaza Strip are subject to Israeli law and, as citizens, receive preferential treatment from Israeli authorities in terms of protection of personal and property rights and of legal redress. The body of law governing Palestinians in the occupied territories derives from Ottoman, British Mandate, Jordanian, and Egyptian law, and Israeli military orders. Certain laws and regulations promulgated by the PA also are in force. The international community considers Israel's authority in the occupied territories to be subject to the Hague Regulations of 1907 and the 1949 Geneva Convention relating to the Protection of Civilians in Time of War. The Israeli Government considers the Hague Regulations applicable and maintains that it largely observes the Geneva Convention's humanitarian provisions.

In January 1996, Palestinians chose their first popularly elected Government in democratic elections that generally were free and fair; the 88-member Palestinian Council (PC) and the Chairman of the Executive Authority were elected. The PA also has a cabinet of 30 ministers. Chairman Yasir Arafat continues to dominate the affairs of government and to make major decisions. Most senior government positions in the PA are held by individuals who are members of, or loyal to, Arafat's Fatah faction of the Palestinian Liberation Organization (PLO). Prior to the Intifada, the Council met regularly to discuss issues significant to the Palestinian people; however, it did not have significant influence on policy or the behavior of the executive. On December 2, Arafat invoked a state of emergency that granted him broad powers to make arrests, prohibit demonstrations, and take action against organizations that the PA suspects are affiliated with terrorist groups. In the West Bank, pre-1967 Jordanian law and PA laws apply. In recent years, the PA had stated that it was undertaking efforts to unify the Gaza and West Bank legal codes; however, it has made little progress. The PA courts are perceived as inefficient, and the PA executive and security services frequently ignore or fail to carry out court decisions.

Israeli security forces in the West Bank and Gaza Strip consist of the IDF; the Israel Security Agency (the ISA-formerly the General Security Service, or GSS, and also known as Shin Bet, or Shabak); the Israeli National Police (INP); and the paramilitary border police. Israeli military courts try Palestinians accused of committing security crimes in Israeli-controlled areas. Members of the Israeli security forces committed numerous, serious human rights abuses throughout the year.

The Palestinian Police Force (PPF) was established in May 1994 and includes the Palestinian Public Security Force; the Palestinian Civil Police; the Preventive Secu-

rity Force (PSF); the General Intelligence Service, or Mukhabarat; the Palestinian Presidential Security Force; and the Palestinian Coastal Police. Other quasi-military security organizations, such as the military intelligence organization, also exercise de facto law enforcement powers. Palestinian police are responsible for security and law enforcement for Palestinians and other non-Israelis in PA-controlled areas of the West Bank and Gaza Strip. Israeli settlers in the occupied territories are not subject to PA security force jurisdiction. Members of the PA security forces committed numerous, serious human rights abuses throughout the year.

The occupied territories are composed of the Gaza Strip, the West Bank, and East Jerusalem. The population of the Gaza Strip is approximately 1,140,000. The population of the West Bank (excluding East Jerusalem) is approximately 2,191,300. The population of East Jerusalem is approximately 390,000. The economy of the West Bank and Gaza Strip is small, poorly developed, and highly dependent on Israel, and it has been impacted severely by the Israeli security measures imposed in response to the Intifada. The economy relies primarily on agriculture, services, and, to a lesser extent, light manufacturing. Before the beginning of the Intifada, approximately 125,000 West Bank and Gazan workers, representing roughly 20 percent of the Palestinian work force, were employed at day jobs in Israel, Israeli settlements, and Jerusalem. Israeli-imposed closures, or increased restrictions, on Palestinian cities and towns have impeded Palestinians from reaching jobs or markets and disrupted internal and external trade. In addition the IDF and settlers have destroyed sections of Palestinian-owned agricultural land and economic infrastructure. The Government of Israel stated that some of these actions, such as the destruction of groves alongside roadways by the IDF, were necessary for security reasons. Some human rights groups stated that these actions often exceeded what was required for security. The adjusted unemployment rate was roughly 38 percent throughout the year. The poverty rate in the PA was 33 percent at the end of 2000 and was estimated at 50 percent by the end of the year.

Since the signing of the Israeli-Palestinian DOP in 1993, Israel has required Palestinians to obtain Israeli permits for themselves and their vehicles to cross from the West Bank or Gaza into Israel and Jerusalem. In times of tension, Israel further restricts the movement of persons and products into Israel and Jerusalem from the West Bank and Gaza. Citing security concerns, Israel has applied partial "external closure," or enhanced restrictions, on the movement of persons and products, often for lengthy periods, since 1993. During periods of violent protest in the West Bank or Gaza, or when it believes that there is an increased likelihood of such unrest or of terrorist attacks in Israel, Israel imposes a tightened, comprehensive version of external closure, generally referred to as total external closure. Total external closures also are instituted regularly during major Israeli holidays. During such closures, Israel cancels all travel permits and prevents Palestinians—even those with valid work permits—from entering Israel or Jerusalem. The Israeli Government also bans travel on the safe passage route between the West Bank and Gaza at such times. Due to the ongoing unrest in the occupied territories, Israel imposed 210 days of total external closure during the year and 155 days of partial external closure, compared with 88 days of closure in 2000 and 15 days in 1999. The safe passage route was not open at all during the year, despite the fact that its existence is stipulated in the 1995 Interim Agreement, signed by both parties.

In periods of unrest in the West Bank and Gaza or heightened terrorist activity in Israel, the Israeli Government also prohibits most travel between cities, towns, and villages within the West Bank—an "internal closure"—impeding the movement of goods and persons. During the year, Israel expanded its use of internal closure further in response to the sustained violence of the Intifada. The internal closures may be severe—prohibiting Palestinians from using primary roads and closing off many secondary roads with physical barricades—or limited, allowing access to Palestinians on most secondary roads, but only some main roads, with roadblocks and checkpoints dispersed along those roads that are open. The Government of Israel imposed approximately 87 days of limited internal closure and 278 days of severe internal closure in the West Bank during the year, compared with 81 days of internal closure in 2000 and no days in 1999. Prior to the current Intifada, the Government of Israel rarely imposed internal closure within Gaza. However, during the year, the Israeli Government imposed roughly 361 days of limited internal closure and 4 days of severe internal closure in Gaza. Israeli forces further restricted freedom of movement of Palestinians by imposing curfews, often for extended periods, on specific Palestinian towns or neighborhoods. These curfews do not apply to Israeli settlers in the same areas.

Israel's overall human rights record in the occupied territories was poor, continuing a deterioration that began in late 2000, after the beginning of the sustained violence of the Intifada. Israeli security forces committed numerous, serious human

rights abuses during the year. Security forces killed at least 501 Palestinians and 1 foreign national and injured 6,300 Palestinians and other persons during the year, including innocent bystanders. Israeli security forces targeted and killed at least 33 Palestinians whom the Israeli authorities suspected had in the past attacked or were planning to attack Israeli settlements, civilians, or military targets. On August 27, Israeli forces also killed the secretary general of the political wing of the Popular Front for the Liberation of Palestine (PFLP), which some claimed expanded the scope of such operations to include political figures. Palestinian and Israeli human rights groups stated that four of those killed were not directly involved in terrorist activities. At least 18 other persons, including 4 children, killed by Israeli forces during such operations were bystanders, relatives, or associates of those targeted.

In contravention of their own rules of engagement, which provide that live fire is to be used only when the lives of soldiers, police, or civilians are in imminent danger, Israeli security units often used excessive force against Palestinian demonstrators including live fire. IDF forces also shelled PA institutions and Palestinian civilian areas in response to Palestinian attacks on Israeli targets. Israeli security forces killed 93 Palestinians and injured 1,500 in these attacks. The IDF killed another 68 Palestinians during Israeli incursions into Palestinian-controlled territory (Area A). Israeli security forces frequently impeded the provision of medical assistance to Palestinian civilians by their strict enforcement of internal closures, which reportedly contributed to at least 32 deaths. Israeli security forces harassed and abused Palestinian pedestrians and drivers who were attempting to pass through the more than 130 Israeli-controlled checkpoints in the occupied territories. During the year, human rights organizations, including B'tselem, Human Rights Watch, the Palestinian Society for the Protection of Human Rights and the Environment (LAW), and the Mandela Institute for Political Prisoners reported that there was an increase in the number of allegations that Israeli security forces tortured detainees, including using methods prohibited in a 1999 High Court decision; there also were numerous allegations that police officers beat detainees. The Government states that the security forces have complied with the High Court's decision and that the Attorney General's office investigates any allegations of mistreatment. Two Palestinian prisoners died in Israeli custody under ambiguous circumstances during the year. Prison conditions were poor. Prolonged detention, limits on due process, and infringements on privacy rights remained problems. The IDF destroyed numerous orchards, olive and date groves, and irrigation systems on Palestinian-controlled agricultural land, and demolished the homes of Palestinians suspected of terrorism, without judicial review. Israeli authorities censored Palestinian publications in East Jerusalem. Some journalists who were covering the clashes were injured and killed by IDF fire. The Israeli authorities placed limits on freedom of assembly, and severely restricted freedom of movement for Palestinians. Israeli security forces failed to prevent, and in some cases protected, some Israelis who entered Palestinian-controlled areas in the West Bank and injured and killed several Palestinians.

The PA's overall human rights record continued to be poor; its performance improved in a few areas, but worsened in several others during the year. Unlike in the previous year, there were no documented instances of on-duty Palestinian security forces killing Israeli security force members in the occupied territories during the year. Some off-duty members of Palestinian security services and Fatah faction reportedly participated with civilians and militant groups in violent attacks against Israeli settlers, other civilians, and soldiers. At year's end, there was no conclusive evidence that the most senior PLO or PA leadership gave prior approval for these acts. On a number of occasions, Arafat called on Palestinians not to fire from Area A and ordered a complete cease-fire. However, Arafat did not take sufficient sustained action to end the violence. PA security forces arrested some of those implicated in the violence, but many quickly were released or not kept under credible conditions of arrest.

At least five Palestinians in the custody of PA security services died under ambiguous circumstances. PA prison conditions were very poor. PA security forces arbitrarily arrested and detained persons, and prolonged detention was a problem. There were credible reports of abuse and torture of prisoners held by the PA during the year. Lack of due process also was a problem. PA courts are perceived as inefficient, lacking in staff and resources, and failing to ensure fair and expeditious trials. The imposition by Israel of internal closure in the occupied territories during the year prevented courts from holding sessions or issuing rulings during most of the year. The PA executive and security services frequently ignored or failed to enforce court decisions. Lack of due process also is a serious problem in the PA's state security courts. PA security forces infringed on citizens' rights to privacy and restricted freedom of speech and of the press. The PA continued to harass, detain, and abuse journalists. PA harassment contributed to the practice of self-censorship by many

Palestinian commentators, reporters, and critics. The PA placed some limits on freedom of assembly and association. Violence against women and “honor crimes” persisted. Societal discrimination against women and persons with disabilities was a problem. Child labor was a problem.

Israeli civilians, especially settlers, harassed, attacked, and occasionally killed Palestinians in the occupied territories. There were credible reports that settlers killed at least 14 Palestinians during the year. Three Jewish extremist groups, believed to be associated with settlers, claimed responsibility for the killing of five other Palestinians, including an infant, in three separate attacks. Although Israeli officials criticized the acts and promised to take action and detained one suspect, they made no other arrests in any of these cases by year’s end. Settlers also caused significant economic damage to Palestinians by attacking and damaging greenhouses and agricultural equipment, uprooting olive trees, and damaging other valuable crops. The settlers did not act under government directive in the attacks; however, they were at times accompanied by Israeli soldiers whose standing orders are to protect, not arrest or restrain, Israeli civilians in the occupied territories. The Israeli Government generally did not prosecute the settlers for their acts of violence. In general settlers rarely serve prison sentences if convicted of a crime against a Palestinian.

Palestinian civilians were responsible for the deaths of the 87 Israelis killed in the occupied territories. Palestinian-instigated violence in the initial months of the Intifada was characterized by violent demonstrations; shootings; incidents in which Palestinians usually threw stones and Molotov cocktails at IDF checkpoints; random shootings at Israeli settlements and IDF positions; and limited armed attacks on Israeli settlers, soldiers, and civilians. During the year, violence directed at Israeli civilians and settlers became more lethal as Palestinians targeted Israelis in drive-by shootings and ambushes, suicide and other bombings, mortar attacks, and armed attacks on settlements and military bases. Palestinians acting individually, or in unorganized or small groups, including some members of Palestinian security services, killed at least 36 Israelis, including 17 settlers, as well as 10 members of the Israeli security forces in the occupied territories during the year. Off-duty members of PA security forces and members of Chairman Arafat’s Fatah faction participated in some of these attacks.

A number of extremist Palestinian groups, including the militant Islamic Resistance Movement (HAMAS), the Palestine Islamic Jihad (PIJ), the PFLP, the Democratic Front for the Liberation of Palestine (DFLP), and Fatah-affiliated groups such as the al-Aqsa Brigades, the Thabet Thabet Group, and the Brigades of Return, killed 51 Israelis and 4 foreigners and injured numerous others in the occupied territories during the year. The PA had made few arrests in these killings by year’s end.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life.—The number of deaths due to political violence associated with the Intifada remained extremely high in the occupied territories during the year. Israeli security forces killed at least 501 persons in the West Bank and Gaza. Israeli civilians, mostly settlers, as well as extremist groups believed to be associated with settlers, killed at least 19 Palestinians. Palestinian militants and civilians killed an estimated 87 Israelis. Palestinian civilians killed at least 22 Palestinians suspected of being collaboration with the Israeli Government. Additionally, more than 7,300 persons were injured during the year, including more than 6,600 Palestinians and nearly 700 Israelis (see Sections 1.c. and 1.g.).

Israeli security forces killed at least 501 Palestinians—of whom at least 103 were members of PA security forces—and 1 foreign national during the year. Most of the Palestinians killed by Israeli security forces were killed during violent demonstrations, armed clashes, targeted killings, incursions into Palestinian-controlled areas, at checkpoints, or as a result of sometimes excessive or indiscriminate fire toward Palestinian civilian areas. During the incidents, Palestinian protestors frequently threw stones and Molotov cocktails, and in some cases, also fired weapons at IDF soldiers (see Sections 1.c. and 1.d.). In response Israeli security forces used a variety of means to disperse demonstrators, including tear gas, rubber-coated metal bullets, and live ammunition. In many instances, Israeli security forces used excessive force against demonstrators, at times resulting in deaths, in contravention of their official rules of engagement (see Section 1.g.).

For example, on July 7, Khalil al-Mughrabi, an 11-year-old child, was killed in Gaza. According to B’tselem, al-Mughrabi was killed when an Israeli tank used live ammunition to fire warning shots during a demonstration in which the IDF states

that demonstrators threw fragmentation grenades and stones at IDF soldiers. B'tselem stated that al-Mughrabi and two other boys who were hit were a distance from the demonstration and had not participated.

On November 22, five schoolboys in Gaza on their way to class were killed by the explosion of an ordnance that they found and apparently touched. The IDF had planted the mine in an effort to kill Palestinian gunmen who had been shooting at Israelis at night from the area. The IDF conducted an internal investigation, and senior staff reprimanded the officers who had laid the mine, stating that they should not have placed the mine there because they should have known that school children used the area. There was no other reported disciplinary action against the officers.

The IDF targeted for killing at least 33 Palestinians during the year. The Israeli Government explicitly or implicitly acknowledged its role in the targeting and killing of at least 22 Palestinians, and also acknowledged its role in killing another 5 persons who were not targets while attempting to kill 3 militants. In January a senior public official in the Israeli Government, speaking off-the-record to Israeli journalists, stated that the IDF deliberately had targeted 10 Palestinians since the beginning of the Intifada. According to the IDF, the targeted persons were militants whom the IDF believed recently had attacked or had been planning future attacks against Israeli civilians, settlements, or military targets. The IDF stated that it targeted persons only with the authorization of senior political leaders. The Government of Israel stated that such actions were exceptional self-defense measures taken only against those engaged in hostilities against Israeli citizens, and were justified by its obligation to protect its citizens against terrorism and consistent with its right to self defense. In the death of at least seven other Palestinian militants, Israeli officials either declined to take responsibility for the action or actively denied Israel's involvement. During the course of the year, Israeli Prime Minister Sharon stated publicly that there would be targeted killings that the Israeli Government would deny publicly. In several cases in which Israeli officials denied that the killings were targeted, officials acknowledged that the persons killed had been wanted by the Israeli Government for past or planned attacks on Israelis, and the circumstances of the attacks led to suspicion that Israeli authorities were responsible for the killings. PA officials, Palestinian political leaders, and Palestinian and Israeli human rights organizations stated that four of the Palestinians targeted and killed during the year were political activists who were not involved in violent attacks. IDF forces killed 18 Palestinian bystanders, relatives, or associates of those targeted, and injured a number of others during the operations (see Section 1.c.); however, the Government of Israel has stated that it makes every effort to avoid collateral injuries or deaths and has aborted operations against known terrorists when it became clear that they might endanger innocent civilians. In most cases, the only death or serious injury was the person targeted, although in some cases there were unintended victims.

For example, on July 17, IDF helicopters fired several rockets into the one-room house of an alleged Hamas member in Bethlehem, killing four Palestinians and injuring eight others, including several women. Israeli officials said that the operation targeted a Hamas terror cell that was planning an imminent bombing in Jerusalem. Neighbors of the family and Palestinian and Israeli human rights groups stated that the four men were not active in Hamas. One of those killed, Ishaq Sa'adeh, was a well-known peace activist and history teacher at a Christian school in Bethlehem.

On July 31, Israeli helicopters fired several rockets into the second floor of a six-story building in Nablus, killing two Hamas senior officials—Jamal Mansour and Jamal Salim—and six other Palestinians, including two children who were standing outside the building. Israeli officials maintained that the operation targeted Hamas military operatives. The Hamas office was a media center, and two of those killed were journalists (see Section 2.a.).

On December 10, Israeli helicopters fired several rockets into the market in al-Sahel in Hebron, apparently targeting the car of PIJ member Mohamad al-Sider. Al-Sider was injured slightly. At least one of the rockets missed its target and hit the car behind it, killing two Palestinian children, Burhan Yaoun (3 years old) and Ahmad Arafat (13 years old). At least seven other civilian bystanders were injured. The IDF released a statement that acknowledged that the operation was intended to kill al-Sider, and expressed regret at the death of the children.

Israeli security force personnel killed a number of Palestinians in ambiguous circumstances that appeared to involve the excessive use of force in responding to what they stated were violent, or potentially violent situations at checkpoints (see Section 1.g.). The IDF generally did not investigate the actions of security force members who killed and injured Palestinians under such circumstances, leading to a climate of impunity. The IDF stated that it did not investigate such incidents because of

technical problems; because Israel does not have full control over the occupied territories; and because the PA reportedly would not cooperate in investigations in Areas B and C. However, in certain high-profile cases, the IDF agreed to investigate. For example, on October 18, as IDF tanks and armored personnel carriers entered Area A in Jenin, an 11-year-old girl, Rihmah Abu Wardeh, was killed by IDF tank fire near the Ibrhimeen school compound. Seven other school children were injured. Some eyewitness accounts indicate that Rihmah was injured critically while in the classroom, but others indicate that she was in the school compound when shrapnel from tank fire struck her. Rihmah died before her arrival at the Jenin hospital. The IDF conducted an internal investigation concerning the Jenin incursion. The officer in charge of the area was found to have exceeded his authority during the entry into, and firing upon the area. The IDF sentenced him to 28 days in military prison, and removed him from further command positions. However, the charges against him did not mention specifically the death of the girl or the injuries at the school.

Frequently, and often following shooting attacks, many of which were nonlethal, in the direction of Israeli settlements and military positions, the IDF retaliated against Palestinian towns and cities in the West Bank and Gaza. Israeli forces fired tank shells, heavy machine-gun rounds, and rockets from helicopters and F-16s at targets in residential and business neighborhoods located near the sites from which the Palestinian gunfire was believed to have originated. Such Israeli actions during the year killed at least 93 Palestinians, most of whom were noncombatants, injured at least 1,500 persons, and caused significant damage to buildings, schools, and hospitals or other medical facilities. Two doctors, a nurse, and an ambulance driver were among those killed (see Section 1.g.).

In addition at least 68 Palestinians were killed in more than 50 temporary Israeli incursions into Palestinian-controlled (Area A) cities and towns. Such incursions usually were conducted as retaliation for Palestinian suicide bombings or shooting attacks that had killed Israeli civilians, settlers, or soldiers, or to make arrests. The occupation of these areas varied in length from a few hours to more than 6 weeks. As part of such actions, the IDF usually leveled either a major PA building, or, especially in Gaza, a series of buildings, including homes. The Israeli Government stated that such actions were intended to widen a security strip area adjacent to Israeli-controlled territory. At least three of the PA buildings that the IDF destroyed during such incursions were facilities housing Special Forces Units of the Palestinian national police.

According to Israeli and Palestinian human rights organizations, Israeli security forces at checkpoints impeded the provision of medical assistance to sick and injured Palestinians, reportedly contributing to the deaths of at least 32 Palestinians. The Israeli Government states that soldiers have been ordered to refrain from harming ambulances and other medical vehicles (see Section 1.g.).

At least two Palestinian prisoners died in Israeli custody during the year (see Section 1.c.).

Palestinian security forces killed at least 11 Palestinians in Gaza in October and December during violent demonstrations initiated by members of Hamas and during PA operations aimed at arresting Hamas members. In contrast to 2000, during the year, there were no documented instances of Palestinian security forces killing Israeli security force members during violent clashes with Israeli soldiers. During an Israeli incursion into the Palestinian-controlled city of Ramallah (Area A) in September, local residents, reportedly including members of Fatah and members of the PA security services, killed an Israeli soldier when they fired at Israeli security forces that had entered their neighborhood.

For example, on December 21, violent clashes broke out between PA security forces and residents of Jabalia refugee camp in Gaza. Security forces fired live ammunition into the crowds, injuring approximately 50 persons and killing 5 Palestinian civilians. The clashes began following the funeral for 17-year-old Mahmoud Abdel Rahman El-Muqayed, who had been killed the previous night during an attempted arrest by the PA on an operation cell of Hamas members. A few hundred demonstrators, some armed members of Hamas and PIJ, attacked a nearby police station in Jabalia during the clashes, which lasted for several hours. The PA security forces brought in between 400 and 500 reinforcement officers and deployed several armed personnel carriers. At its peak, the crowd of Palestinians, including armed, masked militants, reached almost 10,000.

Members of Palestinian security services and Arafat's Fatah faction are widely believed to have participated in violent attacks against Israeli settlers, civilians, and soldiers; at year's end, the extent to which senior PA or PLO officials authorized such incidents was not clear. In addition, despite several orders issued by Chairman Arafat to Palestinians not to fire on Israelis from Area A, armed Palestinians, some of them members of Palestinian security forces and Fatah, fired at Israelis from

within or close to the homes of Palestinian civilians or in other locations in which civilians were present, increasing the potential for the noncombatants to be wounded as a result of the Israeli response. Since June 1, Arafat also issued several total cease-fire orders, none of which were effective.

There were no reports that Palestinian security forces impeded the provision of medical assistance to injured Israelis in the occupied territories during the year, in contrast to two such allegations in 2000; however, the Israeli Government stated that there were instances in which Israeli ambulances were attacked by Palestinian civilians. Although there were near daily attacks by Palestinian gunmen on Israeli civilians on the West Bank and Gaza during the year, there were several instances in which PA security officials took into protective custody, and returned safely to Israeli authorities, Israeli civilians who had violated Israeli regulations by entering Palestinian-controlled areas of the West Bank. For example, on September 16, senior PA adviser and Minister of Local Government Saeb Erekat personally escorted an Israeli settler from Vered Yericho settlement to the District Coordination Office (Israeli-Palestinian security liaison office). The settler had lost his way and entered Area A in Jericho that evening.

At least five Palestinians died in PA custody during the year. On February 27, 37-year-old Salim al-Aqra' died in Nablus while in the custody of the PA's military intelligence service. Al-Aqra' was detained on suspicion of collaboration with Israel approximately 1 month before his death. According to press reports and statements by his family members, al-Aqra's body bore signs of beatings and bruises. The PA released no autopsy on his death. The PA did not indicate if an investigation would take place or if officers involved in the case had been identified or held responsible for the alleged abuses.

On August 15, Sulieman Abu Amra, a 38-year-old Palestinian from Deir al-Balah, died while in the custody of the PA's General Intelligence Services in Gaza. Arafat ordered a board of inquiry to look into his death, but no findings had been released by year's end. Palestinian human rights activists stated that signs of torture were evident on the body.

On September 9, the PSF killed Gazan Khaled Okeh, age 35. The PSF reported that he was killed when he attempted to escape while being moved from one prison to another in anticipation of an IDF retaliatory attack on PA facilities, including the first prison.

On October 8, PA authorities found 32-year-old Bizra Hisham dead in his cell in Junaid Prison in Nablus. West Bank PSF had arrested Hisham on charges that he had collaborated with Israel. PA security officials asserted that he had committed suicide.

On October 21, 41-year-old Eladdin Wahbah died while in custody of the General Intelligence Service in Khan Younis, in Gaza. Wahba, who worked at an UNRWA school, had been detained 3 days earlier on suspicion of collaborating with Israel. The PA informed Wahbah's family that he had committed suicide by hanging himself in his cell with a blanket. The family insisted on an autopsy, which was performed in the presence of a team of physicians, including two whom did not work for the PA. The team reportedly concurred with the initial PA assessment of suicide.

At least 128 Israelis and Palestinians and 5 foreigners in the occupied territories died in politically related violence perpetrated by civilians and extremist groups during the year.

Israeli settlers, acting individually or in small, at times unstructured, groups harassed, attacked, and occasionally killed Palestinians in the West Bank and Gaza Strip (see Section 1.c.). There were credible reports that settlers killed at least 14 and injured several more Palestinians during the year, usually by shooting them, stoning their vehicles (causing fatal accidents), or hitting them with moving vehicles. The settlers at times were accompanied by IDF troops. IDF soldiers have standing orders to protect, not restrain or arrest, Israeli settlers in the occupied territories. The Israeli Government did not generally prosecute the settlers for their acts of violence (see Section 1.g.). In general settlers rarely serve prison sentences if convicted of a crime against Palestinians. For example, on January 21, the Jerusalem District Court sentenced Nahum Korman, former security coordinator for the Gush Etzion settlement, to 6 months of community service and 15 months of probation for the 1996 murder of 12-year-old Palestinian Hilmi Shusha. The court also ordered Korman to pay \$16,000 (NIS 70,000) to Shusha's family. The Israeli human rights organization B'tselem stated that the court's decision in effect signaled to the settlers that they could attack violently, and even kill, Palestinians without suffering severe penalties. In a similar case, in February the Israeli High Court released settler Yoram Skolnick from prison. Skolnick was convicted of the 1993 shooting and killing of a bound, blindfolded Palestinian who allegedly had attacked

a settler with a knife. Although a judge originally sentenced Skolnick to life in prison, he served less than 8 years for the crime.

At least three Jewish extremist groups, believed to be associated with settlers, claimed responsibility for the deaths of five Palestinians, including an infant, in drive-by shooting attacks.

Palestinian civilians harassed, attacked, and killed Israelis, especially settlers. During the year, Palestinians, acting as individuals or in unorganized or small groups, reportedly including some members of PA security services, killed 26 Israeli settlers and civilians and 10 Israeli soldiers, and injured hundreds of others in the occupied territories (see Section 1.c.). The Palestinian attacks consisted primarily of shooting attacks and stone-throwing at Israeli drivers.

For example, on April 21, Palestinians beat to death Stanislav Sandomirski near Ramallah. Sandomirski's body was found in the back of his car by Palestinian villagers.

A number of extremist Palestinian groups, including the militant HAMAS, PIJ, the PFLP, DLFP, and Fatah-affiliated groups such as the al-Aqsa Brigades, Thabet Thabet Group, and the Brigades of Return, continued to kill and injure Israelis. The PA made few arrests in these killings by year's end, and many of those arrested were released a short time later or held under conditions not commensurate with normal conditions of arrest. Such extremist groups claimed responsibility for the killings of 40 Israeli settlers and civilians, 11 Israeli soldiers, and 4 foreigners in the occupied territories in various attacks and bombings. In one case, two teenage boys from Teqoa settlement were found dead on the morning of May 9 outside Bethlehem. The boys had missed school the previous day to go hiking but did not return home. Evidence indicated that the boys had been beaten brutally and stoned to death. A group calling itself "Hizballah-Palestine," a name frequently used by individual PIJ and Hamas cells, reported to a French news service that its members killed the boys.

On October 17, two Palestinian men killed Israeli Minister of Tourism Rehavam Ze'evi outside his hotel room in East Jerusalem. The PFLP claimed responsibility.

Early in the year, some PA officials made public statements justifying Palestinian attacks on Israelis, stating that such attacks were in response to the occupation. Additionally, some mid-level Fatah leaders made public statements urging Palestinians to continue all aspects of the Intifada, including violent opposition. Several times during the latter part of the year, Arafat publicly ordered a complete cease-fire and stated that he had instructed security forces to enforce it. The PA's limited attempts at enforcement were only partially successful. By year's end, the PA security forces were making increased attempts at arrest.

Palestinian civilians also killed at least 22 Palestinians in the occupied territories who allegedly had collaborated with Israel. Most of the deaths were shootings perpetrated by small groups of unidentified Palestinians gunmen. The PA made no arrests in any of these killings. An example of such a case is the July 31 death of Jamal Shahin.

b. Disappearance.—There were no reports of politically motivated disappearances during the year.

During the year, groups of armed Palestinians beat two journalists and kidnaped two others for a 24-hour period (see Section 2.a.). One man disappeared in the West Bank on August 1, in unclear circumstances. It was not apparent whether his disappearance was politically or criminally motivated.

No persons whose abduction previously was reported remained missing at year's end.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—Israeli laws and administrative regulations prohibit the physical abuse of detainees and a landmark decision by the High Court of Justice in September 1999 prohibited the use of a variety of abusive practices, including violent shaking, painful shackling in contorted positions, sleep deprivation for extended periods of time, and prolonged exposure to extreme temperatures; however, during the year, human rights organizations, including B'tselem, Human Rights Watch, LAW, and the Mandela Institute for Political Prisoners reported that there was an increase in the number of allegations that Israeli security forces tortured and abused detainees, including using methods prohibited in the 1999 High Court decision. There also were numerous allegations that police officers beat detainees. The Government stated that the security forces have complied with the High Court's decision and that the Attorney General's office investigates any allegations of mistreatment. Human rights groups indicate that the person who is responsible for carrying out the initial investigation into such allegations is a GSS officer, and that, as a result, the GSS provides preliminary research in injuries into its own alleged abuses. Human rights groups charge that largely because of the system, few cases have been opened and no GSS agent has

been criminally charged with torture or other ill-treatment for the past several years.

Prior to the High Court's 1999 decision, laws prohibiting the physical abuse of detainees were not enforced. Regulations authorized security officers to use "moderate physical and psychological pressure" (which included violent shaking) while interrogating detainees. These practices often led to excesses. In 1999 the Attorney General issued guidelines that denied blanket immunity from prosecution for interrogators.

Israeli and Palestinian human rights groups noted that it was difficult to visit prisoners during the interrogation period and that some detainees were reluctant to report abuse out of fear of retribution.

Several human rights groups stated that the case of Abdel Rahman al-Ahmar is representative of the allegations of physical abuse they are receiving. On May 24, Israeli authorities arrested al-Ahmar, a well-known Palestinian human rights activist and field researcher, for entering Jerusalem without a permit. The authorities first detained al-Ahmar at Etzion Prison, then transferred him 6 days later to the Russian Compound in Jerusalem. According to testimony he gave his lawyer, authorities beat al-Ahmar when they arrested him, subsequently subjected him to shabeh (shackling in painful positions for prolonged periods), and held him in a dirty, cold cell. According to a press release from the Public Committee Against Torture in Israel, authorities denied al-Ahmar adequate medical care. On June 18, an Israeli military judge denied al-Ahmar's legal complaint of torture—despite bruises on his arms and visible difficulty walking—and extended his detention without charging him. In early July, al-Ahmar was remanded for 6 months of administrative detention, and in November the order was renewed for an additional 6 months. International, Israeli, and Palestinian human rights groups continued to petition for his release.

Most convictions in security cases before Israeli courts are based on confessions. The law prohibits the admission of forced confessions as evidence; however, there have been allegations that this occurs. A detainee may not have contact with a lawyer until after interrogation, a process that may last days or weeks. The Government does not allow representatives of the International Committee of the Red Cross (ICRC) access to detainees until the 14th day of detention. Detainees sometimes state in court that their confessions are coerced, but judges rarely exclude such confessions. According to Palestinian human rights groups, some Palestinian detainees fail to make complaints either due to fear of retribution or because they assume that such complaints would be ignored. During the year, there were no known cases in which an Israeli court excluded a Palestinian confession because of a finding of improper means of investigation or interrogation.

Israeli security forces injured more than 6,300 Palestinians during armed clashes, violent demonstrations, retaliatory strikes, and other military actions during the year. The marked decline in the number injured compared with 2000 reflects primarily the changing nature of the conflict. The massive daily demonstrations across the West Bank and Gaza have given way to a much higher incidence of armed attacks by individuals or unorganized or small groups of Palestinians, heavy IDF retaliation against civilian areas, and intense gun battles resulting from Israeli military incursions into Palestinian-controlled towns and villages. However, smaller, less-frequent demonstrations, many of which turned violent, continued (see Sections 1.a., 1.g., and 2.b.).

The IDF injured a number of bystanders, including journalists, at demonstrations, clashes, or during retaliatory strikes. Israeli gunfire killed 2 journalists and injured at least 10 others during Israeli military actions during the year (see Sections 1.a. and 2.a.).

There also were many reports that Israeli authorities treat Palestinians in an abusive manner at checkpoints, subjecting them to verbal and physical harassment. Each day, hundreds of thousands of Palestinians who wish to travel between Palestinian towns and villages must pass through one or more of the approximately 130 Israeli checkpoints across the occupied territories. Credible anecdotal stories of checkpoint abuses recounted by international humanitarian aid groups, and by hundreds of Palestinian citizens throughout the year, suggest that abuse is common and that as many as several thousand Palestinians have encountered some form of abuse from soldiers at checkpoints. In extreme cases, there were numerous reports of soldiers forcing Palestinians to hit or spit on other Palestinians in line, to strip off their own clothing, or to eat or drink during the Ramadan fast before being allowed to pass through the checkpoints.

In a case reported by local and international press, and videotaped by an Israeli settler, in February in central Hebron, 50-year-old Palestinian pedestrian Jadirallah al-Jabri was stopped at an IDF checkpoint near an entrance to the H-2, Israeli-controlled section. Although al-Jabri provided all the correct documentation, and report-

edly was not acting in a threatening manner, a soldier shot him in his ankle, severely injuring him. The soldiers neglected to provide any medical care to the man for several minutes, despite profuse bleeding. Finally, Palestinian bystanders called for an ambulance.

Human Rights Watch estimated that in the first 2 months of the year, hundreds of Palestinians in the West Bank and Gaza were subjected to serious beatings, tire slashings, and gunfire directed against them or their vehicles because they were traveling on, or trying to circumvent, roads on which the IDF blocked passage to Palestinians as it attempted to enforce internal closures between Palestinian cities and towns in the West Bank and Gaza (see Section 2.d.).

The Palestinian Red Crescent Society (PRCS) stated that IDF soldiers and settlers committed 67 attacks against PRCS ambulances during the year. The PRCS also reported that IDF soldiers and Israeli settlers injured 121 PRCS emergency personnel in attacks.

Two doctors, a nurse, and an ambulance driver were killed by Israeli fire during retaliatory attacks on civilian areas or PA institutions (see Sections 1.a and 1.g.). In one widely reported case, IDF soldiers abused a number of PRCS emergency workers at checkpoints. The soldiers at a roadblock south of Nablus forced three medics out of the ambulance, confiscated their radios, and ordered them to lie on the road. The soldiers repeatedly beat the workers with rifle butts, verbally abused them, kicked them, and broke one medic's hand. The PRCS team was allowed to leave only after the intervention of the ICRC.

The PA does not prohibit by law the use of torture or force against detainees, and PA security forces reportedly regularly employ torture and abuse against Palestinian detainees. Such abuse generally takes place after arrest and during interrogation, and reportedly is widespread. In 1995 the Gaza civil police commander issued to police officers in the West Bank and Gaza a directive forbidding torture during interrogation, and directing the security forces to observe the rights of all detainees; however, the directive does not have the force of law, and Palestinian security officers have not been issued formal guidelines regarding the proper conduct of interrogations. The PA lacks adequate equipment to collect and use evidence, and convictions are based largely on confessions.

PA security officials torture and abuse prisoners by threatening, hooding, beating, and tying detainees in painful positions, forcing them to stand for long periods of time, depriving them of sleep and food, and burning detainees with cigarettes and hot instruments. Palestinians also alleged that PA authorities have shaken them violently while in PA custody. International human rights groups have documented widespread arbitrary and abusive conduct by the PA. The organizations state that the use of torture is widespread and not restricted to those persons detained on security charges. Human rights groups state that Palestinians who are suspected of belonging to radical Islamic groups are more likely to be treated poorly, as are the large numbers of alleged collaborators with Israel who have been arrested since the start of the Intifada. Observers have noted that documentation of abuses is very limited, due partly to the hesitancy of alleged victims to file or make public claims of torture and abuse against the PA authorities.

During the year, five Palestinians died under ambiguous circumstances while in PA custody. The PA released no autopsy of the deaths (see Section 1.a.).

Off-duty Palestinian security officers and Fatah Tanzim members with firearms were deeply involved in the violence during the year. In some cases, they fired at Israeli civilians or soldiers from within or close to the homes of Palestinian civilians, drawing Israeli return fire. For example, on several occasions, Palestinian security forces on night patrol in the al-Bireh neighborhood near Ramallah failed to find and prevent Palestinian gunmen from firing on the nearby Israeli settlement of Psagot. Most of the shootings caused no injuries and did little damage, but they did prompt the IDF to respond with gunfire and, occasionally, tank shells, which resulted in at least two deaths and numerous injuries to noncombatants.

Palestinian security forces also at times failed to prevent armed Palestinians in areas under PA control from opening fire on Israeli settlers or other civilians, soldiers, or military targets.

Extremist Israeli settlers harassed, attacked, and occasionally killed Palestinians in the West Bank and Gaza Strip (see Section 1.a.). There were credible reports that settlers injured a number of Palestinians during the year, usually by stoning their vehicles (which at times caused fatal accidents), shooting them, or striking them with moving vehicles. Human rights groups received a number of reports during the year that Israeli settlers in the West Bank beat Palestinians.

Some settlers also attacked Palestinian homes and damaged crops, olive trees, greenhouses, and agricultural equipment, usually in areas located near settlements, causing extensive economic damage to Palestinian-owned agricultural land. For ex-

ample, PRCS and LAW reported that, on June 1, settlers burned the wheat fields and allegedly poisoned the sheep of Palestinians in Sawyeh village, near Nablus. The settlers acted in an area in which the IDF is responsible for security. The IDF took no action to apprehend the perpetrators, and no compensation was provided to the Palestinian victims. Settlers usually act independently of government direction in such attacks; however, the Israeli Government generally does not prosecute settlers for their acts of violence against Palestinians, and settlers rarely serve prison sentences if convicted of a crime against a Palestinian.

In October B'tselem published a report criticizing Israeli law enforcement officials for their failure to control settlers during attacks against Palestinians. The report also charged that the Israeli security forces contribute to the continued violence by failing to discipline such abuses by settlers. Earlier in the year, B'tselem criticized the IDF not only for its failure to control settlers during attacks on Palestinians, but also for applying curfews and closures only to Palestinians, including in cases that prevented Palestinians from defending themselves and their property against attacks by the settlers.

For example, on May 14, settlers broke into Muhammad Ra'id Khalil Dar Khalil's cement block factory. The settlers used his forklift and tractor to severely damage the facility, burned a truck, a crane, feed for his animals, and 200 platforms of concrete blocks. The settlers also damaged his car and factory equipment, and stoned his house, breaking windows and doors. Khalil reported that soldiers who were present did nothing to stop the settlers, and also refused to allow him to leave his home during the incident.

According to human rights organizations, Israeli settlers at times attacked Palestinian ambulances and impeded the provision of medical services to injured Palestinians (see Section 2.d. and 1.g.). During the year, Israeli settlers in Hebron also increased their longstanding harassment of members of the Temporary International Presence in Hebron (TIPH), which monitors relations between Israeli and Palestinian security forces, Palestinian civilians, and settlers in the city, and damaged a number of their vehicles; TIPH suspended its regular patrols in the Israeli-controlled section of Hebron for a week in August due to such incidents.

Palestinians harassed, attacked, and occasionally killed Israelis, especially settlers (see Section 1.a.). For example, during the year, unidentified Palestinian gunmen regularly fired on homes in Gilo, a Jewish neighborhood in the Jerusalem area, from residential areas of the neighboring Palestinian town of Beit Jala. Since the beginning of the Intifada, at least 550 Israeli settlers and civilians in the occupied territories have been injured by Palestinian civilians or Palestinian security forces. Several Palestinian extremist groups claimed responsibility for injuring a number of Israeli settlers, civilians, and soldiers in armed attacks or bombings in the occupied territories.

There was a report during the year that Hamas militants shot at an Israeli medical team.

On August 23, an official from the Israeli Government accused the PRCS of allowing gunmen to be transported in its ambulances in the Nablus area. However, when later asked by the ICRC and the PRCS to provide evidence of the practice, the Israeli Government retracted the allegations. The ICRC and PRCS noted that this was the third time that Israeli officials had falsely accused the PRCS of transporting gunmen or weapons during this Intifada; each time the Israeli Government and the IDF have failed to provide any evidence to support their charges.

Conditions for Palestinians in Israeli prisons are poor. Facilities are overcrowded, sanitation is poor, and medical care is inadequate. For most of the year, Israeli prison authorities held at least 80 minors who had been arrested on security charges, primarily stone-throwing, in cells with convicted adult Israeli criminals at Tel Mond prison in Israel. Previously, including during the first Intifada, Palestinian minors had always been incarcerated separately from other prisoners. The youths' lawyers and relatives reported frequent instances of mistreatment by adult Israeli prisoners incarcerated for criminal offenses, and occasionally by prison officials, against these minors, including beatings, rapes, attacks with razors, theft of food and money, and general harassment. Upon receiving complaints by several human rights and humanitarian groups, prison officials moved 50 youths to other prisons or released them upon completion of their sentence; however, the Israeli authorities subsequently incarcerated additional minors at Tel Mond. At year's end, 60–70 minors remained in the cells in Tel Mond.

Palestinian prisoners went on several, short-lived hunger strikes in Israeli prisons to protest living conditions. In Ramleh prison, female prisoners went on a hunger strike for 1 day in May. In the Megiddo military detention facility and at Ashkelon and Beersheva there were several 1-day hunger strikes in during the year. The mi-

nors held in Tel Mond also held hunger strikes during the year, which lasted from 1 to 3 days.

In September 2000, Israeli authorities suspended family visits for Palestinian prisoners; however, they allowed limited visits to resume in February. Visits for families of prisoners from Gaza had resumed at a fairly normal level; however, visits for families of prisoners from the West Bank were reduced significantly because of time and logistical barriers due to internal closure in the West Bank. The IDF suspended the visitation program for families from the West Bank at the end of July, citing the security situation as the reason. During the year, two Palestinian prisoner serving time on a criminal charge died in Israeli custody under ambiguous circumstances (see Section 1.a.).

Israel permits independent monitoring of prison conditions by the ICRC and other groups, although human rights groups sometimes encounter difficulties gaining access to specific detainees. Since the Intifada began, only Israeli citizens or Palestinian lawyers with Jerusalem identification cards have been permitted to visit Palestinian prisoners in Israeli jails as advocates or monitors. This has significantly reduced the availability and timeliness of legal aid for such prisoners due to a reduction from 1,300 to approximately 100 available lawyers to handle such cases. Lawyers with Jerusalem identification cards report frequent, repeated, and lengthy delays in meeting with prisoners. Israeli lawyers have not take steps to fill the void.

Conditions in PA prisons continue to be very poor. In many cases, facilities are overcrowded, old, dilapidated, and neglected. Food and clothing for prisoners are inadequate and must be supplemented by donations from families and humanitarian groups. Male and female inmates are held separately. There are separate facilities to hold juvenile prisoners. During the year, five Palestinians died in PA custody under ambiguous circumstances (see Section 1.a.).

During the year, several prisoners held hunger strikes to protest their imprisonment in PA prisons. For example, in October 12 members of the PFLP in Ramallah conducted a hunger strike that lasted approximately 5 days. During the strike some 300 supporters held a protest march, and PFLP members set up a protest tent in Manara Square.

The PA permits independent monitoring of its prisons, although human rights groups, humanitarian organizations, and lawyers reported difficulties arranging visits or gaining access to specific detainees. Human rights organizations state that their ability to visit PA jails and detention centers varies depending on which security organization controls the facility. Human rights organizations state that the police, Preventive Security Force, and Mukhabarat generally allowed them to inspect facilities and visit prisoners and detainees. However, they stated that the Military Intelligence Organization usually did not grant them access to facilities that they control. Human rights monitors state that prison authorities do not consistently permit them to have access to PA detention facilities, and that they rarely are permitted to see inmates while they are under interrogation.

The ICRC operates in the West Bank and Gaza under the terms of a memorandum of understanding signed in September 1996 between the ICRC and the PLO. The memorandum accords the ICRC access to all detainees held by the PA and allows regular inspections of prison conditions. In accordance with the agreement, the ICRC conducted visits of facilities run by the PA. The PA may deny a group access to a detainee for 14 days immediately following his or her arrest. If abuses occur, they frequently happen during this 2-week period.

d. Arbitrary Arrest, Detention, or Exile.—Israeli security personnel may arrest without warrant or hold for questioning a person suspected of having committed a criminal or security offense. Most of these arrests and detentions are for alleged security offenses. Persons arrested for common crimes usually are provided with a statement of charges and access to an attorney, and may apply for bail. However, these procedures in some cases are delayed.

Israeli authorities intermittently issued special summonses for those suspected of involvement in or knowledge of security offenses. There were reports that some such summonses were issued immediately before and during the Intifada. Israeli military order 1369 provides for a 7-year prison term for anyone who does not respond to a special summons delivered to a family member or posted in the MATAK office nearest the suspect's home address. There were no reports during the year that any person was convicted of failing to respond to a summons. Bail rarely is available to those arrested for security offenses.

Although Israeli law does not allow Israelis under the age of 16 to be tried as adults, Israeli courts treat Palestinians more than the age of 12 as adults. Defense for Children International (DCI) reported that over 500 Palestinian minors (below the age of 18 years) were arrested and detained in Israeli prisons during the year, and that at year's end, there were approximately 160 minors in Israeli prisons. The

IDF stated that it held 102 Palestinian minors in detention as of early December. The Israeli Prisons Service Facilities held 14 minor prisoners and detainees as of early December. Some discrepancy in the number of minors held is attributable to the different definitions of what age constitutes a Palestinian minor.

Israeli authorities may hold persons in custody without a warrant for 96 hours; following that time, they must be released unless a warrant is issued. Prearrest detention may last up to 11 days for Palestinians arrested in the occupied territories and up to 8 days for minors and those accused of less serious offenses. Authorities must obtain a court order for longer administrative detentions—up to 6 months from the date of arrest. At hearings to extend detention for interrogation purposes, detainees are entitled to be represented by counsel, although defense attorneys often are not allowed to see or hear the evidence against their clients. Detainees either are released at the end of the court-ordered detention or sent to administrative detention if they are not indicted. If there is an indictment, a judge may order indefinite detention until the end of the trial. Israeli regulations permit detainees to be held in isolation during interrogation. Detainees have the right to appeal continued detention.

Although a detainee generally has the right to consult with a lawyer as soon as possible, in security cases authorities may delay access to counsel for up to 15 days. Higher-ranking officials or judges may extend this period. Access to counsel is denied routinely while a suspect is being interrogated, which may last up to several weeks. Authorities must inform detainees of their right to an attorney and whether there are any orders prohibiting such contact.

A number of factors hamper contacts by Palestinians in Israeli prison and detention facilities with their lawyers, families, and human rights organizations. Israeli authorities state that they attempt to post notification of arrest within 48 hours; however, Palestinian suspects often are kept incommunicado for longer than 48 hours. Even if family members or others become aware of a person's arrest, it often is difficult for them to obtain information regarding where a detainee is being held or whether the detainee has access to an attorney. Palestinians generally locate detained family members through their own efforts. Palestinians may check with a local ICRC office to determine whether it has information regarding the whereabouts of a family member. A senior officer may delay for up to 12 days notification of arrest to immediate family members and attorneys. A military commander may appeal to a judge to extend this period in security cases for an unlimited period of time.

The Israeli Government routinely transfers Palestinians arrested in the occupied territories to facilities in Israel, especially the prison in Ashkelon and the military detention center in Megiddo. Such transfers contravene international humanitarian law (see Section 1.g.). Israeli authorities in some instances scheduled appointments between attorneys and their detained clients, only to move the clients to another prison prior to the meetings. Authorities reportedly use such tactics to delay lawyer-client meetings for as long as 90 days. Palestinian lawyers also have difficulty traveling to meet with their clients during Israeli-imposed closures, which were in place for most of the year (see Section 2.d.). Israel requires Palestinian attorneys to obtain permits to enter Israel to see their clients held in prisons there. Human rights groups state that Palestinian lawyers from the Gaza Strip have a more difficult time obtaining these permits than their West Bank counterparts and that they are denied entry into Israel more frequently than West Bank lawyers. Since the beginning of the Intifada, West Bank lawyers have not been permitted to visit Palestinian prisoners in Israeli jails, although Palestinian lawyers with valid Jerusalem identification cards have been permitted to do so. This has significantly reduced the availability and timeliness of legal counsel for such prisoners (see Section 1.c.).

Male family members between 16 and 40 years of age, and any family members with security records, generally are barred from visiting relatives in facilities in Israel. Relatives of Palestinian prisoners also state that in some instances they learn that visitation rights have been canceled only when they arrive at the prison after travelling for many hours from the occupied territories. Following the outbreak of violence in late September 2000, the Israeli Government banned all family visits for Palestinian prisoners in Israeli jails, although some visitation rights were restored during the year after ICRC interventions (see Section 1.c.).

Evidence used at hearings for administrative detentions is secret and unavailable to the detainee or his attorney during the hearings; the detainee and defense lawyer are required to leave the courtroom when secret evidence is presented. Israeli authorities maintain that they are unable to present evidence in open court because doing so would compromise the method of acquiring the evidence. In July 1998, the High Court of Justice ruled that only judges, rather than military officials, may renew administrative detention orders beyond a 6-month period. Detainees may ap-

peal detention orders, or the renewal of a detention order, before a military judge, but their chances for success are very limited. No information was available regarding whether any detainees were successful in such appeals.

The total number of Palestinian prisoners and administrative detainees in Israeli jails increased during the year due to arrests associated with the ongoing Intifada. According to the IDF, there were 1,854 Palestinian security prisoners held in IDF and Israeli Prisons Service jails, compared to 1,402 at the end of 2000. The IDF also held an unspecified number of Palestinian detainees in waiting facilities in the occupied territories. Addameer, a leading Palestinian prisoner rights group, estimated that there were approximately 2,200 Palestinian prisoners in Israeli jails as of October 1. Approximately 1,350 to 1,400 had been detained before the Intifada began (most of them pre-Oslo prisoners serving long terms), and 800 to 850 of those currently in custody had been arrested during the year. According to the IDF and IPS, 918 were awaiting trial. Addameer estimated that approximately 210 Palestinian detainees were undergoing interrogation. Addameer assessed that between 1,950 to 2,000 Palestinians had been arrested on security-related charges during the year, but that 1,100 to 1,200 had been released or completed their sentences.

Addameer and the IDF reported that 34 Palestinians were in administrative detention as of December. Most had been detained for less than 1 year. A number of Palestinians under administrative detention during the previous several years have had their detention orders renewed repeatedly and few, if any, appeals have been successful.

PA security forces arbitrarily arrested and detained persons. The PA does not have a uniform law on administrative detention, and security officials do not always adhere to the existing laws in the West Bank and Gaza Strip. Laws applicable in Gaza, which do not apply to the West Bank, stipulate that detainees held without charge must be released within 48 hours. The law allows the Attorney General to extend the detention period to a maximum of 90 days during investigations. Human rights organizations and the PA Ministry of Justice assert that PA security officials do not always adhere to this provision. The law in the West Bank allows a suspect to be detained for 24 hours before being charged. The Attorney General may extend the detention period.

According to Human Rights Watch (HRW), in October the authorities issued an order to place seven persons who allegedly belonged to Palestinian Islamic Jihad and Hamas in administrative detention. They neither were charged nor tried, and were ordered to be held for a period of 6 months to 1 year. The PA stated that this reflected their attempt to combat terrorism.

The PA Chairman has not signed the Basic Law, which was designed to limit executive branch abuses and to provide safeguards for citizens, since it was passed by the Palestinian Council (PC) in 1996. The lack of safeguards has contributed to the tendency of PA security forces to refuse to carry out High Court of Justice orders to release detainees. In some cases in past years, the High Court ordered the release of prisoners detained for years without trial, and PA security forces released the prisoners several months up to 1 year later. In November 1997, the Palestinian High Court ordered the release of HAMAS member Mahmud Muslah; it is not clear if Muslah remained in detention at year's end. In February 1999, the High Court ordered the release of Wa'el Farraj, who has been detained without charges since 1996; it is not clear if Farraj remained in detention at year's end. According to the Palestinian Independent Commission for Citizens Rights, the High Court ordered 17 detainees released during the year, compared with 9 detainees in 2000. The PA released 2 of the 17 in response to the High Court order.

Addameer estimated that approximately 340 suspected collaborators and 180 to 200 political prisoners were in custody in PA jails at year's end (see Section 1.e.). According to HRW, these alleged collaborators often were held without sufficient evidence, and denied access to lawyers, their families, or doctors.

Palestinian security forces at times detained or placed under house arrest the relatives of alleged security criminals. For example, the PA arrested and reportedly still held at the end of the year, two brothers of the suspects who allegedly killed Israeli Tourism Minister Ze'evi on October 17. Lawyers and PA judicial officials acknowledged that, in contravention of the law, PA security services sometimes arrest and detain persons without informing judicial officials.

PA authorities generally permit prisoners—except those held for security offenses—to receive visits from family members, and human rights monitors. PA security officials do not always permit lawyers to see their clients. In principle detainees may notify their families of their arrest, but this is not always permitted. Human rights organizations reported in the past that lawyers at times were denied access to their clients.

PA security services have overlapping or unclear mandates that often complicate the protection of human rights. Under existing law in the West Bank, only the PA's civil police force is authorized to make arrests. In practice all security forces are known to detain persons at various times. The operating procedures and regulations for the conduct of PA security personnel in the various services still are not well developed and have not yet been made fully available to the public.

There are many detention facilities in the West Bank and Gaza Strip administered by the overlapping PA security services, a situation that complicates the ability of families, lawyers, and even the Ministry of Justice to track detainees' whereabouts and to determine their numbers. Security services, including Preventive Security, General Intelligence, Military Intelligence, and the Coast Guard have their own interrogation and detention facilities. In general these services do not, or only sporadically, inform families of a relative's arrest. Most PA security officers remain unaware of proper arrest, detention, and interrogation procedures, as well as basic human rights standards. In previous years, human rights groups have provided basic human rights training to a number of PA security services, and nearly 1,600 PA security officials have participated in human rights courses since the PA's establishment in 1994.

PA security forces continued to harass and arbitrarily arrest and detain journalists, political activists, and human rights advocates who criticized the PA and its policies (see Sections 2.a. and 4).

On September 14, Palestinian police detained for approximately 2 hours five journalists who were covering a demonstration at the Nuseirat refugee camp (see Section 2.a.).

During the year, an Israeli commentator of Egyptian origin claimed that members of the PA security forces held him incommunicado in the Bethlehem area for several weeks (see Section 2.a.).

Neither the Israeli Government nor the PA used forced exile, or forcibly deported anyone from the occupied territories, during the year.

e. Denial of Fair Public Trial.—Israeli law provides for an independent judiciary, and the Government generally respects this provision. Palestinians accused by Israel of security offenses in the occupied territories are tried in Israeli military courts. Security offenses are defined broadly and may include charges as varied as stone-throwing or membership in outlawed organizations. Military prosecutors bring charges. Serious charges are tried before three-judge panels; lesser offenses are tried before one judge. The Israeli military courts rarely acquit Palestinians of security offenses, but sentences in some cases are reduced on appeal.

The 1970 regulations governing Israeli military trials allow for evidentiary rules that are the same in criminal cases. Convictions may not be based solely on confessions, although in practice some security prisoners have been sentenced on the basis of the coerced confessions of both themselves and others. The prosecution must justify closing the proceedings to the public in such cases, and the Attorney General determines the venue. The accused may be assisted by counsel, and a judge may assign counsel to those defendants when it is deemed necessary. Charges are made available to the defendant and the public in Hebrew, and the court may order that the charges be translated into Arabic if necessary. Sentencing in military courts is consistent with that in criminal courts. Defendants in military trials have the right to appeal through the Military High Court. Defendants in military trials also may petition to the civilian High Court of Justice (sitting as a court of first instance) in cases in which they believe there are procedural or evidentiary irregularities. The court may here secret evidence in security cases that is not available to the defendant or his attorney; however, while a conviction may not be based solely on such evidence, it reportedly may influence the judge's decision.

Trials sometimes are delayed because witnesses, including Israeli military or police officers, do not appear, the defendant is not brought to court, files are lost, or attorneys fail to appear, sometimes because they have not been informed of the trial date or travel restrictions prevent Palestinian lawyers reaching the court (see Section 2.d.). These delays pressure some defendants to plead guilty to minor offenses so that an expedited trial may be held; in expedited trials a charge sheet is drawn up within 48 hours and a court hearing is scheduled within days. There frequently is no testimony provided by Palestinian witnesses either for or against Palestinians on trial. Israeli authorities maintain that this is due to the refusal of Palestinians to cooperate with the authorities. Tension resulting from the current security situation, and the closures imposed on the West Bank and Gaza, pose additional barriers to cooperation. Physical and psychological pressures and reduced sentences for those who confess may induce security detainees to sign confessions. Confessions usually are given in Arabic but translated into Hebrew for the record because, authorities maintain, many Israeli court personnel speak Arabic but few read it. As a result,

many Palestinian prisoners sign confessions written in Hebrew, which they cannot read or understand.

Crowded facilities and poor arrangements for attorney-client consultations in prisons hinder legal defense efforts. Appointments to see clients are difficult to arrange, and prison authorities often fail to produce clients for scheduled appointments.

Israeli settlers in the West Bank and Gaza Strip accused of security and ordinary criminal offenses are tried under Israeli law in the nearest Israeli district court. Civilian judges preside, and the standards of due process and admissibility of evidence are governed by the laws of Israel, not military orders. Settlers rarely are prosecuted in Israeli courts of crimes against Palestinians, and, in the rare instances in which they are convicted, regularly receive lighter punishment than Palestinians convicted in Israeli courts of similar crimes against either Israelis or other Palestinians (see Section 1.a.). The Government of Israel stated that they established a special department within the police force to investigate violence by settlers; however, the establishment of such a unit has not noticeably diminished the problem. During the year, 42 settlers were indicted for violence in the occupied territories; however, most of these indictments were for crimes against Israeli security forces rather than against Palestinians.

There were no reports that the Israeli Government held political prisoners.

The Israeli Government held hundreds of persons for security related offenses (see Section 1.d.).

The PA courts are inefficient, lack staff and resources, and often do not ensure fair and expeditious trials. The PA executive and security services frequently ignore or fail to carry out court decisions and otherwise inhibit judicial independence. In a report released in November, HRW asserted that lack of judicial independence and the lack of rule of law in the PA leads to the continuing problems of torture, extrajudicial killings, and arbitrary detention (see Sections 1.a., 1.c., and 1.d.).

The PA inherited a court system largely based on structures and legal codes predating the 1967 Israeli occupation. During the year, a new law regarding the formation of the courts took effect, which changed the types or sizes of cases that some of the civil court can conduct. In each district there must be at least one conciliation court and a court of first instance that hears appeals from that conciliation court, and which has original jurisdiction of more serious cases. There is a court of appeals in both Gaza and Ramallah to review decisions of the first instance courts. Until this law took effect, the Courts of Appeal also served as the High Court. The law established one High Court, which will serve as an administrative court and the Constitutional Court until these are formed by law. However, it is not clear how the judiciary plans to manage this transitions, since there are limited resources to make these changes to the judiciary. Additionally, it is not clear how or when the changes will take effect, since Article 1 of the law states that the courts are established pursuant to the Judicial Authority law, which has not been implemented.

The PA executive at times does not respect decisions of the High Court, and the Palestinian security agencies do not always enforce its rulings (see Section 1.d.). In 1995 the PA established state security courts in Gaza and the West Bank to try cases involving security issues. Three military judges preside over each court. A senior police official heads the state security court in Jericho, and three judges preside over it. There is no right of appeal, but the PA Chairman reviews the court's findings, and he may confirm or reject the decision. The PA Ministry of Justice has no jurisdiction over the state security courts, which are subordinate only to the Chairman. There is a separate Attorney General appointed by the Chairman to work with the state security courts.

The Gaza legal code derives from Ottoman law, British Mandate law, Egyptian law, and PA directives and laws. Pre-1967 Jordanian law applies in the West Bank. Bodies of law in the Gaza Strip and West Bank have been modified substantially by Israeli military orders. According to the Declaration of Principles and the Interim Agreement, Israeli military decrees issued during the occupation theoretically remained valid in both areas and are subject to review pursuant to specific procedure. The PA has stated that it was undertaking efforts to unify the Gaza and West Bank legal codes, but it has made little progress. Human rights advocates state that the PA's judiciary does not operate consistently.

The court system in general is recovering from years of neglect; many of the problems predate PA jurisdiction. Judges and staff lack sufficient resources and suffer from a lack of skills and training. Court procedures and record keeping are antiquated. The delivery of justice often is slow and uneven. The ability of the courts to obtain enforcement of their decisions is extremely weak, and the appeals process is administratively confusing. A heavy caseload even before the Intifada exacerbated these systemic problems. During the year, the revolving caseload reportedly in-

creased by at least 60 percent, because judicial officials rarely could reach the courthouse in time due to Israeli-imposed closures (see Section 2.d.).

The High Judicial Council (HJC) is slowly gaining authority over judicial matters that formerly were administered by the PA Ministry of Justice. In 1998 the Palestinian Legislative Council mandated the creation of the HJC with the goal of enhancing the judicial system and its independence. Arafat approved the establishment of the HJC in 2000. During the year, the HJC planned the budget for the judicial branch, supervised judicial operations in the West Bank and Gaza, and nominated more than 30 new judges for the Chairman's confirmation. Prior to this year, the Ministry of Justice appointed all civil judges for 10-year terms and supervised judicial operations.

The PA's state security courts fail to afford defendants due process. The PA usually ignores the legal limits on the length of pre-arraignment detention of detainees suspected of security offenses. Defendants often are brought to court without knowledge of the charges against them or sufficient time to prepare a defense. They typically are represented by court-appointed lawyers, who generally are members of the security services who have earned valid law degrees, but who had not practiced trial law, or, in some cases, any law, as part of their career. Court sessions often take place on short notice in the middle of the night, and without lawyers present. In some instances, security courts try cases, issue verdicts, and impose sentences in a single session lasting a few hours.

During the year, the state security courts sentenced 10 persons to death for collaboration with Israel in the killing of Palestinians. In at least one of the cases, the trial reportedly was hasty, and the defendant did not have adequate representation, bringing into question whether the defendant received a fair judicial review. In January the PA executed two men convicted on collaboration with Israel. The PA also sentenced four men to life sentences with labor for collaboration. One of the life sentences subsequently was commuted to a 15-year sentence because the convict was a minor (age 17).

The state security courts adjudicate cases that fall far outside the scope of the courts' original mandate. In addition to cases in which violations of state security allegedly occurred, the courts have on occasion dealt with tax cases and economic crimes, such as smuggling. In 2000 Chairman Arafat decreed that "serious" crimes, including homicide, rape, and drug trafficking, be referred to state security courts. The decision prompted human rights organizations to issue statements requesting the abolition of state security courts and the referral of all cases to the regular civil courts.

There were no reports during the year that persons were convicted for their political beliefs. A credible Palestinian prisoner rights organization estimated that the PA held 180 to 200 political prisoners, as well as approximately 340 Palestinians on charges of collaboration as of year's end (see Section 1.d.).

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—Israeli military authorities in areas of the West Bank under their control may enter private Palestinian homes and institutions without a warrant on security grounds when authorized by an officer of the rank of lieutenant colonel or above. In conducting searches, both in areas under Israeli control and during incursions into areas ostensibly under PA control, IDF personnel have forced entry and in some cases have beaten occupants and destroyed property. Israeli authorities state that forced entry may occur lawfully only when incident to an arrest and when entry is resisted. Authorities have stated that beatings and arbitrary destruction of property during searches are punishable violations of military regulations and that compensation is due to victims in such cases. The Israeli Government stated that it does not keep consolidated information regarding the claims against the Ministry of Defense for damages resulting from IDF actions.

Israeli security forces may demolish or seal the home (owned or rented) of a Palestinian suspected of terrorism without any judicial review. The decision to seal or demolish a Palestinian's home is made by several high-level Israeli officials, including the coordinator of the MATAK and the Defense Minister, and usually are claimed to be designed to combat terrorism. Residents of homes ordered demolished have 48 hours to appeal to the area commander, and a final appeal may be made to the Israeli High Court. (A successful appeal generally results in the conversion of a demolition order to sealing.) However, during the year, numerous homes belonging to Palestinians suspected of being terrorists were demolished without providing the right of appeal during IDF incursions into Palestinian controlled cities and towns. After a house is demolished military authorities prohibit the owner from rebuilding or removing the rubble. Israelis suspected of terrorism are subject to Israeli law and do not face the threat of home demolition.

On the night of September 18, the Israeli Government expelled Bedouin farmers from their homes in caves near the Jewish settlement of Ma'on, stating that the area was a closed military zone. The IDF had taken similar action against the same families in November 1999. In March 2000, the Israeli High Court of Justice had ordered that the farmers be allowed to return to their homes. The September expulsion was carried out to implement deportation orders that the IDF originally had issued in April 2000 to returnees who were not party to the original legal suit. Israeli peace groups strongly protested the move. A number of Bedouin families reportedly were allowed to return to the area after the IDF left. A petition on this case was filed with the High Court of Justice and was pending at year's end. The Government of Israel expelled the families following the killing of an Israeli citizen in the same area on July 2.

From September 2000 through the end of the year, the IDF destroyed numerous citrus orchards, olive and date groves, and irrigation systems on Palestinian-owned agricultural land in both the West Bank and Gaza (see Section 1.g.). The IDF generally destroyed these groves or orchards for security reasons, because they stated that Palestinians had been shooting from those areas.

The PA requires the Attorney General to issue warrants for entry and searches of private property; however, Palestinian security services frequently ignore these requirements. Police searched homes without the consent of their owners. In some cases, police forcibly entered premises and destroyed property.

PA security forces at times detained or placed under house arrest the relatives of alleged security criminals. For example, the PA reportedly arrested and detained two brothers of the suspects in the killing of Israeli Tourism Minister Ze'evi (see Section 1.d.).

g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts.—During the year, Israeli security forces killed at least 501 Palestinians and injured more than 6,300 others during violent demonstrations, armed clashes, and military and security operations. At least 68 of the deaths occurred during Israeli incursions into areas in which the PA has civilian and security control (Area A). Palestinian demonstrators frequently threw stones and Molotov cocktails at the IDF. In some demonstrations, Palestinians, probably including off-duty members of the security forces, also used firearms. In response Israeli security forces used a variety of means to disperse demonstrators, including tear gas, rubber-coated metal bullets, and live ammunition. Human rights groups charged that in many instances, Israeli security forces at times used excessive force against demonstrators and others, in contravention of their official rules of engagement (see Section 1.a.). According to the IDF, its actions, and its rules of engagement are based on a legal framework. It also stated that it follows a policy of restraint and proportionality, and that, to the extent possible, it avoids harming civilians.

IDF regulations permit the use of rubber-coated metal bullets and live ammunition only when the life of the soldier or another person is imminently threatened, and no other means of defense is available; to apprehend a fleeing person suspected of having committed a dangerous offense who has not responded to warning calls and shots; and to disperse a violent demonstration or riot. A response to a violent demonstration must be in clear escalatory stages—first tear gas, then warning shots in the air, then rubber-coated steel bullets. IDF Open-Fire Regulations state that in apprehending a fleeing suspect, soldiers are to direct fire at the suspect's legs only. Soldiers are not permitted to fire at persons suspected of having committed only minor offenses, such as refusal to identify themselves or fleeing from security forces. Regulations prohibit security force members from opening fire in the direction of children or women, even in the case of severe public disorder, unless there is an immediate and obvious danger to a soldier's life. Firing on a suspicious vehicle at a checkpoint is permitted only when the soldiers at the site are in a clearly life-threatening situation.

The IDF stated that it has revised its rules of engagement since the beginning of the Intifada in order to allow for the use of live fire when a life is imminently threatened. The definition of "life threatening" can include situations in which persons are throwing stones. While in general Israeli security forces have held their fire despite provocations, there is credible evidence that the IDF has killed or injured Palestinians or others in non-life threatening situations. IDF data indicates that there are no known cases in which an Israeli soldier on duty has ever been killed by stone-throwing during the Intifada.

The IDF killed or injured a number of bystanders, including journalists, medical personnel, and Palestinian civilians, when they fired into crowds at demonstrations (see Sections 1.a. and 2.a.). The Palestinian Health, Development, Information, and Policy Institute (HDIP) reported that as of April, 75 percent of Palestinian deaths during the Intifada had been due to live bullets, and that nearly 70 percent of the

fatal injuries were shots to the head, neck, and chest. Live bullets and rubber-coated metal bullets had caused two-thirds of all injuries, 35–40 percent of which were injuries to the head, neck, or chest. PRCS figures indicated that more than 52 percent of the nearly 17,000 injuries to Palestinians since the start of the Intifada were caused by live ammunition or rubber-coated metal bullets. Palestinian medical groups estimated that more than 10 percent of the injuries will result in permanent disabilities (see Section 5).

In addition to the damage to the PRCS headquarters in al-Bireh (during two retaliatory attacks on the area), the PRCS Emergency Center in Jenin and several ambulances there were damaged heavily during IDF shelling of the city on September 11. The PRCS center remained closed at year's end.

The Israeli Government stated that it has ordered soldiers to refrain from interfering with the provision of medical services, and to allow ambulances and medical personnel to pass through checkpoints, and has provided this information to soldiers. The Israeli Government further stated that Palestinians have used ambulances to transport arms, and that soldiers must balance these security considerations with humanitarian concern.

According to the Government, Israeli ambulances and medical personnel facilitated the medical evacuation of Palestinians to Israel, Jordan, and other countries during the year.

During the Intifada, the IDF also used excessive force in responding to a number of incidents at checkpoints and border areas that it considered security situations, in contravention of the rules of its Open-Fire Regulations. On May 15, three different television crews taped an Israeli border guard shooting French journalist Bertrand Aguirre in Ramallah. The tapes showed an Israeli border guard getting out of his vehicle, adjusting his weapon, and opening fire at chest level. Aguirre, who had just finished recording his report and was standing behind a group of demonstrators, was hit in the chest; his bullet-proof vest saved his life (see Section 2.a.).

On July 2, IDF soldiers shot and killed 32-year-old Radwan Ishtayeh as he was throwing a bag of garbage out of his taxi onto the roadside between Nablus and Salim village. The IDF soldiers stated that they viewed the bag as a suspicious object. During the year, the IDF shot and killed at least 25 Palestinians, including at least 5 persons with mental retardation or deafness, for allegedly failing to stop at checkpoints or for behaving suspiciously near a checkpoint, although it might not have been apparent to the IDF that these persons were mentally retarded (see Section 1.a.).

B'tselem, HDIP, the PRCS, among others stated that the closures and curfews constituted collective punishment. The Israeli Government stated that they are necessary security measures.

The IDF fired tank rounds, as well as rockets from helicopters and military aircraft, on targets in cities and towns in the West Bank and Gaza during operations undertaken in response to attacks on Israeli soldiers, settlers, and civilians. In such strikes, the IDF killed at least 93 Palestinians, injured hundreds, and caused significant property damage (see Section 1.a.).

On June 9, an Israeli tank shelled the tent of three Bedouin women in Gaza, killing them as they prepared for bed. The IDF had fired two flechette tank shells, and one armor-piercing tank round at the tent after hearing distant light gunfire. A report published in Ha'aretz noted that an internal IDF investigation revealed that soldiers fired from their tanks at the tent after seeing two figures in the dark, 1,400 meters away, despite the fact that their orders authorized them to fire only up to 400 meters. Israeli authorities later stated that the killing of the women was a mistake.

Israeli soldiers at times placed Palestinians directly in the line of fire between the soldiers and their targets, or prevented civilians from exiting buildings that were immediately surrounded during armed operations. The IDF stated that they took these actions for the protection of civilians. B'tselem reported one case in which IDF soldiers forced a man to stand between the soldiers and Palestinian gunfire.

The Israeli Government's sustained imposition of internal and external closures in the West Bank and Gaza during the year negatively impacted Palestinians and contributed to shortages of basic food, water, and medical care and supplies. A number of NGO's state that these actions constituted collective punishment against a civilian population.

The external and internal closures contributed to increased unemployment and poverty in the occupied territories. Approximately 125,000 West Bank and Gaza workers, representing roughly 20 percent of the Palestinian work force, depend on day jobs in Israel, Israeli settlements, and Jerusalem. The closures on Palestinian cities and towns also impeded Palestinians from reaching jobs or markets in the occupied territories and disrupted internal and external trade. The closures, combined

with the destruction of large swathes of Palestinian-owned agricultural land and of economic infrastructure by the IDF and settlers, contributed to an adjusted unemployment rate of approximately 38 percent throughout the year. The poverty in the occupied territories was 33 percent at the end of 2000 and was projected to reach 50 percent by the end of the year. The roughly 200,000 Palestinians who live in rural villages especially have been hard hit by all aspects of the closures. Rural villages rarely are self-sustaining communities and do not have the full range of services—such as medical care, education, or municipal provision of water—that larger urban areas have, increasing their isolation when community members are not able to travel outside the area to obtain access to services and provisions. Other rural villages under full Israeli control are further isolated from major Palestinian population centers.

The ICRC and various medical organizations stated that the prolonged closure of Palestinian cities has caused significant problems in the delivery of medical care, and that even in some cases in which urgent treatment is critical to life and death, the IDF has prevented patients from passing through checkpoints in order to get treatment. At least 24 persons have died as a result of delays in, or prohibition from, crossing checkpoints to reach medical care. The closures have made it impossible for most patients living outside large cities who need repeated medical treatment, such as dialysis or physical therapy, to reach medical centers on a regular basis. A senior PRCS official noted that more than one-third of Palestinians who had been injured in the Intifada required some type of physical rehabilitation and that at least 10 percent have permanent disabilities. Medical professionals noted that many Palestinians were delaying all but emergency medical care because of the restrictions and economic conditions. Preventative treatment, such as vaccinations, antenatal and postnatal care, and family planning in most cases are postponed; and the number of births at home, in ambulances, and at checkpoints has increased significantly. Medical observers have noted that as the Intifada continued into a second year, the negative consequences will begin to have a significant impact on public health.

In one example of a closure-related death, Sabri Amin Awad, a 49-year-old Palestinian man from al-Ras (near Tulkarem), died on June 10 after failing to reach the Nablus hospital in time for his dialysis treatment. IDF troops refused to allow the taxi carrying Awad to proceed through a checkpoint to the hospital, and forced it to take a long detour. While en route, Awad lapsed into a coma and was pronounced dead on arrival at the hospital. During the October incursions into Bethlehem, two different pregnant women were refused passage into the city for medical care while they were in labor. In one case a mother died before giving birth; in the second case, the woman survived, but her newborn child died.

Closures and curfews also have affected the provision of emergency medical care. Israeli security services stop and search all ambulances at each checkpoint, which frequently adds life-threatening delays in reaching hospitals. In responding to a call, each ambulance usually proceeds through multiple checkpoints, and has to use substandard local roads if the IDF denies them transit through any of the checkpoints. For example, on September 1, it took 4 hours for a PRCS ambulance to reach Jerusalem from Jericho because of checkpoint delays. Under normal circumstances, the trip takes 45 minutes.

Israeli soldiers frequently have harassed and abused Palestinian emergency services staff at the checkpoints (see Section 1.c.). The closures also significantly impede the ability of medical staff to reach work. PRCS estimates that across the territories approximately one-third of all its staff arrive late or must leave early each day because of the difficulties caused by the checkpoints and roadblocks.

Israel regularly transfers Palestinians arrested in the occupied territories to prisons and detention facilities in Israel proper (see Section 1.d.).

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Israeli Government generally respects freedom of speech in the occupied territories; however, it imposes some forms of censorship and prohibits public expressions of support for Islamic extremist groups. Although the Government and security forces do not target journalists due to their profession, 2 journalists were killed and at least 10 injured while covering events in the occupied territories during the year. During the year, the Israeli Government continued to enforce selectively its standing prohibition on the display in Jerusalem of Palestinian political symbols, such as flags, national colors, and graffiti. Such displays are punishable by fines or imprisonment. Israeli authorities reportedly arrested and temporarily detained several Palestinians and foreign citizens for carrying large Palestinian flags and banners during protests over the closure of Orient House in East Jerusalem in August and September. The protestors subsequently

were released. Israeli enforcement of existing censorship regulations increased during the year regarding press coverage of the Intifada. Israeli authorities monitor Arabic newspapers based in East Jerusalem for security-related issues, and newspapers sometimes were ordered to halt publication of stories about the current security situation until the information first appeared in the Israeli media. Military censors review Arabic publications for material related to the public order and security of Israel. Reports by foreign journalists also are subject to review by Israeli military censors for security issues, and the satellite feed used by many foreign journalists is monitored. In periods of heightened security, the Israeli Government often closes areas to journalists when it imposes a curfew or closure. Israeli authorities have denied entry permits to Palestinian journalists traveling to their place of employment in Jerusalem during closures of the territories and the journalists have had difficulty renewing their Israeli issued press credentials (see Section 2.d.).

The IDF requires a permit for Palestinian publications sold in areas of the occupied territories under its control. Publications may be censored or banned for content considered anti-Semitic or anti-Israeli. Possession of banned materials is punishable by a fine and imprisonment. The Israeli Government prohibits the delivery and distribution of publications, including newspapers, in the Gaza Strip on the Jewish holiday of Yom Kippur (when import of any item is prohibited) and on numerous other occasions when the closure of the Gaza Strip is particularly tight. On at least 15 days during the year, usually following major terrorist incidents, the Israelis banned Palestinian daily newspapers from entering Gaza. However, during such periods, Israeli newspapers were allowed into Gaza. During internal closures, on more than 30 occasions, the Israeli Government also blocked the delivery of Palestinian daily newspapers to Palestinian cities in the West Bank.

Two journalists were killed during the year, although it did not appear that they were targeted because of their profession. On July 31, two freelance photojournalists, Fahim Qatini and Mohamad Bishawi, were killed during an Israeli attack on two Hamas leaders in Nablus. At least 10 were injured by Israeli gunfire or during Israeli military actions during Intifada-related violence throughout the year (see Section 1.c.). In July the Paris-based organization Reporters Sans Frontieres (RSF) released a statement expressing concern over alleged targeting of journalists by Israeli forces. It noted that since the Intifada began in September 2000, 30 journalists had been shot. RSF further stated that, with one exception, the apparent source of the gunfire was from Israeli positions.

In March an IDF soldier beat a Palestinian journalist as the journalist was attempting to report on a sit-in at a checkpoint at Ramallah. Observers commented that it was evident that the journalist was acting in his professional capacity while covering the sit-in.

On December 12, Israeli fired rockets from helicopter gunships on Palestine Broadcasting building in Ramallah, causing temporary suspension of its broadcasts.

Eight other journalists were wounded by gunfire during the year, four lightly, three moderately, and one seriously (see Section 1.g.).

The PA restricts freedom of speech and of the press. In a number of instances during the year, the PA took measures to limit free expression, particularly regarding human rights and alleged security issues. Press freedom is subject to a 1995 press law that does not protect the press adequately. PA security services further stifle the independence of the press by closing media outlets, banning publications or broadcasts, and periodically harassing or detaining members of the media (see Section 1.d.). Palestinian commentators and human rights groups state that, as a result, the practice of self-censorship by journalists is widespread.

There are three Palestinian dailies and several Palestinian weekly newspapers. There also are several monthly magazines and three tabloids.

In addition to the official Palestinian Broadcast Corporation television and radio, also known as Voice of Palestine, there are approximately 20 independently owned television stations and 9 radio stations in the West Bank.

The Internet is available widely.

In March members of Force 17, Arafat's Presidential Security Force, closed the Ramallah and Gaza bureaus of the al-Jazeera satellite television station because the station refused to remove an old film clip of a protester carrying a picture of Chairman Arafat with a pair of shoes strung across his face, considered a serious insult in Arab culture. The authorities allowed the bureaus to reopen 3 days later.

During the year, groups of armed Palestinians beat two journalists and kidnaped two others for a 24-hour period. Two of the three armed groups claimed to be from Fatah. One of the beatings reportedly followed a report by the journalist's syndicate, Agence France-Presse (AFP), that implicated the relative of a high-level Palestinian official in the killing of a Palestinian child. The PA made no arrests in these cases.

On September 14, Palestinian police detained five journalists who were covering a demonstration at the Nuseirat refugee camp in Gaza held in honor of Mohammed Hbeisheh, the perpetrator of the September 9 suicide-bomb attack in Nahariya, Israel, which killed three Israelis. The police confiscated their videotapes and film and released the journalists, who included a Reuters photographer and editor, an Associated Press television cameraman, a correspondent for the Abu Dhabi satellite television station, and an AFP photographer, after approximately 1½ hours. Four of the detained journalists were Palestinian; one was Norwegian.

On September 20, Palestinian police and security force members closed al-Ro'ah TV, a local private television station in Bethlehem. Hamdi Farraj, the director of the station, stated that the authorities provided no official reason for the closure. He believed that the closure most likely was in reaction to broadcasts that the station had aired earlier that day reporting on claims of responsibility by a Fatah-affiliated group, the Al-Aqsa Brigades, for an attack the previous day that had killed one Israeli settler and wounded a second. Faraj speculated that the report had embarrassed the PA because it suggested that a group associated with Arafat's Fatah had violated the recently announced Palestinian cease-fire.

Israeli-imposed closures, curfews, and military actions severely restricted academic freedom by disrupting the operations of West Bank and Gaza schools, colleges, and universities during the year. Students and staff at all educational levels had difficulty traveling to and from educational facilities because most areas were under some form of internal closure for the entire year. In addition Israeli forces imposed curfews on many Palestinian areas, some for 24 hours a day, for extended periods (see Sections 2.d. and 5). Students from Gaza have been unable to reach West Bank universities since early October 2000, when Israel closed the safe passage route between Gaza and the West Bank. Some Gazan students who were already at West Bank Universities for the 2000–2001 academic year were unable to return home during the summer break because of the closure of the safe passage route. Israeli retaliatory shelling and gunfire damaged a number of schools in the West Bank and Gaza.

Palestinian schoolchildren in the Israeli-controlled section (H–2) of Hebron were unable to attend school throughout the 143 days of curfew that the area was under during the year. The 400 Israeli settler residents of H–2, for whose benefit the curfews were imposed, had no restrictions imposed on their movement or on the education of their children (see Section 5).

The PA generally has authority over all levels of education in the West Bank and Gaza Strip, and it controls the budgets of all public colleges. The PA did not interfere with education in the West Bank and Gaza Strip during the year.

b. Freedom of Peaceful Assembly and Association.—The Israeli Government placed limits on freedom of assembly for Palestinians in the occupied territories, largely through the imposition of internal closures and curfews (see Section 2.d.). Israeli military orders ban public gatherings of 10 or more persons without a permit. Since the 1993 signing of the Declaration of Principles, Israel has relaxed enforcement of this rule, except in cases of Palestinian demonstrations against land seizures or settlement expansions.

Israeli security forces killed at least 103 Palestinians and injured several thousand during demonstrations and other often violent clashes (see Sections 1.a. and 1.c.). The Israeli and Palestinian authorities regularly dispute whether Palestinians fired at security forces during such demonstrations. The PA states that Israeli security forces often resort to live fire even when Palestinian demonstrators have not shot at them first. During the year, the IDF changed its definition of “life-threatening” situations to include in some cases stone-throwing.

The PA imposes some formal limits on freedom of assembly; however, while it requires permits for rallies, demonstrations, and large cultural events, these permits rarely are denied. In Gaza police approval is required for political meetings at several specific large meeting halls. Written permission also is required for buses to transport passengers to attend political meetings. In West Bank cities, the PA requires permits for outdoor rallies and demonstrations and prohibits calls for violence, displays of arms, and racist slogans, although this rarely is enforced.

The Israeli Government generally respected freedom of association; however, it closed several Palestinian political institutions in East Jerusalem.

On August 10, Israeli forces occupied and closed Orient House, the preeminent Palestinian political institution in Jerusalem, and shut down eight other Palestinian offices and social institutions in East Jerusalem. The closings were part of the government's response to a suicide bombing in Jerusalem the previous day; the Government stated that it closed Orient House because it was engaged in political activity in violation of the Interim Agreement. The other East Jerusalem institutions that were closed included a women's center, a prisoner's rights society, and an historical

preservations group. The Israeli police arrested a number of Palestinians and foreign nationals during protests calling for the reopening of Orient House. At the end of August, the Jerusalem municipal government seized the institutions' assets for alleged failure to pay back taxes, while the authorities and attorneys from Orient House still were negotiating the appropriate tax rate. Orient House remained closed at year's end.

The PA placed some limits on freedom of association; however, the PA permits Palestinian charitable, community, professional, and self-help organizations to operate. There were periodic complaints during the year from Palestinian political parties, social and professional groups, and other NGO's that the PA attempted to limit their ability to act autonomously. In May low-level officials in the Ministry of Non-Governmental Organizations threatened Palestinian members of a foreign-licensed regional environmental organization with the revocation of their NGO licenses if they continued to participate in the activities of a particular organization. They were told that their seats on a board of directors that had Israeli members was unacceptable in the current political climate. A senior member of the Ministry eventually apologized, and the authorities stopped harassing the activists.

The armed wings of Hamas, PIJ, and other Palestinian opposition groups remained outlawed. While it is not illegal to belong to other components of these groups, during times of heightened security concern, the PA has harassed and detained members of these other components (see Section 1.d.).

c. Freedom of Religion.—Israeli law provides for freedom of worship, and the Government generally respects this right in practice in the occupied territories. Israel does not ban any group on religious grounds, and permits all faiths to operate schools and institutions. Religious publications in East Jerusalem are subject to the Publications Laws, including prohibition against the publications, for example, sermons, that incite violence against Israelis or against the state of Israel. However, Israel's imposed closure of the West Bank and Gaza, including the internal closure that severely restricted travel between towns and cities within the occupied territories, significantly impeded freedom of worship for Muslims and Christians. Israeli closure policies prevented tens of thousands of Palestinians from reaching their places of worship in Jerusalem and the West Bank, including during religious holidays such as Ramadan, Christmas, and Easter. In early April, Israeli authorities prevented thousands of Muslims from reaching the Nabi Musa shrine near Jericho, the site of an annual 3-week Muslim celebration. Israeli officials stated that they decided to cancel the religious festival because the PA intended to turn the event into a "political rally." On numerous occasions, the Israeli Government also prevented worshippers under the age of 45 from attending Friday prayers inside the Haram al-Sharif. In addition a number of Palestinian religious leaders were prevented from reaching their congregations. The Israeli Government states that such actions are necessary for security reasons.

Since the outbreak of the Intifada, Israeli police have prevented all non-Muslims (including Jews seeking to pray) from entering the Temple Mount/Haram al-Sharif. The Government has cited security concerns for this restriction.

On January 9, Israeli soldiers at a checkpoint in the West Bank fired at the car of Latin Vice-Patriarch and Archbishop of Nazareth Paul Marcuzzo; his car bore diplomatic license plates and was flying the Vatican flag. Archbishop Marcuzzo was not injured in the shooting. The following day, the Israeli Minister of Justice visited Marcuzzo and apologized for the incident.

In October the Government of Israel announced that it had arrested the Mufti of Ramallah, interrogated him, and then expelled him from Jerusalem for attempting to attend prayers at al-Aqsa on Friday, September 14, without permission from the Government.

The PA has no law that specifically protects religious freedom; however, the PA generally respects religious freedom in practice. Islam is treated as the *de facto* religion. In past years, there were unconfirmed allegations that a small number of Muslim converts to Christianity were subject to societal discrimination and harassment by PA officials. However, there were no such reports during the year (see Section 5).

Churches in Jerusalem, the West Bank, and Gaza may be subdivided into three general categories: 1) churches recognized by the status quo agreements reached under Ottoman rule in the late 19th century; 2) Protestant and evangelical churches that were established between the late 19th century and 1967, which are fully tolerated by the PA, although not officially recognized; and 3) a small number of churches that became active within the last decade, whose legal status is more tenuous.

The first group of churches is governed by the 19th century status quo agreements, which the PA respects and which specifically established the presence and rights of the Greek Orthodox, Roman Catholic, Armenian Orthodox, Assyrian, Greek

Catholic, Coptic, and Ethiopian Orthodox Churches. The Episcopal and Lutheran Churches were added later to the list. These churches and their rights were accepted immediately by the PA, just as the British, Jordanians, and Israelis had done before. Like Shari'a courts under Islam, these religious groups are permitted to have ecclesiastical courts whose rulings are considered legally binding on personal status issues and some land issues. Civil courts do not adjudicate on such matters.

According to the PA, no other churches have applied for official recognition. However, the second group of churches, including the Assembly of God, Nazarene Church, and some Baptist churches, has unwritten understandings with the PA based on the principles of the status quo agreements. They are permitted to operate freely and are able to perform certain personal status legal functions, such as issuing marriage certificates.

The third group of churches consists of a small number of proselytizing churches, including Jehovah's Witnesses and some evangelical Christian groups. These groups have encountered opposition in their efforts to obtain recognition, both from Muslims, who oppose their proselytizing, and Christians, who fear that the new arrivals may disrupt the status quo. These churches generally operate unhindered by the PA. At least one of these churches reportedly planned to request official recognition from the PA during the year; however, it deferred its request after the outbreak of the Intifada in October 2000.

In practice the PA requires individuals to be at least nominally affiliated with some religion. Religion must be declared on identification papers, and all personal status legal matters must be handled in either Shari'a or Christian ecclesiastical courts. In the absence of legal protection of religious freedom, there are no statutory or regulatory remedies for violations of that freedom.

Islam is the de facto official religion of the Palestinian Authority, and its Islamic institutions and places of worship receive preferential treatment. The PA has a Ministry of Waqf and Religious Affairs that pays for the construction and maintenance of mosques and the salaries of many Palestinian imams. The Ministry also provides some Christian clergymen and Christian charitable organizations with limited financial support. The PA does not provide financial support to any Jewish institutions or holy sites in the occupied territories.

The PA requires that religion be taught in PA schools. Until recently, only courses on Islam were taught, and Christian students were excused from them. However, during the year, the PA implemented a compulsory curriculum that requires the study of Christianity for Christian students in grades one through six.

Since the outbreak of the Intifada, Waqf officials have prohibited non-Muslims from entering the sanctuary of the Haram al-Sharif. Waqf officials stated that this is a temporary closure because they cannot justify allowing non-Muslims to visit the Haram at a time when Palestinian Muslims from the occupied territories are prevented from worshipping there.

On April 8, Israeli settlers vandalized the al-Aqtat mosque in Hebron and desecrated religious literature. On a number of occasions, Muslims on the Temple Mount/Haram al-Sharif threw stones at Jews who were praying at the Western Wall below (see Section 5).

In October 2000, following the IDF evacuation from the Jewish religious site of Joseph's Tomb, approximately 1,000 Palestinian protesters entered the religious site, burned it, and damaged the roof and an outer wall in an unsuccessful attempt to demolish the tomb (see Section 5). The PA states that they have completed the refurbishment of Joseph's Tomb, but has not indicated whether it will allow Jews to return to the Tomb.

d. Freedom of Movement Within the Occupied Territories, Foreign Travel, Emigration, and Repatriation.—The Israeli Government severely restricted freedom of movement for Palestinians during the year, in response to the continuing violence of the Intifada. Most Palestinians from the West Bank and Gaza were prohibited from entering Israel throughout the year, and the IDF instituted a massive network of checkpoints and roadblocks across the occupied territories, impeding the movement of people and goods between Palestinian cities, villages, and towns. The restrictions on movement during the year were the most severe that Israel has imposed since it occupied East Jerusalem, the West Bank, and Gaza in 1967.

Since March 1993, Israel has required that all West Bank and Gaza residents obtain permits to enter Israel and Jerusalem. However, Israel often denies applicants permits with no explanation, and does not allow effective means of appeal. Palestinian officials with VIP passes, including PA cabinet officials and members of the Palestinian Council, regularly have been subjected to long delays and searches at Israeli checkpoints in the West Bank, despite the fact that they were traveling on special passes issued by the Israeli Government. This practice increased markedly during the year. Even in periods before the Intifada, Palestinians in the West Bank

and Gaza Strip found it difficult to obtain permits to work, visit, study, or obtain medical care in Israel. Israeli authorities permit only a small number of Gazans to bring vehicles into Israel and sometimes do not permit West Bank vehicles to enter Jerusalem or Israel. Except for senior PA officials, Palestinians of all ages crossing between the Gaza Strip and Israel are not permitted to travel by car across the main checkpoint. Instead, they must travel along a narrow walkway almost a mile long. Israelis moving into and out of the Gaza Strip are permitted to use their cars. Israeli officials sometimes prohibit Palestinian residents of Jerusalem from entering the West Bank. Israeli authorities also require that these Palestinian residents provide written notice to the Israeli Government if they intend to travel to the Gaza Strip; however, provision of such notice does not ensure that the Government will permit the travel.

In November 1999, Israel and the PA implemented arrangements in the 1995 Interim Agreement to establish a safe passage route across Israel between the Gaza Strip and the southern West Bank. The southern safe passage route was closed in October 2000, in response to the outbreak of the Intifada. Prior to its closing, the southern safe passage route facilitated the movement of Palestinians between the West Bank and the Gaza Strip to work, study, and visit, and alleviated some of the problems associated with freedom of movement for Palestinians. However, some Palestinian human rights groups criticized the safe passage agreement because it maintains significant limits on freedom of movement.

Also since March 1993, Israel has applied varying levels of “closure,” or enhanced restrictions, on the movement of Palestinians and their goods, often for lengthy periods, in response to Palestinian terrorist attacks and other changing security conditions. During periods of violent protest in the West Bank or Gaza, or when it believes that there is an increased likelihood of such unrest, the Israeli Government imposes a tightened version of closure, called “comprehensive, external” closure. Comprehensive closures also are instituted regularly during major Israeli holidays. During such closures, the Israel Government cancels travel permits and prevents Palestinians—even those with valid work permits—from entering Israel or Jerusalem. During comprehensive closures, the authorities severely restrict the movement of goods between Israel and the occupied territories and between the West Bank and Gaza. Due to the ongoing unrest, Israel imposed at least 210 days of total closure during the year, compared with 88 days in 2000 and 15 days in 1999.

During periods of extreme unrest in the West Bank and Gaza, the Israeli Government also prohibits most travel between towns and villages within the West Bank. These “internal” closures impede the flow of goods, including food and fuel, and persons. Israel expanded internal closure further during the year, in response to the sustained violence of the Intifada. The internal closures may be severe when Palestinians are prohibited from using primary roads and physical barricades close off many secondary roads—or partial when most secondary roads but only some main roads are accessible to Palestinians, and roadblocks and checkpoints dot the open roads. Israel authorities imposed approximately 87 days of partial internal closure and 278 days of severe internal closure in the West Bank during the year, compared with 81 days of internal closure during 2000 and no days in 1999. In the past, Israeli authorities rarely imposed internal closure within Gaza. However, during the year, the Israeli government imposed roughly 361 days of limited internal closure and 4 days of severe internal closure in Gaza.

The Israeli Government further constrained the movement of Palestinians and goods in the West Bank and Gaza by imposing total closures on specific areas or villages, sometimes for weeks at a time, and by intermittently closing the Gaza Airport and the Allenby and Rafah crossing points to Jordan and Egypt. Israel also imposed curfews in some areas, often for extended periods. During the curfews, Palestinians generally were confined to their homes for all but a few hours per week during which they were allowed to buy food and other provisions. The IDF placed the approximately 30,000 Palestinian residents of the Israeli-controlled (H-2) section of Hebron under near total curfew for 143 days during the year. The IDF imposed no restrictions on the approximately 400 Jewish settlers who live in the area.

The prolonged closures and curfews imposed by the Government of Israel on Palestinian cities and towns during the year had a severely negative impact on every sector of the Palestinian economy. They impeded Palestinians from reaching jobs or markets and disrupted internal and external trade (see Section 1.g.).

The prolonged closure also affected students’ ability to attend school and university (see Sections 2.a. and 5.).

B’tselem, HDIP, and the PRCS, among others stated that the closures and curfews constituted collective punishment. The Israeli Government states that they are necessary security measures (see Section 1.g.). Human rights groups reported that during the year the IDF delayed or prohibited ambulances from crossing check-

points (see Section 1.g.). In 1998 the Israeli Government established a “continuous employment program” that allows selected Palestinian workers who have been approved by the Ministry of Defense, and who are married, are over 28 years old, and have worked in Israel for a long period of time, to enter Israel to work even in the event of a tightened closure. The program was not implemented during the year.

The Israeli Government continued to restrict the movements of several Jewish settlers living in the occupied territories who belonged to the extremist Kach or Kahane Chai groups, through the use of administrative orders issued by the IDF central command.

The Israeli Government requires all Palestinian residents to obtain permits for foreign travel and has restricted the travel of some political activists. Bridge-crossing permits to Jordan may be obtained at post offices without a screening process.

Palestinians who live in East Jerusalem, which Israel occupied during the 1967 War, generally do not accept Israeli citizenship. Therefore, the Israeli Government issues them a residence permit or Jerusalem identification card. Israel applies the 1952 Law of Permanent Residency and its 1974 amendments to Jerusalem identification card holders. The law stipulates that a Jerusalem resident loses the right of residence if he or she leaves Israeli territory for more than 7 years, acquires the nationality of another country, or acquires permanent residence in another country. Such persons are permitted to return only as tourists and sometimes are denied entry. The Israeli Government does not apply these same restrictions to Israeli citizens.

In the past, invoking the 1952 law as legal justification, the Israeli Interior Ministry stripped residency rights from hundreds of East Jerusalem Palestinians. In the late 1990’s, the pace of revocations increased as the Ministry applied restricted policies, including a “center of life” test, which required extensive documentation of continuous residence within Jerusalem for the previous 7 years, to determine whether Palestinians were eligible to retain their identification cards. The Ministry’s policy was the subject of numerous lawsuits, including one considered by the High Court of Justice in 1999. In October 1999, then-Minister of Interior Natan Sharansky announced that the Ministry no longer would apply the center of life criteria used previously to revoke the residency rights of East Jerusalem Palestinians. As of the end of August, there had been at least 60 identity card revocations, compared with 207 revocations in 2000, and 414 revocations in 1999.

In February 2000, the Israeli Ministry of Interior also published new instructions regarding residency rights in Jerusalem. According to these instructions, residents of Israel whose identity cards had been revoked since 1995 and who returned to live in Israel since 1998 and had maintained “an appropriate connection,” were entitled to restoration of their identity cards. Although the new guidelines still permit the revocation of residency in cases in which East Jerusalem Palestinians obtained new citizenship or residency rights while living abroad, human rights groups report a significant reduction in such revocations. As of the end of August, there had been 236 identity cards restored during the year; 818 were restored in 2000.

Israeli authorities also place restrictions on family reunification. Most Palestinians who were abroad before or during the 1967 War, or who have lost their residence permits for other reasons since then, are not permitted to reside permanently with their families in Jerusalem or the occupied territories. Foreign-born spouses and children of Palestinian residents also experience difficulty in obtaining permission to reside with their family members. For example, a Palestinian with a West Bank identification card must apply to the Israeli Government for permission to live with his or her Jerusalem-resident spouse in Jerusalem. Palestinians report delays of several years or more before spouses are granted residency permits. The Israeli Government occasionally issues limited-duration permits, which must be renewed. Renewing the permits may take up to 8 months, a common delay that results in many Palestinians falling out of status. Palestinians also report extensive delays in registering newborn children with Israeli authorities. In practice, women with Jerusalem residence rights find it more difficult to obtain permission for their spouses to reside in Jerusalem than do men, since Israeli security authorities consider Palestinian males to be greater security risks.

The PA issues passports and identification cards for Palestinians who reside in the West Bank and Gaza, and the Israeli Government requires residents of the West Bank and Gaza to use their Palestinian passports to exit and enter Israel. Bearers of Palestinian passports do not need special exit permits from the PA; however, when leaving the area via Ben Gurion Airport, the Israeli Government requires Palestinians to obtain permits to transit Israel to reach the airport. Since the beginning of the Intifada in September 2000, the Israeli Government rarely has granted such permits to Palestinians unless the applicant is a dual national. However, even dual nationals, in particular residents of Gaza, have had difficulty in obtaining the need-

ed transit permits. Palestinian residents of the West Bank and Gaza are prohibited from using the Sheikh Hussein or Arava crossings. As a result, most Palestinians who are not dual nationals can exit and enter the West Bank and Gaza only via the Allenby Bridge or Rafah crossing points, which were closed completely several times during the year.

Palestinians who hold Jerusalem identification cards, issued by the Israeli Government, must obtain special travel documents from the Israeli Government to travel abroad. Human rights groups report that Palestinian residents of East Jerusalem often do not apply for Israeli travel documents because they fear that the application might prompt a reexamination of their residency status and lead to the revocation of their identity cards.

On request, the Jordanian Government also issues travel documents to Palestinians in the West Bank and East Jerusalem. Palestinians who wish to travel to Jordan must leave their Israeli identification documents with Israeli authorities at the Allenby Bridge. The Israeli authorities also require that Palestinians from East Jerusalem obtain a special permit to cross the Allenby Bridge, which they must purchase from the Ministry of Interior for \$40 (185 NIS). Restrictions on residence, re-entry, and family reunification only apply to Palestinian residents of the occupied territories.

The PA generally does not restrict freedom of movement.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Palestinian residents of the West Bank, Gaza Strip, and East Jerusalem chose their first popularly elected government in 1996. They elected an 88-member Palestinian Council and the Ra'is (President or Chairman) of the Executive Authority of the Council. Yasir Arafat won almost 89 percent of the vote in a two-person race for Chairman. Approximately 700 candidates competed for Council seats. Voters elected Council members to multimember electoral districts. As many as 35 of the elected members were independent candidates. International observers concluded that the election could reasonably be regarded as generally free and fair, despite some irregularities. During the year, the Council debated numerous draft laws and resolutions. Some members of the Council state that it has a relative lack of power in relation to the executive branch of government.

The last municipal elections in the West Bank and Gaza took place in 1986. New elections were planned for June 1999, but they did not take place. In August 2000, the Fatah Central Committee (FCC) appointed a committee to devise a plan for holding local elections before year's end. Although the Ministry of Local Government supported the idea, Arafat and the PLO Central Committee did not endorse the proposal actively before the outbreak of the Intifada in September 2000. Incumbent municipal officials serve until the following elections. In the case of the death or resignation of an incumbent, the Ministry of Local Government appoints a replacement, with the approval of the PA Chairman.

Most Palestinians in East Jerusalem do not recognize the jurisdiction of the municipality of Jerusalem. Only a very small percentage of Jerusalem's Palestinian population vote in the municipal council elections. No Palestinian resident of Jerusalem sits on the city council.

The percentage of women in government and politics in the West Bank and Gaza does not correspond to their percentage of the population. There are 5 women on the 88-member Council, and 1 woman serves in a ministerial-level position.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Israeli, Palestinian, and international NGO's monitor the Israeli Government's human rights practices. The Israeli Government generally cooperates with human rights and humanitarian NGO's; officials normally agree to meet with human rights monitors. The Israeli Government permits human rights groups to publish and hold press conferences.

UNRWA has reported increased delays for its personnel and vehicles at crossing checkpoints. Other humanitarian groups, such as PRCs, also similar problems.

During their seizure of the Orient House, Israeli security officials confiscated office equipment, as well as documents belonging to the organization and other Palestinian groups in Jerusalem. The Government of Israel had not provided representatives of the Orient House a full accounting of the documents and property seized by year's end.

Local human rights groups, most of which are Palestinian, and several international organizations monitor the PA's human rights practices. The PA generally cooperates with these organizations, and PA officials usually meet with their rep-

representatives. Several Palestinian human rights organizations work privately with the PA to overcome abusive practices in certain areas, and state that the PA generally is cooperative when dealing with them regarding certain human rights issues. They also publish criticism if they believe that the PA is not responding adequately to private encouragement. Public criticism has been somewhat less forthcoming from them since the outbreak of the Intifada, with several NGO's voluntarily deciding to focus their efforts on the Palestinian struggle for basic rights and to defer comprehensive critiques of the PA's human rights performance. Human rights organizations reported that they sometimes were denied access to detainees in Palestinian prisons during the year (see Section 1.d.). Observers have noted that due partly to the hesitancy of alleged victims to file or make public claims of abuse against the PA authorities, documentation of abuses is very limited.

Some PA security organizations, including the General Intelligence Organization in the West Bank and the police, have appointed officials to act as liaisons with human rights groups. These officers meet with human rights organizations and members of the diplomatic community to discuss human rights cases.

The ICRC operates in the West Bank and Gaza under the terms of a memorandum of understanding signed in September 1996 between the ICRC and the PLO. Other human rights groups, including the Palestinian Independent Commission for Citizens' Rights and the Mandela Institute, also visit PA prisons and detention centers on a regular basis. Some human rights and international humanitarian organizations reported that they occasionally encountered delays in obtaining access to detainees in Palestinian prisons during the year. PA officials reportedly are less responsive to queries regarding the PA's policies toward and treatment of collaborators and members of Islamist opposition groups than to queries on other detainees (see Sections 1.c. and 1.d.).

In January 2000, Chairman Arafat approved the NGO law, which had been passed by the PLC in December 1998, and which governs the activities of NGO's and their relations with the PA. By year's end, the Government of Israel had issued registration certificates for 150 of the approximately 350 new and existing NGO's that submitted applications. The remaining applications still were under review.

In May low-level officials in the Ministry of Non-Governmental Organizations threatened Palestinian members of a foreign licensed regional organization with the revocation of their NGO license. The Ministry informed the members that their place on a board of directors that had Israeli members was unacceptable in the current political climate. A senior member of the Ministry eventually apologized, and the authorities stopped harassing the activists (see Section 2.d.).

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

Under the complex mixture of laws and regulations that apply to the occupied territories, Palestinians are disadvantaged under Israeli law and practices compared with the treatment received by Israeli settlers. This includes discrimination in residency and land use. In the Palestinian territories homosexuals generally are socially marginalized, and occasionally receive physical threats. During the year, in one widely publicized case, after one homosexual man reportedly received a number of threats he left the territories to live in Israel; however, he is ineligible for Israeli citizenship.

Women.—The law does not explicitly prohibit domestic violence, but beating is a crime; however, there are anecdotal reports indicate that domestic violence has risen during the Intifadah.

The problems of rape, domestic violence, and violence related to "family honor" have gained greater attention in the Palestinian community as a result of a significant effort by Palestinian women's groups; however, public discussion generally remains muted. The crimes almost exclusively are tied to alleged sexual interactions of female family members with men who are not their husbands. This could include rape, a sexual encounter with any man except a woman's husband, being seen alone with a male not her family member. Honor crimes result when family members beat or kill women in response to such alleged violations of their family's honor. Victims of violence often are encouraged by relatives to remain quiet and are punished themselves or blamed for the "shame" that has been brought upon them and their families. Women's groups seek to educate women on these problems, but women's rights advocates state that few resources are available to shelter the victims of violence because women's shelters are not accepted culturally in Palestinian society. They also maintain that society has not been receptive to providing counseling or outreach services to victims of violence, which these advocates see as more widespread than is acknowledged. According to women's groups, there are no reliable data on the incidence of violence against women.

Spousal abuse, sexual abuse, and “honor killings” occur, but societal pressures prevent most incidents from being reported and most cases are handled within the families concerned, usually by male family members. However, there are increasing anecdotal reports from women’s and humanitarian groups that the incidence of domestic abuse has risen significantly during the Intifada.

Rape is illegal; however, it occurs. No figures are available regarding the extent of the problem. Spousal rape is not explicitly prohibited.

Palestinian women endure various forms of social prejudice and repression within their own society. Due to early marriages, some girls, especially in rural areas, do not finish the mandatory level of schooling. Cultural restrictions at times prevent women from attending colleges and universities. Women who marry outside of their faith, particularly Christian women who marry Muslim men, often are disowned by their families and sometimes are harassed and threatened with death by members of their community. Local officials sometimes attempt to convince such women to leave their communities in order to protect themselves.

Before the Intifada began in October 2000, a growing number of Palestinian women were working outside the home, where they often encountered discrimination and occasionally experienced sexual harassment. There are no special laws that provide for women’s rights in the workplace. Women are underrepresented in most aspects of professional life. Despite the fact that there is a small group of women who are prominent in politics, medicine, law, teaching, and NGO’s, women for the most part are seriously underrepresented in the decision-making positions in these fields.

Personal status law for Palestinians is based on religious law. For Muslim Palestinians, personal status law is derived from Shari’a (Islamic law). The varied ecclesiastical courts rule on personal status issues for Christians. In the West Bank and Gaza, Shari’a pertaining to women is part of the Jordanian Status Law of 1976, which includes inheritance and marriage laws. Under the law, women inherit less than male members of the family do. The marriage law allows men to take more than one wife, although few do so. Women are permitted to make “stipulations” in the marriage contract to protect them in the event of divorce and questions of child custody; however, only an estimated 1 percent of women take advantage of this provision, leaving most women at a disadvantage in the areas of divorce or child custody. Ecclesiastical courts also often favor men over women in divorce and child custody cases.

While there is an active women’s movement in the West Bank, serious attention has shifted only recently from nationalist aspirations to issues that greatly affect women, such as domestic violence, equal access to education and employment, and laws concerning marriage and inheritance.

Children.—The PA provides for compulsory education through the ninth grade, when children usually reach 15 years of age. However, early marriage in certain sectors of society at times prevents girls from completing the mandatory level of schooling. Especially in rural areas and refugee camps, boys often leave school before they reach the mandatory age in order to help support their families.

The internal closure across the occupied territories significantly impeded the ability of both students and teachers to reach educational facilities (see Section 2.a. and 2.d.). In areas under curfew, all classes were cancelled.

Numerous education and health care professionals acknowledged that students were affected badly by the violent security situation, which interfered with learning and which was manifesting itself in lack of focus, nightmares, daytime and nighttime incontinence, and other behavioral problems. UNWRA reported that test scores in its West Bank and Gaza schools had dropped measurably in during the year. Palestinian schoolchildren in the Israeli-controlled section (H-2) of Hebron have been unable to attend school throughout the 143 days of curfew that the area was under during the year. The Hebron municipality tried to compensate for the lost schooldays by broadcasting some lessons on the local television station. The 400 Israeli settler residents of H-2, for whose benefit the curfews were imposed, had no restrictions imposed on their movement or on the education of their children.

The PA Ministry of Health provides for children’s immunizations. The PA insurance program provides basic medical care for children, for a small monthly fee.

Child abuse is not prohibited explicitly by law; however, abuse exists but is not a widespread problem. Parents or families that fail to protect children from abuse may be penalized by law. PA courts may provide protections for children in “difficult situations,” including cases of neglect or abuse. The Ministry of Social Affairs may intervene by bringing a case before a court, which would decide how to best protect the child. The judge may decide to place a child in an official protective institution, or with an alternate family. There is one protective institution for children in Gaza and one in the West Bank.

British Mandate, Jordanian, and military laws, from which West Bank and Gaza law is derived, offer protection to children under the Labor and Penal Codes. Existing laws designed to protect children, such as a law that sets the minimum employment age, are not always enforced (see Section 6.d.). While there is no juvenile court system, judges specializing in children's cases generally sit for juvenile offenders. In cases in which the child is the victim, judges have the discretion to remove the child from a situation considered harmful. However, the system is not advanced in the protection it affords children.

Palestinians living in East Jerusalem continue to be discriminated against in terms of their access to municipal services compared to other residents of Jerusalem. According to the Association for Civil Rights in Israel (ACRA), the Government of Israel and the municipality have not kept their pledge to the High Court to build three new infant-care clinics in East Jerusalem. In addition East Jerusalem schools remain underfunded and overcrowded, and many students are denied an education in public schools due to lack of space. The Government agreed to build 245 new classrooms within the next 4 years in order to alleviate this problem; however, no funds were budgeted for this purpose during the year, and the 2002 budget included only enough funds for 60 new classrooms.

International and domestic NGO's, including UNICEF, Save the Children, and Defense for Children International, promote the rights and welfare of children in the occupied territories. There also are numerous Palestinian social welfare organizations that focus on developing and providing educational, medical, and cultural services to children. A number of other groups specialize in addressing the needs of children with disabilities.

Persons with Disabilities.—There is no mandated accessibility to public facilities in the occupied territories under either Israeli law or Palestinian authority. Many Palestinians with disabilities are segregated and isolated from Palestinian society; they are discriminated against in most spheres, including education, employment, transportation, and access to public buildings and facilities. There were approximately 130,000 Palestinians with disabilities in the West Bank and Gaza prior to the outbreak of the current Intifada. The Health, Development, Information, and Policy Institute estimates that approximately one-tenth of the Palestinians injured in the Intifada will have permanent disabilities.

Some Palestinian institutions care for and train persons with disabilities; however, their efforts are consistently under-funded.

Religious Minorities.—Relations between Christians and Muslims generally are amicable. However, tensions do occasionally surface. The Israeli press has reported several unconfirmed instances of tensions between those groups. In May and June, Israeli press reports accused Tanzim militia members of deliberately opening fire on the Israeli neighborhood of Gilo from Christian areas in Beit Jala in order to draw IDF fire onto the Christian homes. In response to inquiries, several Palestinian Christian leaders in the area denied that the shooting was motivated by anti-Christian sentiments, although some have indicated that they may have done so under duress.

In past years, there were unconfirmed allegations that a small number of Muslim converts to Christianity were subject to societal discrimination and harassment by PA officials. However, there were no reports of such harassment during the year.

On April 8, Israeli settlers vandalized the al-Aqtat Mosque in Hebron and desecrated religious literature. On a number of occasions, Palestinians on the Temple Mount/Haram al-Sharif threw stones at Jews who were praying at the Western Wall below.

Section 6. Worker Rights

a. The Right of Association.—Labor affairs in the West Bank and Gaza came under Palestinian responsibility with the signing of the Interim Agreement in September 1995. During the year, labor affairs in the West Bank were governed by Jordanian Law 21 of 1965, as amended by Israeli military orders, and in Gaza by PA decisions. On May 2, Arafat signed a labor law that was scheduled to take effect in January 2002; however, it reportedly faced strong resistance from the Palestinian business community, which could delay its implementation. The Palestinian law permits workers to establish and join unions without government authorization. The previous Israeli requirement that all proposed West Bank unions apply for a permit no longer is enforced. Israeli authorities previously licensed approximately 35 of the estimated 185 union branches currently in existence. Following a process to consolidate trade unions in the West Bank, there were 12 trade unions there. No unions were dissolved by administrative or legislative action during the year.

Palestinian workers in Jerusalem are governed by Israeli labor law. They are free to establish their own unions. Although the Israeli Government restricts unions in

Jerusalem from joining West Bank trade union federations, this restriction has not been enforced. Individual Palestinian workers in Jerusalem may belong simultaneously to unions affiliated with West Bank federations and the Israeli Histadrut Labor Federation.

West Bank unions are not affiliated with the Israeli Histadrut Federation. Palestinians from the West Bank and Gaza who work in Israel or Jerusalem are not full members of Histadrut, but they are required to contribute 1 percent of their wages to Histadrut. Their partial membership entitles them to limited benefits, including compensation in the case of on-the-job injuries, maternity leave, and compensation in the case the employer declares bankruptcy. (Full members of Histadrut also receive health insurance, social security benefits, pensions, and unemployment benefits.) Negotiations between Histadrut and West Bank union officials to return half of this fee to the Palestinian Union Federation were completed in 1996, but funds have yet to be transferred.

The great majority of West Bank and Gaza unions belong to the Palestinian General Federation of Trade Unions (PGFTU). The PGFTU was involved in the completion of the negotiations with Histadrut regarding workers' fees. The reorganization of unions under the PGFTU is intended to enable the West Bank and Gaza unions to better represent the union members' interests.

An estimated 95,000 to 100,000 workers in the West Bank are members of the PGFTU, the largest union bloc, which consists of 12 trade unions in the West Bank and 8 in Gaza. The organization has approximately 46,500 members in Gaza. The PGFTU estimates that actual organized membership, i.e., dues-paying members, includes approximately 30 percent of all Palestinian workers.

Palestinian unions that seek to strike must submit to arbitration by the PA Ministry of Labor. If the union disagrees with the final arbitration and strikes, a tribunal of senior judges appointed by the PA decides what, if any, disciplinary action is to be taken, such as a fine. There are no laws in the occupied territories that specifically protect the rights of striking workers. In practice such workers have little or no protection from an employer's retribution. There were no reported labor strikes during the year.

The PGFTU participates in some programs of the International Confederation of Free Trade Unions (ICFTU), but is not a member.

b. The Right to Organize and Bargain Collectively.—A majority of workers in the occupied territories are self-employed or unpaid family helpers in agriculture or commerce. Only 35 percent of employment in the occupied territories consists of wage jobs. Most of such employment is through the U.N. Relief and Works Agency (UNRWA), the PA, or municipalities. Collective bargaining is protected. Labor disputes are adjudicated by committees of 3 to 5 members in businesses employing more than 20 workers.

Existing laws and regulations do not offer real protection against antiunion discrimination.

There are no export processing zones in the occupied territories.

c. Prohibition of Forced or Compulsory Labor.—PA law does not prohibit specifically forced or compulsory labor, including forced and bonded labor by children, but there were no reports of such practices during the year.

d. Status of Child Labor Practices and Minimum Age for Employment.—The minimum legal working age in the West Bank and Gaza is 15 years, and there are special limits governing the conditions of employment for juveniles between 15 and 18 years, including prohibitions against working at night, under conditions of hard labor, or in jobs that require them to travel outside their area of domicile. However, in practice many Palestinian children under the age of 15 are engaged in some form of work. Many children under the age of 12 are engaged in some work activities. Most such employment is believed to involve work on family farms and in family shops, or as urban street vendors. Some employment of children also reportedly occurs in small manufacturing enterprises, such as shoe and textile factories.

The PA's capacity to enforce existing labor laws is limited. It has only 40 labor inspectors to inspect an estimated 65,000 enterprises. The International Labor Organization and UNICEF are working with the PA to study the nature and extent of the problem and to develop the capacity to enforce and update child labor laws.

The law does not prohibit specifically forced and bonded labor by children, but there were no reports that it occurred (see Section 6.c.).

e. Acceptable Conditions of Work.—There is no minimum wage in the West Bank or Gaza Strip. Prior to the outbreak of the Intifada in September 2000, which severely disrupted employment patterns for the majority of working Palestinians, the average wage for full-time workers appeared to provide a worker and family with a decent standard of living.

In the West Bank, the normal workweek is 48 hours in most areas; in Gaza the workweek is 45 hours for day laborers and 40 hours for salaried employees. There is no effective enforcement of maximum workweek laws.

The PA Ministry of Labor is responsible for inspecting workplaces and enforcing safety standards in the West Bank and Gaza; however, the Ministry's ability to enforce the standard has always been limited due to lack of resources for inspections and other constraints. During the year, the Ministry reported that closures further limited its ability to carry out inspections. The Ministry of Labor states that new factories and workplaces meet international health and safety standards but that older ones fail to meet such standards. There is no specific legal protection afforded workers that allows them to remove themselves from an unhealthy or unsafe work setting without risking loss of employment.

Like all Israeli workers, Palestinians who work in Israel are required to contribute to the National Insurance Institute (NII), which provides unemployment insurance and other benefits. Palestinians from the West Bank and Gaza are eligible for some, but not all, NII benefits. According to the Interim Agreement, Palestinians who work in Israel and Jerusalem benefit from NII in cases of injuries occurring in Israel, the bankruptcy of a worker's employer, and allowances for maternity leave.

There are outstanding cases of Palestinian workers who have attempted to sue their Israeli employers for non-payment of wages but are unable to travel to the relevant courts because they are unable to receive the proper permits.

f. Trafficking in Persons.—Palestinian law does not prohibit trafficking in persons; however, there were no reports that persons were trafficked to, from, or within the occupied territories.

JORDAN

The Hashemite Kingdom of Jordan is a constitutional monarchy ruled by King Abdullah II bin Hussein since the death of his father, King Hussein bin Talal, in February 1999. The Constitution concentrates a high degree of executive and legislative authority in the King, who determines domestic and foreign policy. In the King's absence, a regent, whose authority is outlined in the Constitution, assumes many of the King's responsibilities. The Prime Minister and other members of the Cabinet are appointed by the King and manage the daily affairs of government. The Parliament consists of the 40-member Senate, appointed by the King, and a lower house, the Chamber of Deputies which is elected every 4 years. A new election law enacted by the Government in July increased the size of the lower house from 80 seats to 104. The lower house exerts influence only intermittently on domestic and foreign policy issues. The 1997 parliamentary elections were marred by reports of registration irregularities, fraud, and restrictions on the press and on campaign materials. The King dissolved Parliament in June and postponed elections scheduled for 2001 until no earlier than summer 2002. According to the Constitution, the judiciary is independent, and during the year, the Government took steps to strengthen the Judiciary's independence; however, in practice it remains susceptible to political pressure and interference by the executive.

General police functions are the responsibility of the Public Security Directorate (PSD). The PSD, the General Intelligence Directorate (GID), and the military share responsibility for maintaining internal security, and have authority to monitor the activities of persons believed to be security threats. Elements of the security forces continue to commit human rights abuses.

The country, with a population of approximately 5 million, has a mixed economy, with significant but declining government participation in industry, transportation, and communications. It has few natural resources and relies heavily on foreign assistance and remittances from citizens working abroad. Over the past 2 years, the Government took steps to increase privatization and to improve the country's investment climate. For example, in April 2000, the country acceded to the World Trade Organization. However, the economy continues to suffer from chronically high unemployment, and per capita Gross Domestic Product (GDP) growth since 1996 has stagnated between 1 and 2 percent above population growth rates. Price controls remain on bread, pharmaceuticals, gasoline, and animal feed. Wages remain stagnant. International sanctions against Iraq, historically the country's largest trading partner, continue to inhibit export growth. Ongoing violence in the occupied territories continued to adversely affect the tourist industry and foreign investment. Per capita GDP in 2000 was approximately \$1,654 (1,173 dinars). Many families, especially those in rural areas, are unable to meet basic needs to subsist.

The Government generally respected the human rights of its citizens in some areas; however, there were significant problems in other areas. There are significant restrictions on citizens' right to change their Government. Citizens may participate in the political system through their elected representatives in Parliament; however, the King has discretionary authority to appoint and dismiss the Prime Minister, Cabinet, and upper house of Parliament, to dissolve Parliament, and to establish public policy. Other human rights problems included police abuse and mistreatment of detainees; allegations of torture; arbitrary arrest and detention; lack of transparent investigations and accountability within the security services; prolonged detention without charge; denial of due process of law stemming from the expanded authority of the State Security Court and interference in the judicial process; infringements on citizens' privacy rights; harassment of members of opposition political parties; and significant restrictions on freedom of speech, press, assembly, and association. A law enacted by the Government in October gave the Government broad powers to restrict and prosecute journalists and close publications. This law effectively superseded the 1999 amendments to the Press and Publications Law, which had reduced somewhat the restrictions in previous laws regarding the ability of journalists and publications to function and report freely; however, significant restrictions continued to be in effect. The Government limits academic freedom. The Government imposes some limits on freedom of religion, and there is official and societal discrimination against adherents of unrecognized religions. The evangelical Christian community reported fewer incidents of governmental harassment during the year. There are some restrictions on freedom of movement. Violence against women, restrictions on women's rights, and societal discrimination against women are problems. The law still allows for reduced punishments for violent "honor crimes" against women for alleged immoral acts. Child abuse remains a problem, and discrimination against Palestinians persists. Abuse of foreign domestic servants is a problem, and child labor occurs.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life.—There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents during the year.

The security services continue to be reluctant to conduct transparent investigations into allegations of wrongful deaths that occurred during police detention in previous years, thus promoting a climate of impunity. However, in some instances, the authorities were more forthcoming.

According to the Government, several members of the security service were remanded for trial in the January 2000 beating death of Mar'i Khalil Al-Jahrani in a South Shuna police station.

In September the police provided diplomatic representatives with credible information that security forces were not responsible for the death of one person and injury of six others during an October 2000 protest in the Baqaa refugee camp. Protesters continued to maintain that police caused the death and injuries.

During the year, a government investigation into the alleged beating death of Musa Shalback in May 2000 concluded that security forces were not responsible for his death. After police pursued Shalback for allegedly stealing a car, witnesses claimed that police handcuffed and severely beat him. Shalback was in a coma when he arrived at the hospital; he died from his injuries 10 days later. The investigation concluded that Shalback died as a result of injuries sustained in a car crash that followed the pursuit.

The Government officially closed its investigation into the July 2000 death of Amjad Salem Ahmad Smadi, who died at a police station in Ajloun 45 minutes after police officers placed him in custody for suspected robbery. Human rights activists and family members believe that Smadi died as a result of beatings by police officers while in custody and subsequently was hanged to make it appear as if he had committed suicide. Based on government-released autopsy results that showed that Smadi died of natural causes, the Government concluded that his death was a suicide.

There were no developments in the investigation of the May 1999 death of Mahmoud Rashid Qasem Mohammed Ishtayeh, who died in a hospital while in police custody.

On August 6, unknown assailants shot and killed an Israeli businessman working in Amman. Two terrorist organizations, the Islamic Movement of Jordan ("The Group of Ahmed Al Daqamseh") and the previously unknown Nobles of Jordan, claimed responsibility for the killing. The Government stated that it has reason to

believe the murder was criminal and not political in nature. By year's end, the Government made no arrest in the case.

Women continued to be victims of "honor killings" (see Section 5).

b. Disappearance.—There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—The law provides prisoners with the right to humane treatment and provides prisoners the right to an attorney; however, the police and security forces sometimes abuse detainees physically and verbally during detention and interrogation, and allegedly also use torture. Allegations of torture are difficult to verify because the police and security officials frequently deny detainees timely access to lawyers, despite legal provisions requiring such access. The most frequently alleged methods of torture include sleep deprivation, beatings on the soles of the feet, prolonged suspension with ropes in contorted positions, and extended solitary confinement. Defendants in high-profile cases before the State Security Court claimed to have been subjected to physical and psychological abuse while in detention. Government officials deny allegations of torture and abuse.

In 2000 Syria apprehended Raed Hijazi, accused of a terrorist plot targeting American and Israeli tourists in Jordan during the millennium celebrations, and rendered him to Jordan to stand trial (see Section 1.e.). According to media accounts of the trial, doctors for both the defense and the prosecution testified that Hijazi's body showed signs of having been beaten, but witnesses, including Hijazi, made contradictory and inconclusive claims regarding whether the alleged abuse occurred while he was in Jordanian or Syrian custody. The Jordanian court has rejected the allegations that Hijazi's confession was coerced.

A number of cases of beatings and other abuse while in police custody were reported to human rights activists during the year. Human rights activists believe that there were many more incidents that were not documented. Allegations of physical abuse by prison guards persists.

In December a GID officer allegedly struck a local television reporter in the stomach while interrogating him. According to the reporter's account of the incident, the GID officer subsequently apologized for striking him.

Police on several occasions used force to disperse demonstrations during the year (see Section 2.b.). For example, on May 11, police used tear gas, water cannons, and dogs to disperse protestors in the Sweileh and Mahatta areas of Amman (see Sections 2.a and 2.b.). In April police used physical force to end a sit-in staged by Ph.D. holders seeking better employment opportunities (see Sections 1.d and 2.b.).

According to the Government, Kazem Dashi, who allegedly was beaten during his detention in April 2000, never was in police custody (see Section 1.d.).

A Government investigation into the alleged beating death of Musa Shalback in May 2000 concluded that security forces were not responsible for his death. Shalback died in a hospital in March 2000, 10 days after police reportedly beat him in Hai Nazal (see Section 1.a.).

There were no developments in the investigation of the November and December 2000 shooting attacks against Israeli diplomats.

Prisons and local police detention facilities are Spartan, and on the whole are severely overcrowded and understaffed; however most prisons meet international standards. Human rights groups and prisoners complained of poor food and water quality, inadequate medical facilities, and poor sanitation in certain facilities. In 2000 the Government opened a new prison facility in an attempt to alleviate to some extent the problem of overcrowding.

The Government holds some persons who are detained on national security grounds in separate detention facilities maintained by the GID. The Government holds other security detainees and prisoners in regular prisons. Conditions in GID detention facilities are significantly better than general police detention facilities. The security prisoners often are separated from common criminals; however, conditions for such prisoners do not differ significantly.

With some exceptions, the International Committee of the Red Cross (ICRC) is permitted unrestricted access to prisoners and prison facilities, including GID facilities. In 1999 the Government formally granted the U.N. High Commissioner for Refugees (UNHCR) access to prisoners. Local human rights monitors are allowed to visit prisons, but complain that the authorities require them to undertake a lengthy and difficult procedure in order to obtain permission for such visits.

d. Arbitrary Arrest, Detention, or Exile.—The security forces arbitrarily arrest and detain citizens. Under the Constitution, citizens are subject to arrest, trial, and punishment for the defamation of heads of state, dissemination of "false or exaggerated information outside the country that attacks state dignity," or defamation of public officials. Criminal laws generally require warrants; however, in most cases suspects

may be detained for up to 48 hours in the absence of a warrant. In practice many warrants are obtained after arrests are made.

The Criminal Code requires that police notify legal authorities within 48 hours of an arrest and that legal authorities file formal charges within 10 days of an arrest; however, the courts routinely grant requests from prosecutors for 15-day extensions, which also is provided by law. This practice generally extends pretrial detention for protracted periods of time. In cases involving state security, the authorities frequently hold defendants in lengthy pretrial detention, do not provide defendants with the written charges against them, and do not allow defendants to meet with their lawyers until shortly before trial. Defendants before the State Security Court usually meet with their attorneys only 1 or 2 days before their trial. In April the Parliament passed amendments to the Criminal Code that eliminate pretrial detentions for certain categories of misdemeanors.

The Government detains persons, including journalists (see Section 2.a.) and Islamists, for varying amounts of time for what appear to be political reasons. Human rights sources reported that more than 500 persons were detained for security reasons and subsequently released within a short period of time throughout the year. This number likely underestimates the total number of political detainees. Human rights groups report that there are a smaller number of long-term political detainees.

Local governors have the authority to invoke the Preventing Crimes Law, which allows them to place citizens under house arrest for up to a year without formally charging them (see Section 2.d.). House arrest may involve requiring persons to report daily to a local police station and the imposition of a curfew. Persons who violate the terms of their house arrest may be imprisoned for up to 14 days.

On January 27, security officials arrested 7 members of the Anti-Normalization Committee, a group that opposes the country's relations with Israel, on charges of belonging to an illegal group (see Section 2.a.). The State Security Court also charged 2 of the 7 persons with possession of explosives and with terrorist activities. The arrests followed the publication of the Committee's blacklist, which included the names of companies and individuals with ties to Israel or Israeli businesses. All 7 detainees were released on bail while awaiting trial. The trials had not yet begun by year's end.

According to press reports, riot police briefly detained at least 10 demonstrators during a March sit-in staged by Ph.D. holders seeking better employment opportunities (see Sections 1.c and 2.b.).

In July the GID allegedly detained without charge Mohammad Musa Abu Awwad when he returned from Saudi Arabia. Abu Awwad's family claimed that he was held without explanation for 3 weeks, then released. The Government denied that it had ever detained Awwad.

Beginning about September 18, police began detaining small groups of Islamists, claiming that they had held rallies in violation of a new law on public gatherings (see Section 2.6.). The first arrests included two independent Islamists and one member of the Muslim Brotherhood. The Government released all three 2 weeks later without bringing charges against them.

In early October, the Government arrested or detained more than 50 persons for violating the public gathering laws. Included in the October detentions were at least 10 students from Jordan University, 15 members of the Muslim Brotherhood and its political arm, the Islamic Action Front, and members of extremist groups. The Government had released all 50 persons by year's end.

The Government continued to deny allegations that the GID detained without charge Iraqi weightlifter Kazem Dashi at the Al-Ruwayshid border point in April 2000. Dashi claimed that he was beaten and intimidated during his interrogation in GID custody (see Section 1.c.). The Government stated that it had no record of Dashi's detention.

In July 2000, the GID detained 12 persons from Salt without charge, allegedly for security reasons. The Government stated that some of the detainees were held because they were "religious individuals" and that some were members of illegal political parties. In December 2000, the Government released all of the detainees; 4 of the 12 were charged after admitting that they had planned terrorist activities and were required to post bail. By year's end, the GID had dropped charges against and released the 4 persons from Salt whom it had detained along with 8 others in July 2000.

During the year, police detained up to hundreds of persons involved in protests against the Israeli Government's actions in Israel, the West Bank, and Gaza. Police did not charge most of the demonstrators and released all of them within 1 day.

The Government uses the threat of detention to intimidate journalists into practicing self-censorship (see Section 2.a.). Before 2000 police typically detained from

5 to 10 days numerous journalists who criticized government officials or policies; some of the journalists experienced abuse (see Section 1.c.). When the Government filed charges, convictions were rare; however, some proceedings lasted several years, with defendants required to appear in court regularly. In June police in Zarqa briefly detained five journalists working with the Associated Press. The reporters were attempting to film a memorial service for the suicide bomber involved in the Dolphinarium Disco bombing in Tel Aviv. Police released all five after a few hours (see Section 2.a).

The Constitution prohibits the expulsion of any citizen, and the Government does not routinely use forced exile; however, in June the Government attempted to prevent the return of Ibrahim Ghosheh, one of four HAMAS leaders allegedly expelled in 1999. On June 14, Ghosheh arrived unexpectedly from Qatar, and immigration authorities at Queen Alia International Airport (QAIA) attempted to block his admission to Jordan. Ghosheh was detained at QAIA until June 30, when the Government admitted him to the country in return for his pledge to cease his HAMAS activities. The three other expelled HAMAS leaders remained outside the country at year's end.

e. Denial of Fair Public Trial.—The Constitution provides for the independence of the judiciary, and during the year the Government took steps to strengthen such independence; however, the judiciary remains subject to pressure and interference from the executive branch. A judge's appointment to, advancement within, and dismissal from the judiciary are determined by the Higher Judiciary Council, a committee whose members are appointed by the King. In June Parliament passed a law intended to give the Council increased independent jurisdiction over the judicial branch; previously, the council had been subject to frequent interference and pressure from the Ministry of Justice stemming from the Ministry's oversight of the council. The purpose of the new law was to limit the Ministry of Justice's influence over a judge's career and prevent it from subverting the judicial system in favor of the executive branch. There had been numerous allegations in previous years that judges were "reassigned" temporarily to another court or judicial district in order to remove them from a particular proceeding. The Government claims that the Higher Judiciary Council's new independence makes such tampering much more difficult. Despite constitutional prohibitions against such actions, judges complain of telephone surveillance by the Government.

The judicial system consists of several types of courts. Most criminal cases are tried in civilian courts, which include the appeals courts, the Court of Cassation, and the Supreme Court. Cases involving sedition, armed insurrection, financial crimes, drug trafficking, and offenses against the royal family are tried in the State Security Court.

Shari'a (Islamic law) courts have jurisdiction over marriage and divorce among Muslims and inheritance cases involving both Muslims and non-Muslims. Christian courts have jurisdiction over marriage and divorce cases among Christians, but apply Shari'a law in inheritance cases (see Section 5).

Most civilian court trials are open. Defendants are entitled to legal counsel, may challenge witnesses, and have the right to appeal. Defendants facing the death penalty or life imprisonment must be represented by legal counsel. Public defenders are provided if the defendant in such cases is unable financially to hire legal counsel. Shari'a as applied in the country regards the testimony of one man as equal to that of two women in proving matters of fact. This provision technically applies only in religious courts; however, in the past it has been imposed in civil courts as well, regardless of religion.

The State Security Court consists of a panel of three judges, 2 military officers and 1 civilian. Sessions frequently are closed to the public. Defendants tried in the State Security Court often are held in pretrial detention without access to lawyers, although they may be visited by representatives of the ICRC. In the State Security Court, judges have inquired into allegations that defendants were tortured and have allowed the testimony of physicians regarding such allegations (see Section 1.c.). The Court of Cassation has ruled that the State Security Court may not issue a death sentence on the basis of a confession obtained as a result of torture. Defendants in the State Security Court have the right to appeal their sentences to the Court of Cassation, which is authorized to review issues of both fact and law. Appeals are automatic for cases involving the death penalty.

In the past, defense attorneys have challenged the appointment of military judges to the State Security Court to try civilian cases as contrary to the concept of an independent judiciary. Military judges appear to receive adequate training in civil law and procedure.

In the past, the press routinely carried details of cases tried before the State Security Court, despite 1998 provisions in the Press and Publication Law that prohibited

press coverage of any case that was under investigation, unless expressly permitted by the authorities. The 1999 amendments to the Press and Publications Law permit journalists to cover court proceedings “unless the court rules otherwise.” At year’s end, it was unclear how press-related amendments to the Penal Code passed in October (see Section 2.a.) would impact coverage of court proceedings. However, there was press coverage of trials in the State Security Court during the year.

In July the State Security Court retried and sentenced nine men to life imprisonment for their alleged involvement in politically motivated bombings in 1998. The retrial came as a result of credible reports that the initial trial, in 1998, was flawed and that the defendant’s confessions were made under duress. The reports also included allegations that confessions were obtained using torture.

On September 18, 2000, the Security Court convicted 22 suspected members of the al-Qaida terrorist network for planning attacks at tourist sites around the country during millennium celebrations. The court sentenced 6 of those convicted to death and 16 to prison sentences ranging from 7 years to life. There were allegations of torture and forced confessions by some of the defendants (see Section 1.c.). The court officially closed the case in 2000.

In June the Government permitted one of the four HAMAS leaders expelled in 1999 to reenter the country (see Sections 1.d. and 2.d.); there were credible reports of executive branch influence with respect to the original verdict of expulsion.

There were no reports of political prisoners; however, the Government detainees persons for varying periods of time for political reasons (see Section 1.d.).

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—The Constitution requires that security forces obtain a warrant from the Prosecutor General or a judge before conducting searches or otherwise interfering with these rights, and the security services generally respect these restrictions; however, in security cases, the authorities at times—in violation of the law—obtain warrants retroactively or obtain preapproved warrants. Security officers monitor telephone conversations and Internet communication, read private correspondence, and engage in surveillance of persons who are considered to pose a threat to the Government or national security. The law permits these practices if the Government obtains a court order. Judges complain of unlawful telephone surveillance (see Section 1.e.).

During the year, the Government released from house arrest Hassan Mahmoud Abdullah Abu Hanieh, whom the GID detained after confiscating without a warrant a box of publications in his possession (see Section 2.d). The case was closed at year’s end.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution provides for freedom of speech and of the press; however, the Government imposes a number of restrictions on these rights, and such restrictions increased during the year. During the year, the Government broadened its authority to prosecute journalists and close publications.

The 1998 Press and Publications Law and the 1999 revisions to the law, combined with the 1998 Press Association Law, impose stringent restrictions on the operation of newspapers. The Government also intimidates journalists to encourage self-censorship. Private citizens may be prosecuted for slandering the royal family, the Government, or foreign leaders, and for “sowing sedition.” Citizens generally do not hesitate to criticize the Government openly, but are more circumspect in regard to the King and the royal family. The Press and Publications Law and the law governing the Jordan Press Association (JPA) require membership in the JPA for persons to be considered “legal” journalists or editors, thus potentially excluding dozens of practicing journalists from the profession. The JPA uses its authority to enforce bans on journalists receiving funding from foreign sources or having Israeli contacts. In 1999 then-Prime Minister Abdul Raouf Rawabdeh issued an order directing government offices to cooperate only with JPA members.

The 1998 Press and Publications Law granted the Government wide discretionary powers to issue fines, withdraw licenses, and order shutdowns, which enabled it to control the editorial content of newspapers. The law also prohibited reporting on criminal cases or crimes at any stage of the investigation without prior authorization from the public prosecutor. However, the 1999 amendments to the Press and Publications Law limited to some extent the Government’s discretion to issue fines, transferred the power to withdraw licenses to the judiciary, limited significantly the Government’s power to order shutdowns, and allowed journalists to cover court proceedings unless the court rules otherwise. The 1999 amendments also reduced the fine for violations to between \$700 and \$1,400 (500 to 1,000 dinars), down from between \$7,000 and \$14,000 (5,000 and 10,000 dinars) under the 1998 Press and Publications Law (see Section 1.e.). It was illegal under the 1998 Press and Publications Law to publish news, opinion, information, reports, caricatures, or photos that dis-

parage the King or the royal family, pertain to the armed forces or security services, harm national unity, disparage religion, offend an individual or harm his reputation, disparage the heads of friendly states, harm the country's relations with other nations, promote perversion or lead to moral corruption, shake confidence in the national currency, or feature false news or rumors. Although these restrictions were modified by the 1999 amendments, prohibitions on such activities still exist in the Penal Code and a number of other laws.

According to the 1999 amendments, all publications must be licensed by the Government. The law provides that those who seek to obtain a newspaper license must show proof of capital of \$700,000 (500,000 dinars) for a daily newspaper, \$70,000 (50,000 dinars) for most other publications, and \$7,000 (5,000 dinars) for specialized publications. The law also requires that the editor in chief of a newspaper be a citizen who permanently resides in the country and to have been a member of the JPA for at least 4 years. This last provision reflects a reduction in the requirements of previous legislation but places the burden of regulation on the JPA.

Persons accused of violating the Press and Publications Law are tried in a special court for press and copyright cases. Journalists also may be prosecuted for criminal and security violations in connection with their work. Although a substantial number of cases are dismissed before trial, many other cases linger in the courts for years. The Government routinely uses detention and prosecution or the threat of prosecution to intimidate journalists and thereby successfully encourages self-censorship (see Section 1.d.).

The Penal Code authorizes the State to take action against any person who incites violence, defames heads of state, disseminates "false or exaggerated information outside the country that attacks state dignity," or defames a public official.

In October the Government adopted a series of amendments to Penal Code provisions dealing with the press. The amendments reinforce existing Penal Code restrictions on free speech and allow for the prosecution of any person found to have written, published, or aired any statements "harmful to national unity; instigating criminal actions; sowing the seeds of hatred and malice; inciting divisions among members of the society; instigating acts of religious and racial fanaticism; insulting the dignity of individuals, their reputation or personal freedoms; committing acts of corruption or publishing false information or rumors; inciting people to organize strikes or sit-ins, or to hold meetings in a manner that violates the law; or committing any act considered harmful to the state's reputation and dignity." The amendments give the State Security Court the authority to temporarily or permanently close any publication or media outlet that publishes or airs any such statements. The Government strengthened provisions regarding defamation of the King or Royal Family, providing as punishment 3 year's imprisonment. In addition all violators of the new provisions automatically are subject to trial before the State Security Court rather than the special press and copyright court. By year's end, it was unclear to what extent the Government intended to enforce the restrictions in practice.

In July Senator Jawad Anani claimed that he was forced to resign following his publication of an article that criticized the Government. The Government denied any involvement in Anani's decision to resign.

On May 11, police in Amman arrested journalists Jamal Alawi, Tareq Ayyoub, and Yasser Zaatreh. According to press reports, police forcibly detained the journalists during anti-Israeli rallies marking the anniversary of the creation of the State of Israel (see Sections 1.c and 2.b). Police also reportedly seized film and cameras from other television journalists. Alawi, Ayyoub, and Zaatreh were released without charge after a brief detention.

In June police in Zarqa briefly detained 5 journalists working with the Associated Press (see Section 1.d).

In January the Government arrested 7 members of the Anti-Normalization Committee. The arrests took place 4 days after the publication of the Committee's blacklist which included the names of companies and individuals with ties to Israel. Some human rights observers believed that the arrests were linked to the Government's displeasure over the publication of the list (see Section 1.d). The Government also filed charges under the Press and Publications Law against two journalists, Ma'moun Rousan and Abdel Naser Hourani, for printing the blacklist in their publications. At year's end, both men were still involved in judicial proceedings related to the charges.

In December the GID reportedly detained two television journalists associated with al-Jazeera for covering a demonstration by Islamists in Ma'an. According to the reporters, the GID forced them to hand over their video footage and physically abused them while they were in custody (see Section 1.c.). Both journalists were released with 24 hours and no charges were filed against them.

The Press and Publications Department continued to enforce bans on the publication of a number of books within the country. Although some books were banned based on religious objections, anecdotal evidence suggests that the number banned for political reasons is higher. One publisher reported that the Government blocked publication of five nonfiction works owned by his company during the year.

In June a Shari'a judge ordered a third retrial of poet Musa Hawamdeh on charges of apostasy. The charges stemmed from a book of poems written by Hawamdeh that drew criticism from radical Islamists. Hawamdeh again was cleared of all charges in late July, and the case was considered closed at year's end (see Section 2.c).

There were no developments in the January 2000 arrest of Asim Ogla Al-Maghayirah, whom authorities accused of affiliation with the banned political party Al-Tahrir and of distributing illegal pamphlets (see Section 2.b.).

In February the High Court of Justice dismissed the appeal of Nidal Mansour's expulsion from the JPA. In September 2000, the JPA had voted to expel Mansour for allegedly receiving foreign funding for the nongovernmental organization (NGO) that he headed (see Section 4). As a result of the Court's decision, Mansour was removed as editor of the newspaper that he owns.

The Press and Publications Department continued its April 2000 ban on a book of poetry by Ziyad Al-Anani; the book contained a poem that reportedly was offensive to Islam (see Section 2.c).

Some journalists continued to complain about high taxes on the media industry and tariffs on paper, which they claim led them to reduce the size of their publications. They also criticized the Government for its policy of advertising predominantly in newspapers in which the Government owns shares.

The Government did not block the entry of foreign publications during the year. In January 2000, the Government passed a bill that grants foreign media operations "absolute freedom of expression" in the country. The bill reportedly was passed in order to encourage foreign investment. At the time, some commentators criticized the Government for passing a bill that offers full autonomy for foreign journalists while maintaining laws that restrict freedom of expression for local journalists.

Radio and television news broadcasts are more restricted than the print media. The Government is the sole broadcaster of radio and television programs. It has commercial agreements with the British Broadcasting Corporation, the London-based Middle East Broadcasting Center, and Radio Monte Carlo that allow it to simulcast regional programs using local radio transmitters. Jordan Television (JTV) reports only the Government's position on controversial matters. International satellite television and Israeli and Syrian television broadcasts are available and unrestricted.

In December 2000, due to widespread criticism of local media coverage of events in Israel, the West Bank, and Gaza, King Abdullah took steps to reform the state media. For example, the King appointed new members to the board of the Jordan Radio and Television Corporation (JRTVC) and reportedly instructed the new director to discontinue the traditional practice of placing items about the King first in the evening news lineup. The Minister of Information also announced a plan to create an independent regulatory commission.

The GID actively investigates Internet reports of "crimes against the King."

The Government limits academic freedom. Two university presidents were pressured to resign for their political views during the year. Some academics claim that they receive frequent threats of dismissal. Some professors and students reported being asked by the GID to submit information regarding the political views expressed by colleagues in the classroom. In March 2000, Jordan University granted the president of the University the authority to appoint half of the university's 80-member student council, including the chair (see Section 2.b.). Despite several student protests during 2000, there was no change in the policy by year's end.

b. Freedom of Peaceful Assembly and Association.—The Government restricts freedom of assembly. Citizens must obtain permits for public gatherings. Following a demonstration in October 2000 in which one protester was killed and six were injured, the Government banned all demonstrations and public rallies; however, a number of demonstrations subsequently were held with government acquiescence, despite the ban. Before the ban, the Government denied permits for public protests and rallies that it determined pose a threat to security. In August the Government adopted a law that requires the organizers of rallies and demonstrations to request permission from provincial governors at least 3 days prior to any event. Under the law, no protest may be held without the governor's consent and violators face imprisonment from 1 to 6 months and a fine not to exceed \$4,230 (3,000 dinars). The Government adopted the law in the absence of a sitting Parliament, which the King dissolved in June (See Section 3).

On April 7, organizers canceled a planned march from the Shmeisani area of Amman to U.N. offices in the city. According to press reports, the Governor of Amman refused permission for the event.

On March 19, riot police protecting the Prime Ministry used physical force, including batons, to disperse a sit-in by 25 Ph.D. holders. The academics were protesting the absence of employment opportunities at local universities. No one was seriously injured; however, press reports claimed that at least 10 demonstrators briefly were detained (see Sections 1.c. and 1.d.). The Government denied that it detained any of the demonstrators.

On May 11, security forces dispersed hundreds of protestors who were attempting to stage two rallies in the Sweileh and Mahatta areas of Amman. The Government claimed that the rallies were unauthorized and unlawful. Police used tear gas, water cannons, batons, and dogs to disperse the demonstrators, reportedly injuring between 10 and 30 persons (see Sections 1.c. and 2.a.).

On July 31, police and University of Jordan security personnel refused to allow students holding an anti-Israeli protest to exit the campus. No force was used in the incident.

The Government restricts freedom of association. The Government requires, but routinely grants, approval for conferences, workshops, and seminars.

The Government routinely licenses political parties and other associations. There currently are 25 licensed political parties. Membership in an unlicensed political party is illegal. The Government may deny licenses to parties that it decides do not meet a list of political and other criteria contained in the Political Parties Law. The High Court of Justice may dissolve a party if it violates the Constitution or the Political Parties Law.

In March 2000, Jordan's University's administration amended the Student Council election law, granting the University president the authority to appoint half of the University's 80-member student council, including the chair. The amendment was viewed widely as an effort to curb the influence of campus Islamists. Many students, including non-Islamists, objected to the University's decision.

There were no developments in the January 2000 arrest of university student Asim Oglal al-Maghayirah, whom authorities accused of affiliation with the banned political party Al-Tahrir and of distributing illegal pamphlets (see Section 2.a.).

c. Freedom of Religion.—The Constitution provides for the safeguarding of “all forms of worship and religious rites in accordance with the customs observed in the Kingdom, unless such is inconsistent with public order or morality;” however, the Government imposes some restrictions on freedom of religion. The Constitution also states that “there shall be no discrimination” between Jordanians “as regards their rights and duties on grounds of race, language, or religion.” However, some members of unrecognized religious groups and religious converts from Islam face legal discrimination and bureaucratic difficulties in personal status cases.

According to the Constitution, Islam is the state religion. The Ministry of Religious Affairs and Trusts manages Islamic institutions and the construction of mosques. It also appoints imams, provides mosque staff salaries, manages Islamic clergy training centers, and subsidizes certain activities sponsored by mosques. The Government loosely monitors sermons at mosques and requires that speakers refrain from criticizing the Royal Family or instigating social or political unrest. The Political Parties Law prohibits houses of worship from being used for political party activity. The law was designed primarily to prevent Islamist politicians from preaching in mosques.

Neither Islam nor the Government recognizes religious faiths other than the three main monotheistic religions: Islam, Christianity, and Judaism. In addition, not all Christian denominations have been accorded legal recognition as religions. The Prime Minister unofficially confers with an interfaith council of bishops representing local churches on all matters relating to the Christian community, including the registration of new churches in the country. The Government uses the following criteria when considering recognition of Christian churches as separate official religions: The faith does not contradict the nature of the Constitution, public ethics, customs, or traditions; the faith is recognized by the Middle East Council of Churches; the faith does not oppose the national religion; and the group includes some citizen followers.

Religious institutions, such as churches that wish to receive official government recognition, must apply to the Prime Ministry for registration. Recognized non-Muslim religious institutions do not receive subsidies; they are financially and administratively independent from the Government and are tax-exempt. Some churches are registered with the Ministry of Justice as “societies,” rather than churches.

According to the Government, the role of the State in religious affairs is limited to supervision. Groups that have practices that violate the law and the nature of society—such as Satan worship—are prohibited.

The Government does not recognize the Druze or Baha'i faiths as religions but does not prohibit the practice of the faiths. Druze face official discrimination but do not complain of social discrimination. Baha'is face both official and social discrimination. The Government does not record the bearer's religion on national identity cards issued to Druze or Baha'is. The small Druze and Baha'i communities do not have their own courts to adjudicate personal status and family matters; such matters are heard in Shari'a courts. The Government does not officially recognize the Druze temple in Azraq, and four social halls belonging to the Druze are registered as "societies." The Government does not permit Baha'is to register schools or places of worship.

The Government does not recognize Jehovah's Witnesses, the Church of Christ, or the Church of Jesus Christ of Latter-Day Saints, but each denomination is allowed to conduct religious services and activities without interference.

The Government does not interfere with public worship by the country's Christian minority. Although the majority of Christians are allowed to practice freely, some activities, such as encouraging Muslims to convert to the Christian faith—as considered legally incompatible with Islam—are prohibited.

Shari'a prohibits non-Muslims from proselytizing Muslims. Conversion to the Muslim faith by Christians is allowed; however, a Muslim may not convert to another religion. Muslims who convert to other faiths complain of social and government discrimination. The Government does not fully recognize the legality of such conversions. Under Shari'a converts are regarded as apostates and legally may be denied their property and other rights. However, in practice this principle is not applied. According to the Government, it neither encourages nor prohibits apostasy. Converts from Islam do not fall under the jurisdiction of their new religion's laws in matters of personal status and still are considered Muslims under Shari'a. Conversely, converts to Islam fall under the jurisdiction of the Shari'a courts. Shari'a prescribes the death penalty for Muslims who convert to another religion; however, there is no corresponding statute under national law, and such punishment has never been applied.

According to one Christian cleric, the Government does not generally prohibit citizens from proselytizing if it is within the limits of the law and based on "the principle of maintaining personal security and safety and provided that it does not contradict the customs and traditions of society." Government policy requires that foreign missionary groups (which the Government believes are not familiar with the customs and traditions of Jordanian society) refrain from public proselytizing "for the sake of their own personal safety from fundamentalist members of society that oppose such practices." The Government has taken action against some Christian proselytizers in response to the complaints of recognized Christian groups who charge that the activities of these missionaries "disrupt the cohesiveness and peace between religious groups in the society."

There were some reports of local government officials encouraging Christian females involved in relationships with Muslim males to convert to Islam to diffuse family or tribal disputes caused by the relationship (see Section 5). However, there were no known cases in which local officials harassed or coerced individuals to convert during the year.

According to the Constitution, religious community trusts ("Awqaf") and matters of personal status, such as marriage, divorce, child custody, and inheritance fall within the exclusive jurisdiction of the Shari'a courts for Muslims, and separate non-Muslim tribunals for each religious community recognized by the Government. There is no civil marriage. The head of the department that manages Shari'a court affairs (a cabinet-level position) appoints Shari'a judges, while each recognized non-Muslim religious community selects the structure and members of its own tribunal. All judicial nominations are approved by the Prime Minister and commissioned officially by royal decree. The Protestant denominations registered as "societies" come under the jurisdiction of one of the recognized Protestant church tribunals. There are no tribunals assigned for atheists or adherents of unrecognized religions. These individuals must request one of the recognized courts to hear their personal status cases.

Shari'a is applied in all matters relating to family law involving Muslims or the children of a Muslim father, and all citizens, including non-Muslims, are subject to Islamic legal provisions regarding inheritance.

All minor children of a male citizen who converts to Islam are automatically considered to be Muslim. Adult children of a male Christian who has converted to Islam become ineligible to inherit from their father if they do not themselves con-

vert to Islam. In cases in which a Muslim converts to Christianity, the act is not legally recognized by the authorities, and the subject continues to be treated as a Muslim in matters of family and property law, and the minor children of a male Muslim who converts to Christianity continue to be treated as Muslims under the law.

Some Christians are unable to divorce under the legal system because they are subject to their faith's religious court system, which does not allow divorce. Many of these individuals convert to another Christian denomination or the Muslim faith in order to divorce legally.

The Government notes individuals' religions (except for Druze and Baha'is, and other unrecognized religions) on the national identity card and "family book" (a national registration record that is issued to the head of every family and that serves as proof of citizenship) of all citizens. Atheists much associate themselves with a recognized religion for official identification purposes.

The Government traditionally reserves some positions in the upper levels of the military for Christians; however, all senior command positions have been traditionally reserved for Muslims. Division-level commanders and above are required to lead Islamic prayer for certain occasions. There are no Christian clergy in the military.

According to June press reports, the Shari'a appeals court ordered Muslim poet Musa Hawamdeh retried on an apostasy charge due to a procedural error in his original trial. Some observers believed that the procedural error was used as a pretext to continue harassing the poet. In early 2000, radical Islamists had criticized a poem published by Hawamdeh. A government ban of his book and both a civil and Shari'a trial followed later in the year. In July 2000, Hawamdeh, without retracting any portion of his poem, was acquitted on all charges in both the Shari'a and civil courts. Hawamdeh again was cleared of all charges in July of this year after the retrial. The case was considered closed at year's end (see Section 2.a).

The Press and Publications Department continued its April 2000 ban on a book of poetry by Ziyad Al-Anani; the book contained a poem that reportedly was offensive to Islam (see Section 2.a).

In June 2000, due to a dispute stemming from an intrachurch rivalry between the Jerusalem Patriarchate and the Antioch Orthodox Patriarchate, the Government closed an Arab Orthodox church in Amman that was aligned with the Antioch Patriarch in Damascus, Syria. The Government closed the church following a request from the local Orthodox hierarchy to enforce a 1958 law that grants the Jerusalem Patriarchate authority over all Orthodox churches in the country. The church reopened in December 2000 with permission from the Government, but was closed again a week later based largely on pressure from the Orthodox hierarchy. The Government stated that the church was free to open under a different name that would not imply affiliation with the Orthodox Church. The church remained closed at year's end.

Non-Jordanian Christian missionaries operate in the country but are subject to restrictions. Christian missionaries may not proselytize Muslims. During the year, U.S.-affiliated Christian mission groups in the country continued to complain of bureaucratic difficulties, including refusal by the Government to renew residence permits.

In February 2000, the governor of Amman municipality closed the office of Life Agape—an organization associated with the Baptists Church—after the director refused to sign a letter stating that he would not "deal with Muslims." The office remained closed at year's end.

In April and September 1999, a foreign employee of a small language school in Amman applied for a residence permit from the Ministry of Interior. His application was denied, reportedly because government officials believed that he had been attempting to convert Muslims to Christianity. He reapplied in April 2000, and was awaiting a response from the Government at year's end.

In December 1999, the municipality of Amman closed the Roy and Dora Whitman Academy—a small, nonprofit school founded by U.S.-affiliated missionaries in Amman—because it was not registered with the Ministry of Education. The board of the academy had initiated the process of registering the school in 1997. After being contacted by embassies representing a number of countries, the Ministry of Education assisted the school in properly fulfilling registration requirements. In April 2000, the school received registration and once again began teaching students. In July 2000, the Ministry of Labor issued work permits to two faculty members at the school.

In February the Jordan Evangelical Theological Seminary (JETS), a Christian training school for pastors and missionaries, submitted a new application for registration as a university to the Ministry of Education. JETS had applied to the Ministry's Council of Higher Education (CHE) twice before, once in May 1999 and again

in January 2000; neither application was successful. At the request of the CHE, the most recent application contained a proposal for an expanded curriculum and a new name without the word "evangelical"—Jordan Minara University. From August 1998 until year's end, students and faculty of JETS experienced difficulties in obtaining and renewing residence permits. The school's application still was pending at year's end, and the Ministry's failure to issue visas had affected 24 of 140 students (and their families), and 4 staff members at the school. In 1998 and 1999, some noncitizen Arab Muslim students were deported and asked to leave the country as a result of their association with JETS.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The law provides for the right of citizens to travel freely abroad and within the country except in designated military areas; however, there are some restrictions on freedom of movement. The law requires that all women, including foreign women married to citizens, obtain written permission from a male guardian—usually their father or husband—to apply for a Jordanian passport. During the year, there were several cases in which mothers reportedly were prevented from departing with their children because authorities enforced requests from fathers to prevent their children from leaving the country.

The GID sometimes withholds passports from citizens on security grounds. Local governors have the authority to invoke the Preventing Crimes Law, which allows them to place citizens under house arrest for up to a year without formally charging them (see Section 1.d.). House arrest may involve requiring persons to report daily to local police station and the imposition of a curfew. Persons who violate the terms of their house arrest may be imprisoned for up to 14 days.

Jordanians with full citizenship receive passports that are valid for 5 years. Most Palestinians living in Jordan are citizens and receive passports that are valid for 5 years. However, the Government estimates that there are 150,000 Palestinian residents who are refugees or children of refugees who arrived from Gaza after 1967 and do not qualify for citizenship. They receive 2-year passports valid for travel only. In the period following the country's administrative and legal disengagement from the West Bank in 1988, Palestinians residing in the West Bank received 2-year passports valid for travel only, instead of 5-year Jordanian passports. In 1995 King Hussein announced that West Bank residents without other travel documentation again would be eligible to receive 5-year passports. However, the Government has emphasized that these passports are for travel only and do not connote citizenship, which may be proven only by presenting one's "national number," a civil registration number accorded at birth or upon naturalization to persons holding citizenship. The national number is recorded on national identity cards and in family registration books, which are issued only to citizens.

During the year, there were allegations that the Government did not consistently apply citizenship laws. The Jordanian Society for Citizens' Rights (JSCR) reported 52 complaints from persons or families claiming that the Government denied their right to citizenship. All 52 complainants disputed the Government's claim that they were ineligible for citizenship under the regulations, and many filed appeals with the Ministry of the Interior. The Government had not recognized officially the citizenship of any of the complainants by year's end.

In July there were reports that immigration officials at the King Hussein/Allenby Bridge crossing with Israel confiscated the Jordanian passports belonging to Jordanians of Palestinian origin who were carrying both Jordanian and Palestinian Authority travel documents. The Government stated that such confiscations were consistent with laws that prohibit citizens of Arab League countries from holding passports of any other Arab League member. Human rights observers claimed that no such law exists, and that the policy against dual nationality is based on an informal agreement of Arab League countries.

Human rights activists reported that approximately 350 Jordanians of Palestinian origin remained outside the country at year's end, due to the Government's refusal to renew their passports at embassies overseas. The majority of such persons now live in Syria, Lebanon, and Libya as stateless persons. The Government offered no response to inquiries by diplomatic representatives or human rights observers.

The Constitution specifically prohibits the deportation of citizens. In June the Government permitted the return of Ibrahim Ghosheh, one of four HAMAS leaders allegedly expelled in 1999. Although initially refused entrance, Ghosheh was admitted in return for his pledge to cease his activities with HAMAS. The three other expelled HAMAS leaders remained outside the country at year's end (see Sections 1.d., 1.e., and 2.b.).

Former Member of Parliament Yaqoub Qarrash remained outside the country at year's end. He was refused entry at the border in January 2000, when he attempted to return from Saudi Arabia.

There is no law or statute that provides for the granting of refugee status or asylum. The Government generally cooperates with the office of the UNHCR. The UNHCR must resettle refugees in other countries. However, in April the Ministry of Interior signed a memorandum of understanding with the UNHCR concerning the status and treatment of refugees. Under the agreement, the Government admits asylum seekers, including those who have entered the country clandestinely, and respects the UNHCR's eligibility determinations under the refugee definitions set forth in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The agreement provides protection against the forcible return of refugees from the country, and recognizes the legal definition of a refugee as set forth in the U.N. Convention. The UNHCR regularly trains law enforcement officials in international refugee law, including specialized courses for policewomen. The Government provides first asylum. According to UNHCR figures, 55,626 persons sought asylum through the UNHCR between October 1990 and 2000.

The Government estimates that over 300,000 Iraqis reside in the country. Since 1991 thousands of Iraqis have applied for refugee status and received legal and material assistance from the UNHCR. In addition to applications from Iraqis during the year, the UNHCR also received applications for refugee status from Sudanese, Russians of Chechen decent, Somali, and Eritrean asylum seekers.

For the 2000–2001 school year, the Government continued its policy of denying Iraqi children admittance to school unless such children are legal residents of the country or recognized as refugees by the UNHCR.

According to the Government, it deported eight Libyan nationals affiliated with "international terrorist organizations" in March 2000. The Government did not inform the UNHCR of the presence of the Libyans prior to their deportation from the country. The Libyan Government reportedly executed three of the eight Libyans upon their return to Libya (see Section 1.c.). There were no other cases in which the Government deported persons to a country where they feared persecution.

Almost 1.6 million Palestinian refugees are registered in Jordan with the U.N. Relief and Works Agency for Palestine Refugees (UNRWA). The UNRWA counts another 800,000 Palestinians as either displaced persons from the 1967 war, arrivals following the 1967 war, or returnees from the Gulf between 1990 and 1991.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

There are significant restrictions on citizens' right to change their government. Citizens may participate in the political system through their elected representatives in Parliament; however, the King has discretionary authority to appoint and dismiss the Prime Minister, Cabinet, and upper house of Parliament, to dissolve Parliament, and to establish public policy. Appointments made by the King to high government posts do not require legislative approval. Executive power is vested in the King (or, in his absence, in the Regent), who exercises his power through his ministers in accordance with the provisions of the Constitution.

In both June and October, King Abdullah reordered his Cabinet, appointing new members and changing portfolios among serving ministers. Prior to the reordering, there were 29 ministers; at year's end there were 26.

On June 16, the King dissolved Parliament and directed the Government to draft a new election law. Parliamentary elections had been scheduled to be held during the year; however, the King exercised his authority under the Constitution to postpone elections for up to 2 years, indicating that elections would be held no earlier than summer 2002. At year's end, the King had not announced a specific date for elections and the Parliament remained dissolved. According to the provisions of a temporary election law approved by the King on July 22, the Parliament is composed of a 40-member Senate, appointed by the King, and a popularly elected 104-member Chamber of Deputies. The Chamber of Deputies previously had contained 80 members. The Parliament is empowered by the Constitution to initiate legislation, and it may approve, reject, and amend legislation proposed by the Cabinet. A group of 10 senators or deputies may submit draft bills for consideration; however, in practice legislation is initiated and drafted by the Cabinet of Ministers and submitted by the Government to the Parliament for its consideration. Opposition Members of Parliament have claimed that attempts by members of the lower house to initiate legislation receive no response from the Government. The King proposes and dismisses extraordinary sessions of Parliament and may postpone regular sessions for up to 60 days. If the Government amends or enacts a law when Parliament is not in session, it must submit the law to Parliament for consideration during the next session; however, such "temporary" laws do not expire and, while technically subject to action by Parliament when it returns to session, may in practice remain in force without legislative approval.

Over 500 candidates competed in the 1997 parliamentary elections, despite a boycott by Islamist and other parties. There were many reports of registration irregularities and fraud. Restrictions on the press and on campaign materials also had a negative effect on the campaign, which elicited much debate over the fairness of the previous electoral law and its implementation. Voter turnout was significantly lower in most urban areas than in rural areas. Centrist candidates with ties to major tribes dominate the Parliament.

Municipal elections in July 1999 featured the participation of the parties that had boycotted the 1997 parliamentary elections; however, low voter turnout necessitated a second day of balloting. The process generally was regarded as free and fair.

The election law adopted in July increased the number of electoral districts by redrawing district boundaries and redistributed seats among districts. The Government also included provisions, such as those requiring verification of polling results by members of the Judiciary, that are designed to increase transparency and accuracy. The voting age was lowered from 19 to 18 years. The law did not include quotas for women or opposition political parties. Observers believe that the new law continues to favor electorates in rural and southern Jordan, regions with populations known for their traditional, pro-Hashemite views.

The law retains the so-called one-man, one vote provision, which allows voters to choose only one candidate in multiple-seat districts. In the largely tribal society, citizens tend to cast their first vote for family members, and any additional votes in accordance with their political leanings. The amendment also limits representation in the largely Palestinian urban areas. As a result, the amendment in practice also has tended to limit the chances of other nontribal candidates, including women, Islamists, and other opposition candidates, to be elected. The Islamic Action Front, the political arm of the Muslim Brotherhood, continues to declare publicly that it will boycott new elections unless significant changes to the one-man, one-vote provision are made.

From July to September, the Government initiated a series of consolidations designed to merge many of Jordan's 328 municipalities into a number of larger units that remained undetermined at year's end. The Ministry of Municipal, Rural, and Environment Affairs stated that these mergers were undertaken to reduce municipal operating costs and improve local services. Opponents of the measure claim that the consolidations are an attempt to undermine the strength of Islamist parties in local government, and that it will weaken the democratic process at the municipal level by reducing the number of locally elected officials. At year's end, the Islamic Action Front was considering legal action against the Government to halt the consolidations.

Women have the right to vote, and women's groups encourage women to vote and to be active in the political process; however, the percentage of women in government and politics does not reflect their numbers in the population. There is one female minister. In the previous Parliament there were two female senators, but no women held seats in the Chamber of Deputies.

Of the 104 seats in the lower house scheduled for election in 2002, 9 are reserved for Christians, 9 for Bedouins, and 3 for the Circassian or Chechen ethnic minorities.

The Palestinian community, estimated at more than half of the total population, is not represented proportionately in the Government and legislature. Five of 28 ministers are of Palestinian origin, a decrease from 9 of 28 in the previous government. In the most recent Parliament, 6 of 40 senators and 11 of 80 lower house deputies were of Palestinian origin. There are no Palestinians in any of the 12 governorships throughout the country. The electoral system gives greater representation to areas that have a majority of inhabitants of non-Palestinian origin.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Domestic and international human rights groups investigate allegations of human rights abuses and publish and disseminate findings critical of government policy. The 1999 amendments to the Press and Publications Law removed restrictions on the publication of information about the military and security services, which had prevented the publication by domestic groups of reports alleging torture and other abuses committed by the security services; however, similar restrictions still exist in the Penal Code and other laws (see Section 2.a.).

The local chapters of the Arab Organization for Human Rights (AOHR), the Jordanian Human Rights Organization (JHRO), and Jordanian Society for Citizens' Rights (JSCR) are registered with the Government. The groups drew public attention to alleged human rights abuses and a range of other political issues. They also have pressed the Government either to bring formal charges against political detain-

ees or to release them promptly. Both the AOHR and JSCR published human rights reports during the year. The AOHR assert that the Government responds to only about 10 percent of the complaints that it submits on behalf of individuals who allegedly were subjected to human rights abuses by the authorities; the JSCR claim the Government responds to 20 percent of its cases. However, the JSCR reported that the Government generally supported public workshops that it held in which citizens discussed their viewpoints on sensitive social and political topics. At year's end, it was unclear how amendments to the Penal Code that broadened the Government's authority to prosecute certain types of speech would affect the work of local NGO's (see Section 2.a.). Local NGO's are not permitted to receive funds from foreign sources, and some NGO workers reported that they feared they would be accused of accepting illegal funds from abroad. In September 2000, the Jordan Press Association expelled its vice president, Nidal Mansour for allegedly receiving foreign funding for the NGO he headed, the Center for Defending Freedom of Journalists. In February the Higher Court of Justice denied Mansour's appeal of his expulsion (see Section 2.a.).

In March 2000, the Government formed the Royal Commission for Human Rights, which is chaired by Queen Rania. The mandate of the Commission is to present recommendations on reforming current laws and practices to King Abdullah and to institutionalize human rights in the country. In November 2000, the Commission sponsored two human rights awareness seminars with police and judicial officials in Amman and Aqaba. In June the Commission presented a draft law designed to create an independent National Center for Human Rights. The Government had not released the draft nor taken any further action on the legislation by year's end. Members of the Commission also intervened in a number of individual cases of alleged human rights violations throughout the year.

The Government established in 2000 the National Team for Family Protection and the Child Protection Center (see Section 5). The Government controls the Parliamentary Public Freedoms Committee, the Ombudsman, and the Human Rights Office at the Prime Ministry.

The Government generally cooperates with international NGO's. The ICRC usually is permitted full and unrestricted access to detainees and prisoners, including those held by the GID and the military intelligence directorate (see Section 1.c.).

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social status

The law does not distinguish between citizens on the basis of race; however, women and minorities are treated differently under the law and face discrimination in employment, housing, and other areas.

Women.—Violence against women is common. Reported incidents of violence against women do not reflect the full extent of the problem. Medical experts acknowledge that spousal abuse occurs frequently. However, cultural norms discourage victims from seeking medical or legal help, thus making it difficult to assess the extent of such abuse.

Abused women have the right to file a complaint in court against their spouses for physical abuse but in practice familial and societal pressures discourage them from seeking legal remedies. Marital rape is not illegal. NGO's such as the Jordanian Women's Union, which has a telephone hot-line for victims of domestic violence, provide assistance in such matters. Wife-battering technically is grounds for divorce, but a husband may seek to demonstrate that he has authority from the Koran to correct an irreligious or disobedient wife by striking her.

The Criminal Code provides for leniency for a person found guilty of committing an "honor crime," a violent assault with intent to commit murder against a female by a relative for her perceived immodest behavior or alleged sexual misconduct. Law enforcement treatment of men accused of honor crimes reflects widespread unwillingness to recognize the abuse involved or to take action against the problem. Fourteen such murders were reported during the year, in which the victims were strangled, stabbed, or shot several times. The actual number of honor crimes is believed to be significantly higher. Human rights monitors believe that many more such crimes were committed but not documented as honor crimes. Moreover, most crimes of honor are not reported by the press. One forensic medical examiner estimated that 25 percent of all murders committed in the country are honor crimes. The police regularly imprison women who are potential victims of honor crimes for their own protection. There were up to 40 women involuntarily detained in such "protective custody" during the year.

According to Article 340 of the Penal Code, a "crime of honor" defense may be invoked by a defendant accused of murder who "surprises his wife or any close female relative" in an act of adultery or fornication, in which case the perpetrator of the

honor crime is judged not guilty of murder. Although few defendants are able to meet the stringent requirements for a crime of honor defense (the defendant personally must have witnessed the female victim engaging in sexual relations), most avoid trial for the crime of murder, and are tried instead on the charge of manslaughter; even those convicted of murder rarely spend more than 2 years in prison. In contrast to honor crimes, the maximum penalty for first-degree murder is death, and the maximum penalty for second-degree murder is 15 years. Such defenses also commonly rely on the male relative having acted in the "heat of passion" upon hearing of a female relative's alleged transgression, usually without any investigation on the part of the assailant to determine the veracity of the allegation before committing the assault. Defenses in such cases fall under Article 98 of the Penal Code. Women may not invoke these defenses for murdering a male relative under the same circumstances, nor may they use them for killing men who attempt to rape, sexually harass, or otherwise threaten their honor.

In June Fadia Mohammad reportedly was shot and stabbed by her brother, who killed her for "reasons of family honor" after learning that she was pregnant. Coroner's reports later indicated that Fadia was 6 months pregnant at the time of her death. Her brother surrendered himself to police after initially fleeing the scene of the killing. The case was pending at year's end.

In July a 15-year-old boy from Irbid confessed to killing his 20-year-old sister. He claimed to have acted in defense of his family's honor. The boy repeatedly struck his sister in the head with a club before covering her body in kerosene and setting it on fire. A coroner's report found that the girl had not been sexually active. Her brother surrendered himself to police and his case was pending at year's end.

There were no developments in the April 2000 death of Fathieh Mohammad, who reportedly was shot and killed by her father to "cleanse his honor." The police subsequently arrested and charged both her father and brother for the crime.

There were no developments in the November 2000 beating death of a 19-year-old girl. In December 2000, police arrested the girl's brother for beating to death his sister for "reasons of honor." Police were investigating a second brother for his suspected involvement in the killing. Medical tests indicated that the victim had not engaged in sexual activity.

Most activists believe that even if Article 340 were repealed, honor crimes likely would persist, with sentences continuing to be reduced under Article 98.

Female Genital Mutilation (FGM), a procedure widely condemned by international health experts as damaging to both physical and psychological health, rarely is practiced. However, one southern tribe of Egyptian origin in the small village of Rahmah near Aqaba reportedly practices FGM. One local Mufti issued a fatwa stating that FGM "safeguards women's chastity and protects them against malignant diseases by preventing fat excretions." However, the Mufti also stated that as FGM is not a requirement of Islam, women who do not undergo this procedure should not be embarrassed.

According to the law, sexual harassment is strictly prohibited and subject to criminal penalties including fines and imprisonment. Sexual harassment, assault, and unwelcome advances of a sexual nature against women do not appear to be widespread problems.

Women experience legal discrimination in matters of pension and social security benefits, inheritance, divorce, and the value of court testimony. In Shari'a courts, a woman's testimony is worth only half that of a man (see Section 1.e.). The Government provides men with more generous social security benefits than women. The Government continues pension payments of deceased male civil servants to their heirs but discontinues payments of deceased female civil servants. Current laws and regulations governing health insurance for civil servants do not permit women to extend their health insurance coverage to dependents or spouses. However, divorced and widowed women may extend coverage to their children.

Under Shari'a as applied in the country, female heirs receive half the amount of male heirs and the non-Muslim widows of Muslim spouses have no inheritance rights. A sole female heir receives half of her parents' estate; the balance goes to designated male relatives. A sole male heir inherits both of his parents' property. Male Muslim heirs have the duty to provide for all family members who need assistance. Men are able to divorce their spouses more easily than women. Marriage and divorce matters for Christians are adjudicated by special courts for each denomination (see Section 2.c.). Married women are ineligible for work in the diplomatic service, and, until recently, most women in the diplomatic corps automatically were assigned to administrative positions. There are six female judges in the country.

The law requires a married woman to obtain her husband's permission to obtain a passport (see Section 2.d.). Married women do not have the legal right to transmit citizenship to their children. Furthermore, women may not petition for citizenship

for their non-Jordanian husbands. The husbands themselves must apply for citizenship after fulfilling a requirement of 15 years of continuous residence. Once the husbands have obtained citizenship, they may apply to transmit the citizenship to their children. However, in practice such an application may take years and, in many cases, citizenship ultimately still may be denied to the husband and children. Such children become stateless and, if they do not hold legal residency, lack the rights of citizen children, such as the right to attend school or seek other government services.

Civil law grants women equal pay for equal work, but in practice this law often is ignored. Press and union leaders reported during the year that some employers in the private sector reportedly paid their female employees well under the legal minimum wage, despite the fact that the women were under contract.

Social pressures discourage many women from pursuing professional careers. Nonetheless, women have employment opportunities in many professions, including engineering, medicine, education, the military, and law. Women constitute approximately 16.5 percent of the work force and 50 percent of university students. According to local NGO reports, while female employees hold approximately 52 and 39 percent of jobs in the education and health sectors respectively, they hold only 7.5 percent of managerial posts and 10 percent of all jobs in the private sector. Women's groups stress that the problem of discrimination is not only one of law, but also of women's lack of awareness of their rights or unwillingness to assert those rights. The Jordanian chapter of the Business and Professional Women's Club holds seminars on women's rights and assists women in establishing small businesses. The chapter also provided several programs for potential female voters and candidates for the since-rescheduled 2001 parliamentary elections. In 2000 the University of Jordan established a new graduate degree program in women's studies to promote "objective awareness between the sexes." Members of the royal family work actively to improve the status of women.

Children.—The Government is committed to children's rights and welfare in the areas of education and health; however, government efforts in these areas are constrained by limited financial resources. Education is compulsory until the age of 16; however, no legislation exists to enforce the law or punish guardians for violating it, and children who do not attend school or attend infrequently are not considered truant. Since the beginning of the 1999–2000 school year, the Government has denied Iraqi children admittance to school unless they are legal residents of the country or recognized as refugees by the UNHCR (see Section 2.d.).

The Government has attempted to address the issues of educational development and quality, and the relevance of education to job-market demand, with few concrete results. More than 90 percent of school-age children attend primary schools, although the percentage among males is slightly higher than that among females. The Government also grants fee reductions and food and transportation supplements to families with many children or to very poor families in order to make education more affordable.

Students must obtain a good behavior certificate from the GID in order to qualify for admission under the university quota system. Activists reported that the GID sometimes withholds these certificates from deserving students due to a family member's allegedly problematic record.

The Government provides free inoculation programs for children, which typically administered through the school system. In addition, children have access to government-subsidized public clinics, which offer reduced fees for most services.

In March 2000, Queen Rania established the National Team for Family Protection (NTFP) to consolidate all issues concerning family safety. In August 2000, the Government opened "Dar al Amman," the nation's first child protection center. The facility provides temporary shelter, medical care, and rehabilitation for children ages 6 to 12 years who have suffered abuse.

Although the problem is difficult to quantify, social and health workers believe that there is a significant incidence of child abuse in families, and that the incidence of child sexual abuse is significantly higher than reported. The law specifies punishment for abuses against children. Rape or sodomy of a child under 15 years of age carries the death penalty.

The Family Protection Unit of the Public Security Department (PSD) works with victims and perpetrators of domestic and sexual violence. The Unit deals primarily with child and spousal abuse, providing multiple in-house services, including medical treatment for patients. The Unit cooperates with police to apprehend perpetrators of domestic violence, facilitates participation in education and rehabilitation programs, and refers patients to other facilities.

Illegitimate children are entitled to the same rights under the law as legitimate children; however, in practice they suffer severe discrimination in a society that

does not tolerate adultery or premarital sex. Most illegitimate children become wards of the State or live a meager existence on the fringes of society. In either case, their prospects for marriage and gainful employment are limited. Furthermore, illegitimate children who are not acknowledged legally by their fathers are considered stateless and are not given passports or identity numbers.

The Government attempts to safeguard some other children's rights, especially regarding child labor (see Section 6.d.). However, although the law prohibits most children under the age of 16 from working, child vendors work on the streets of Amman. The Ministry of Social Development has a committee to address the problem and in some cases removes the children from the streets, returns them to their families or to juvenile centers, and may provide the families with a monthly stipend. However, the children often return to the streets. Declining economic conditions have caused the number of these children to increase steadily over the last 10 years. Selling newspapers, tissues, small food items, or gum, the vendors, along with the other children who pick through trash dumpsters to find recyclable cans to sell, sometimes are the sole source of income for their families.

Persons with Disabilities.—High unemployment in the general population restricts job opportunities for persons with disabilities, estimated by the Ministry of Social Development to number 220,000. Thirteen percent of citizens with disabilities receive monetary assistance from the Government. The Government passed legislation in 1993 requiring future public buildings to accommodate the needs of persons with disabilities and to retro-fit existing public buildings; however, implementation has been slow. In 2000 the Greater Amman Municipality established a new Special Buildings Codes Department for Special Needs Citizens to enforce the implementation of the 1993 law.

Since 1993 the Special Education Department of the Ministry of Social Development has enrolled approximately 11,000 persons with mental and physical disabilities in public and private sector training courses. It has placed approximately 3,660 persons with disabilities in public and private sector jobs. The law requires that 2 percent of the available jobs be reserved for persons with physical disabilities. Private organizations and members of the royal family actively promote programs to protect and advance the interests of persons with disabilities.

Indigenous People.—The country's indigenous people, nomadic Bedouin and East Bank town-dwellers, traditionally have been the backbone of popular support for the Hashemite monarchy. As a result, they generally have enjoyed considerable influence within the political system. They are represented disproportionately in senior military, security, and civil service jobs. Nevertheless, many Bedouin in rural areas are severely disadvantaged economically. Many persons of East Bank origin complain that the dynamic private sector largely is in the hands of the Palestinian majority.

Religious Minorities.—In general Christians do not suffer discrimination; however, there were some instances of official and societal discrimination during the year (see Section 2.c.). Christians hold government positions and are represented in the media and academia approximately in proportion to their percentage of the general population. Druze face official discrimination but do not complain of societal discrimination. Baha'is face both official and societal discrimination. Their faiths are not recognized officially, and Druze and Baha'is are classified as Muslims on official documents, such as the national identity card. Christian and Baha'i children in public schools are not required to participate in Islamic religious instruction.

The majority of the population views religion as central to personal identity, and religious conversions are not tolerated widely. Muslims who convert to other religions often face social ostracism, threats, and abuse from their families and Muslim religious leaders. Romantic relationships between members of different religions, which may lead to conversion—either to the Muslim or Christian faiths—usually are strongly discouraged by the families. Interfaith relationships may lead to ostracism and, in some cases, violence against the couple or feuds between members of the couple's families. When such situations arise, families may approach local government officials for resolution. There were reports during the year that in some cases, local government officials encouraged Christian women involved in relationships with Muslim men to convert to Islam in order to defuse potential family or tribal problems. However, there were no known cases in which local officials harassed or coerced persons to convert. In previous years, when the Government intervened, it sometimes placed the women concerned into "protective custody" to prevent retribution by one of the families.

National/Racial/Ethnic Minorities.—Palestinians residing in Jordan, who make up more than half of the population, suffer discrimination in appointments to positions in the Government and the military, in admittance to public universities, and in the granting of university scholarships. The Government granted citizenship to

all Palestinians who fled to Jordan in the period after the 1948 Arab-Israeli war, and to a large number of refugees and displaced persons who arrived as a result of the 1967 war. However, most refugees who fled Gaza after 1967 are not entitled to citizenship and are issued 2-year passports valid for travel only. In 1995 then-King Hussein announced that West Bank residents without other travel documentation would be eligible to receive 5-year Jordanian passports. However, the Government has emphasized that these passports are for travel only and do not connote citizenship (see Section 2.d.).

Section 6. Worker Rights

a. The Right of Association.—Workers in the private sector and in some state-owned companies have the right to form and join unions. Unions must be registered to be considered legal. Union by-laws limit membership to citizens, effectively excluding the country's approximately 1.5 million foreign workers. Over 30 percent of the work force are organized into 17 unions. Although union membership in the General Federation of Jordanian Trade Unions (GFJTU), the sole trade federation, is not mandatory, all unions belong to it. The Government subsidizes and audits the GFJTU's salaries and activities. Union officials are elected by secret ballot to 4-year terms. Although the Government cosponsors and approves the timing of these elections and monitors them to ensure compliance with the law, it does not interfere in the choice of candidates.

Labor laws mandate that workers must obtain permission from the Government in order to strike. Unions generally do not seek approval for a strike, but workers use the threat of a strike as a negotiating tactic. Strikes are prohibited if a labor dispute is under mediation or arbitration. If a settlement is not reached through mediation, the Ministry of Labor may refer the dispute to an industrial tribunal by agreement of both parties. The tribunal is an independent arbitration panel of judges appointed by the Ministry of Labor. The decisions of the panel are legally binding. If only one party agrees, the Ministry of Labor refers the dispute to the Council of Ministers and then to Parliament. Labor law prohibits employers from dismissing a worker during a labor dispute.

In July 300 workers employed by a sub-contractor of the Greater Amman Municipality (GAM) staged a sit-in strike to demand 1½ months of unpaid daily wages. The workers, mostly Egyptian laborers, were constructing an intersection in Amman. The GAM, the contractor, and the subcontractor all claimed that the other parties were responsible for resolving the dispute. The strike lasted less than a week and the workers received all wages due. The case was considered closed at year's end.

During the year, the Jordan Cable and Wire Company reinstated 220 workers that a labor court ruled were dismissed illegally in 1999.

The GFJTU belongs to the Arab Labor organization, the International Confederation of Arab Trade Unions, and to the International Confederation of Free Trade Unions (ICFTU).

b. The Right to Organize and Bargain Collectively.—Unions have and exercise the right to bargain collectively. The Constitution prohibits antiunion discrimination, but the ICFTU claims that the Government does not protect adequately employees from antiunion discrimination and that the Government has dismissed public sector employees for political reasons. Workers may lodge complaints of antiunion discrimination with the Ministry of Labor, which is authorized to order the reinstatement of employees discharged for union activities. There were no complaints of antiunion discrimination lodged with the Ministry of Labor during the year.

The national labor laws apply in the free trade zones in Aqaba and Zarqa. Private sector employees in these zones belong to one national union that covers both zones, and have the right to bargain collectively.

c. Prohibition of Forced or Compulsory Labor.—The Constitution forbids compulsory labor, except in a state of emergency such as war or natural disaster, and it generally is not practiced; however, foreign domestic servants, almost exclusively female, often are subject to coercion and abuse and, in some cases, work under conditions that amount to forced labor (see Section 6.e.). The law does not prohibit specifically forced or compulsory labor by children; however, such practices are not known to occur.

d. Status of Child Labor Practices and Minimum Age for Employment.—Labor law forbids children under the age of 16 from being employed, except as apprentices, and prohibits children under the age of 17 from working in hazardous jobs, including at restaurants, nightclubs, and jobs involving heavy machinery and toxic materials. Children under the age of 18 may not work for more than 6 hours continuously, may not work between the hours of 8 p.m. and 6 a.m., and may not work during weekends, religious celebrations, or national holidays. Provisions in the labor

laws do not extend to the informal sector, which consists of agriculture, domestic labor, and family businesses.

According to the law, employers that hire a child under the age of 16 must pay a fine ranging from \$140 to \$710 (100 to 500 dinars). The fine is doubled if the offense is repeated. However, the Government did not provide training for government officials who are responsible for enforcing child labor laws and did not enforce laws regarding child labor during the year. All child labor enforcement responsibilities rest in the hands of 85 Ministry of Labor inspectors. Government officials claim that if children are barred from working in practice, they will lose important income on which their families depend, and may turn to more serious activities, such as drug trafficking and prostitution, for income.

In late 1999, the Ministry of Labor established a new division to deal with issues of child labor. The division was established to receive, investigate, and address child labor complaints and related issues. Assistance received from the International Labor Organization (ILO) and increases in the Government's funding for the Ministry of Labor during the year, allowed the Ministry to staff the division with 5 employees by year's end.

The Ministry of Labor established a child labor unit in late 1999, which is responsible for conducting national research on child labor, adopting both preventative and remedial measures, developing a database on child laborers and their families, and training and monitoring Ministry of Labor inspectors about child labor issues. With assistance from the ILO and increased funding from the Government, the Ministry has made progress in implementing some of the provisions of the National Plan of Action on Child Labor.

Financial assistance received from ILO during the year supported government efforts to implement the provisions of ILO Convention 182 on Elimination of the Worst Forms of Child Labor. Government policy also facilitated the work of NGO's in this area. The Ministry of Social Development has programs to improve conditions for indigent children and to rehabilitate children who have committed petty crimes. However, there are no specific mechanisms for receiving, investigating, or addressing child labor complaints relating to allegations of the worst forms of child labor.

Anecdotal evidence suggests that child labor, especially of child street vendors, is more prevalent now than it was 10 years ago due to declining economic conditions (see Section 5).

The law does not specifically prohibit forced or bonded labor by children; however, such practices are not known to occur (see Section 6.c.).

e. Acceptable Conditions of Work.—The national minimum wage is \$114 (80 dinars) per month for all workers except domestic servants, those working in small family businesses, and those in the agricultural sector. The national minimum wage does not provide a decent standard of living for a worker and family. The Government estimates that the poverty level is at a monthly wage of about \$125 (89 dinars) per month for a family with 7.5 members. A study completed by the Ministry of Labor in July 1999 found that 18.7 percent of the population lived at or below the poverty level and that 1.5 percent lived in "abject" poverty, defined by the Government as \$58 (40.5 dinars) per month for a family with 7.5 members. The Government provides minimal assistance to at least 45,000 indigent families.

The law requires overtime pay for hours worked in excess of the standard workweek, which generally is 48 hours. Hotel, restaurant, and cinema employees may work up to 54 hours per week. Workers may not work more than 10 hours in any continuous period or more than 60 hours of overtime per month. Employees are entitled to 1 day off per week.

The Ministry of Labor continues to enforce a February 2000 decision that required Egyptian workers to obtain work permits approved by the governments of both Egypt and Jordan. The Government also maintains its commitment to apply "more humane" criteria when deciding whether to deport Egyptian workers.

The law specifies a number of health and safety requirements for workers, including the presence of bathrooms, drinking water, and first aid equipment at work sites. The Ministry of Labor is authorized to enforce health and safety standards. The law does not require employers to report industrial accidents or occupational diseases to the Ministry of Labor. Workers do not have a statutory right to remove themselves from hazardous conditions without risking the loss of their jobs.

Labor law does not apply to the agricultural sector, small family businesses, or domestic servants. Domestic servants do not have a legal forum to address their labor grievances and have no standing to sue in court for nonpayment of wages. Abuse of domestic servants, most of whom are foreign, is widespread. Imprisonment of maids and illegal confiscation of travel documents by employers is common. Complaints of beatings, insufficient food, and rape generally are not reported to officials

by victims, who fear losing their work permits and being returned to their home country. Domestic servants generally are not given days off and frequently are called upon to work at any hour of the day or night.

f. Trafficking in Persons.—The law does not specifically prohibit trafficking in women or men; however, the practice is not known to occur. A 1926 law specifically prohibits trafficking in children. There were no reports that persons were trafficked, to, from, or within the country.

KUWAIT

Kuwait is a constitutional, hereditary emirate ruled by princes (Amirs) drawn from the Al-Sabah family. The Al-Sabahs have governed in consultation with prominent commercial families and other community leaders for over 200 years. The 1962 Constitution provides for an elected National Assembly and details the powers of the Government and the rights of citizens, although the Constitution also permits the Amir to suspend any or all of its provisions by decree. Only 14.8 percent of citizens (males over the age of 21) have the right to vote. The most recent general election, held in July 1999, was conducted as provided in the Constitution after the Amir dissolved a gridlocked National Assembly. A by-election was held in December 2000 to fill the seat of a deceased MP. In both cases, the election campaigns were generally considered to be free and fair; however, there were some problems.

Citizens do not have the right to change their Government. Under the Constitution the National Assembly has a limited role in approving the Amir's choice of Crown Prince (that is, the future Amir). If the National Assembly rejects his nominee, the Amir then submits three names, from which the assembly must choose the new Crown Prince. The Amir traditionally has appointed the Crown Prince to be Prime Minister, although this is not mandatory; the Crown Prince appoints the members of the Government. However, the elected National Assembly has demonstrated the ability at times to influence or overturn decisions of the Government. Members regularly require ministers to appear before the full Assembly for formal question sessions when they are dissatisfied with the Government's performance. On occasion, pressure exerted by the National Assembly, including through votes of no confidence, has led to the resignation or removal of ministers. In February Assembly members called for formal questioning procedures against seven Cabinet members; partially as a result, the Government resigned. In accordance with the Constitution, the Amir then asked the Prime Minister to form a new Government, which he did with significant changes at key ministries.

The Government bans formal political parties, and women do not have the right to vote or seek election to the National Assembly. A law promulgated in 1998 bans primaries previously conducted by religious sects and tribes. The Constitution and law provide for a degree of judicial independence; however, the Amir appoints all judges, and renewal of most judicial appointments is subject to government approval.

The national police, the Criminal Investigation Division (CID) and Kuwait State Security (KSS) are responsible for internal security under the supervision of civilian authorities of the Ministry of Interior. Members of the security forces committed a number of human rights abuses.

With large oil reserves, the economy is highly dependent on its energy sector. The Government owns the Kuwait Petroleum Corporation and, despite its stated emphasis on an open market, it dominates the local economy through direct expenditures and government-owned companies and equities. Receipts from oil sales finance 90 percent of the government budget. The Government has divested itself of stock holdings in nearly all private companies purchased in 1986 to offset a stock market crisis. According to government statistics, 93 percent of the indigenous workforce is employed in the public sector, while foreigners constitute 94 percent of the private sector workforce. In approximate terms, within a total population of 2.2 million there are 860,000 citizens and a large middle class; 36,000 upper-income households reportedly have liquid assets in excess of \$500,000. Citizens enjoy one of the highest standards of living in the world, and receive subsidized housing, childcare, food allowances, and free education. While most foreign workers receive none of these benefits, some skilled workers receive free housing, allowances, and other benefits comparable to those provided to citizens. Domestic servants and unskilled workers often live and work in poor conditions. During the 2001 fiscal year (FY), the country's estimated per capita gross domestic product (GDP) was \$16,941 (5,165 dinars), 28 percent more than FY 2000. The increase reflects the significant rise in oil revenues due to higher world oil prices and a decrease in the number of resident foreign

workers. The estimated 2000–2001 budget deficit was \$680 million. For the current FY, the budget deficit is estimated at \$7.5 billion.

The Government generally respected the human rights of its citizens in many areas, and there were some improvements during the year; however, its record was poor in some significant areas. Some police and members of the security forces abused detainees during interrogation. Overcrowding in the prisons continued to be a problem; however, the Government neared completion on two new buildings for the Central Prison, which were expected to open by May 2002, and finalized plans for three additional buildings scheduled to be built between February and December 2002.

The judiciary is subject to government influence, and a pattern of bias against foreign residents exists. The Government infringes on citizens' privacy rights in some areas. Security forces occasionally monitor the activities of individuals and their communications. Men must obtain government approval to marry foreign-born women. The law empowers the Government to impose restrictions on freedom of speech and the press, and it uses threats to induce journalists to practice self-censorship. The Government restricts freedom of assembly and association. The Government places some limits on freedom of religion and freedom of movement. Deportation orders may be issued by administrative order, and detention facilities are estimated to hold over 250 potential deportees, some for up to 6 months. Violence and discrimination against women are problems. Discrimination against noncitizens persists.

The Government acknowledges that a serious problem exists in the case of the "bidoon," Arabs who have residency ties to the country—some going back for generations, some for briefer periods—but who claim to have no documentation of their nationality. Before the Gulf War, there were approximately 220,000 bidoon in Kuwait; at year's end, there were an estimated 80,000 bidoon, down from a total of 110,000 in 2000, as 30,000 bidoon were naturalized, admitted to another Arab nationality, or acquired another status by purchasing fraudulent passports from other countries. In June 2000, the National Assembly passed a law requiring that bidoon register with the Government to begin a process in which some could be documented as citizens. Those who failed to register would be considered illegal residents. The Government maintains that many bidoon are concealing their true nationality. It reports that 39,000 were documented in the last 18 months as nationals of other countries, primarily Syria and Saudi Arabia, and that an estimated 40 to 50 percent of the remaining cases are suspected nationals of other countries. The Government had stated that it would take punitive action against those who did not rectify their stateless status by the June 2000 deadline, although no such action had been taken by year's end. The number of bidoon purchasing fraudulent passports reportedly is on the rise.

The abuse of foreign women working as domestic servants is a significant problem, and there are continuing reports of the rape of these women by their employers and coworkers. Dozens of domestic servants reportedly committed or attempted to commit suicide during the year because of desperation over poor working conditions. The Government restricts worker rights. The Labor Law does not protect domestic workers, whose situation remains poor. Unskilled foreign workers suffer from the lack of a minimum wage in the private sector, from the Government's failure to enforce the Labor Law, and at times physical abuse; some work under conditions that, in effect, constitute indentured servitude. Young boys are used as jockeys in camel races. There were two reports of procurers kidnaping domestic servants off the street and forcing them into prostitution; in both cases, the criminals were arrested and the women were rescued.

The country suffered under Iraqi occupation from August 1990 to February 1991, when an international coalition expelled Iraqi forces. Many human rights violations committed by the Iraqi army during this period remain unresolved, particularly the fate of 608 citizens and other residents taken by Iraq and still unaccounted for.

Executive and legislative leaders continued to strengthen political institutions by resolving major disagreements within the framework of the Constitution and without recourse to extrajudicial measures.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life.—There were no reports of the arbitrary or unlawful deprivations of life committed by the Government or its agents.

There were no developments in the investigations into the extrajudicial killings that occurred during the chaotic period after the country's liberation in February 1991.

b. Disappearance.—There were no reports of politically motivated disappearances. According to the International Committee of the Red Cross (ICRC), Iraqi authorities have not accounted for 608 citizens and other residents taken prisoner during Iraq's occupation of the country. There has been no significant development since 1994 in these disappearance cases. The Government of Iraq has refused to comply with U.N. Security Council Resolution (UNSCR) 687, which stipulates the release of detainees. In 1999 Iraq ceased its participation in ICRC-sponsored talks regarding the fate of the detainees. The U.N. Secretary General's special representative, Yuli Vorontsov, reported in August that Iraq continues to refuse to cooperate with the U.N. regarding these cases.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—The Constitution prohibits torture; however, there continue to be credible reports that some police and members of the security forces abuse detainees during interrogation. Reported maltreatment includes blindfolding, verbal threats, and physical abuse. Police and security forces were more likely to inflict such abuse on noncitizens, particularly non-Gulf Arabs and Asians, than on citizens.

The Government states that it investigates all allegations of abuse and that it has punished at least some of the offenders. However, the Government does not make public either the findings of its investigations or what, if any, punishments are imposed. This omission creates a climate of apparent impunity, which diminishes deterrence against abuse.

Defendants have the right to present evidence in court that they have been mistreated during interrogation. However, the courts frequently dismiss abuse complaints because defendants are unable to provide physical evidence of abuse. Members of the security forces routinely do not reveal their identity during interrogation, a practice that further complicates confirmation of abuse.

Prison conditions, including conditions for those held for security offenses, meet or exceed international standards in terms of food, access to basic health care, scheduled family visits, cleanliness, and opportunities for work and exercise. Overcrowding in the prisons continued to be a problem; however, the Government began construction on two new prison buildings, which are expected to be completed by May 2002, and finalized plans for three additional buildings scheduled to be built between February and December 2002. The Government addressed the past problem of a lack of specialized medical care at the Central Prison by establishing in May an on-site hospital staffed by two full-time practitioners and a complete nursing staff. A team of three specialists attends the prisons weekly, and a psychiatrist is on call 24 hours; specialized health care is available from local hospitals. Approximately 1,800 men and 300 women are serving sentences or awaiting trial in prison; detainees are counted separately.

Unlike in the past, there were no reports of mistreatment of prisoners at the Talha or Central prisons, at the Shuwaikh deportation facility, or elsewhere. An estimated 250 deportees were being held at the deportation facility in Shuwaikh; some of these deportees have been kept there for up to 6 months waiting for their proper identity papers or for their country of nationality to accept them.

Drug-related offenders make up 60 percent of the Central Prison inmate population, and 46 percent of the total prison population. In September three inmates in the Central Prison died of drug overdoses. A police investigation into the deaths resulted in warranted searches of prisoners' cells in October. Ten inmates were found to be in possession of drugs and were segregated from the general prison population. In addition to nearing completion on the first two of five new prison buildings, the director of prisons also increased prison staffing, expanded the drug rehabilitation program for inmates, and increased the number of education programs available within the prisons, bringing in volunteers to teach academic and vocational classes. In July the Central Prison established a nursery for the children of female prisoners. Two of the five new buildings planned for completion by the end of 2002 will provide rehabilitation facilities for the worst drug offenders.

The National Assembly's Human Rights Committee closely monitored prison conditions throughout the year, and the Government allowed the International Commission of the Red Cross (ICRC) access to all prisons and detention facilities.

d. Arbitrary Arrest, Detention, or Exile.—The Constitution provides for freedom from arbitrary arrest and detention, and there were no reports that the Government arrested or detained persons arbitrarily.

In general police officers must obtain an arrest warrant from state prosecutors or a judge before making an arrest (see Section 1.f.), although in misdemeanor cases the arresting officer may issue them. Security forces occasionally detain persons at checkpoints in Kuwait City (see Section 2.d.).

Under the Penal Code, those suspected of serious crimes may be held for up to 4 days without charge, during which time security officers may prevent lawyers and

family members from visiting them. In such cases, lawyers are permitted to attend legal proceedings, but not have direct contact with their clients. If charges are filed, prosecutors may remand a suspect to detention for an additional 21 days. Prosecutors also may obtain court orders for further detention pending trial.

During the 1999 election campaign, five parliamentary candidates were arrested and charged with slander against the Government. One of the candidates was sentenced to 6 months in prison (see Sections 2.a. and 3); the sentence was not carried out and all charges were dropped.

Of the estimated 2,100 persons serving sentences or being detained pending trial at the state security prison or state security detention facilities, approximately 54 are being held on security grounds. Of the 16 members of a suspected indigenous terrorist cell who were arrested on security grounds in November 2000, 12 were acquitted of charges and released during the year. The leader of the group received a 7-year sentence in December 2000; the other three members are scheduled to face charges of conspiracy to commit murder and illegal possession of weapons in early 2002.

The Government may expel noncitizens (including bidoon, that is, Arabs who have residency ties to the country—some going back for generations, some for briefer periods—but who have no conclusive documentation of their Kuwaiti nationality), if it considers them security risks. The Government also may expel foreigners if they are unable to obtain or renew work or residency permits. There are approximately 250 bidoon and foreigners held in detention facilities, some of them pending deportation. Some detainees have been held for up to 6 months. Many deportation orders are issued administratively, without the benefit of a trial. However, the Government does not return deportees to their countries of origin forcibly, allowing those who object to remain in detention. This practice leads to prolonged detention of deportees, particularly Iraqis, who do not wish to return to their own countries. The practice also is a factor in the complex problem faced by stateless bidoon deportees, who essentially remain in detention because their stateless condition makes the execution of the deportation order impossible (see Sections 2.d. and 5).

The Talha deportation center, which had been criticized in previous years by human rights groups, formally was reconstituted as a minimum-security prison in March 2000. There were no allegations of the forced, prolonged detention of deportees in the facility during the year (see Section 1.c.).

The law protects citizens from forced exile, and there were no reports of this practice. The law provides that citizens found guilty of crimes that violate moral integrity, such as rape or incest, are forbidden from holding public jobs (see Section 5.a.). The Penal Code also provides that noncitizens convicted of felonies must be deported after finishing their jail terms. The Constitution prohibits deportation or forced exile of citizens. However, in certain circumstances, citizens may have their citizenship revoked, including citizens sentenced for a felony during the first 10 years of attaining citizenship, citizens discharged from a public job for acts against integrity during the first 10 years of attaining citizenship, and citizens who take up residence in a foreign country and join an authority that is designed to undermine Kuwait.

e. Denial of Fair Public Trial.—The Constitution provides for the right to a fair trial and states that “judges shall not be subject to any authority”; however, the Amir appoints all judges, and the renewal of judicial appointments is subject to government approval. Judges who are citizens have lifetime appointments; however, the majority of judges are noncitizens. Noncitizen judges hold 1- to 3-year renewable contracts, which undermine their independence. The Ministry of Justice may remove judges for cause, but rarely does so. Foreign residents involved in legal disputes with citizens frequently claim that the courts show a bias in favor of citizens.

The secular court system tries both civil and criminal cases. The Court of Cassation is the highest level of judicial appeal. Sunni and Shi’a Muslims have recourse to courts of their respective branches for family law cases. The Government established a Shi’a appellate court in 2000 that operated throughout the year. In the secular courts no groups are barred from testifying. Most courts consider men and women’s testimonies equally; however, in the family courts the testimony of one man is equal to the testimony of two women.

Defendants have the right to confront their accusers and appeal verdicts. The Amir has the constitutional power to pardon or commute all sentences. Defendants in felony cases are required by law to be represented in court by legal counsel, which the courts provide in criminal cases. In misdemeanor cases, defendants have the right to waive the presence of legal counsel, and the court is not required to provide counsel to indigent defendants. However, the Kuwaiti Bar Association is obligated upon court request to appoint an attorney pro bono for indigent defendants in civil, commercial, and criminal cases. While virtually all indigent criminal defend-

ants ask for and receive pro bono counsel, in practice very few indigent civil and commercial plaintiffs request this service.

Both defendants and prosecutors may appeal court verdicts to the High Court of Appeal, which may rule on whether the law was applied properly as well as on the guilt or innocence of the defendant. Decisions of the High Court of Appeal may be presented to the Court of Cassation, which conducts a limited, formal review of cases to determine only whether the law was applied properly.

In March the Court of Cassation commuted a 1993 military court's death sentence to a life sentence for Alaa Hussein, head of the Iraqi-installed "provisional" government during the occupation. The Chief Justice determined that Hussein expressed guilt and remorse for his actions by returning voluntarily to the country, and the Court commuted his sentence from death to life. In May 2000, a court had upheld Hussein's conviction for treason, as well as his death sentence. The trial appeared to have been conducted in a fair and open manner.

In March a private citizen brought a criminal court case against a writer for publishing obscene materials during the year. The case was in adjournment at year's end (see Section 2.a.).

The Government continues to incarcerate 20 persons (7 Iraqis, 8 bidoon, 2 citizens, 2 Palestinians, and 1 Syrian) convicted of collaboration with Iraq during the 1990-1991 occupation. Under the law, such collaboration is considered a felony. Most of the persons convicted in the Martial Law Court in 1991, and the Special State Security Court, which was abolished in 1995, did not receive fair trials. Amnesty International faulted the trials in general, and particularly noted the absence of any right of appeal of the verdicts. During the year, the Amir pardoned three Iraqis and four bidoon convicted by the martial law and state security courts.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—The Constitution provides for individual privacy and sanctity of the home, and the Government generally respects these rights in practice; however, the law, which generally requires police to obtain a warrant to search both public and private property, provides for a warrantless search if alcohol or narcotics are suspected on the premises or if police are in hot pursuit of a suspect fleeing the scene of a crime. A warrant may be obtained from the State Prosecutor or, in the case of searches of private property, from a judge. The security forces occasionally monitor the activities of individuals and their communications.

The law forbids marriage between Muslim women and non-Muslim men and requires men to obtain government approval to marry foreign-born women. Although the Government may advise men against marriage to a foreign national, there are no known cases of the Government refusing permission for such marriages. The Government advises women against marrying foreign nationals (see Section 2.c.).

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution provides for freedom of the press, printing, and publishing "in accordance with the conditions and manner specified by law," and, with a few exceptions, citizens are free to criticize the Government at public meetings and in the media; however, several laws empower the Government to impose restrictions on freedom of speech and the press and journalists practice self-censorship. During the year no court cases were initiated under the restrictive laws. The Government, through the Ministry of Information, practiced informal censorship by pressuring individual publishers and editors believed to have "crossed the line" in attacking government policies and discussing subjects deemed offensive to Islam, tradition, or the interests of the State.

Newspapers are privately owned and free to report on many social, economic, and political issues and frequently criticize government policies and officials, including the Crown Prince/Prime Minister. Press accounts at the beginning of the year, which questioned and criticized the Government, led to National Assembly members calling for formal question sessions of several cabinet members. Such actions may lead to votes of no confidence against Ministers, as well as their removal from office.

The Government ended prepublication censorship in 1992, but journalists still censor themselves. The Press Law prohibits the publication of any direct criticism of the Amir, official government communications with other states, and material that serves to "attack religions" or "incite people to commit crimes, creates hatred, or spreads dissension among the populace." Direct criticism by the press of the Cabinet's foreign and security policy occurred during the year as in other years.

In order to begin publication of a newspaper, the publisher must obtain an operating license from the Ministry of Information. Publishers may lose their license if their publications do not appear for 6 months. This 6-month rule prevents publishers from publishing sporadically. It is not used to suspend or shut down existing newspapers. Individuals also must obtain permission from the Ministry of Informa-

tion before publishing any printed material, including brochures and wall posters. There were no reported cases of the Ministry of Information denying permission to publish printed material during the year.

The Government does not censor foreign journalists and permits them open access to the country.

In 2000 the Government attempted to close two newspapers, charging them with publishing false information. After significant public criticism, particularly by the National Assembly, the Cabinet decided not to shut down the papers. The criticism led to the offer of resignation by the Cabinet in March 2000, which was not accepted at that time, and to proposals by National Assembly members to amend the constitutional article that permits government suspension of publications without review by the Assembly or the courts. As in 2000, no action was taken to amend the article during the year. The Government did not threaten to shut down any newspapers during the year.

The law requires jail terms for journalists who ridicule religion (see Section 2.c.). In contrast to prior years, there have been no prosecutions of print or broadcast journalists for ridiculing religion for 2 consecutive years. Unlike the previous year, there were no prosecutions of individuals or publishers related to book publications. Under the law, any citizen may initiate a court case against an author if the citizen deems that the author has defamed Islam, the ruling family, or public morals. Often these court cases are brought for political reasons. In September a private citizen filed criminal charges against a Kuwait University professor for speaking and writing about lesbianism and heterosexuality; the case remained in adjournment at year's end. In January 2000, two female authors, Leila Al-Othman and Alia Shuaib, were found guilty in two separate cases of writing "obscene" and "blasphemous" books. An appeals court overturned Shuaib's conviction in March 2000, but Al-Othman was indicted and fined \$3,000 (912 dinars), as was her publisher.

The Government owns and controls the local radio and television companies. Satellite dishes are widely available, and citizens with such devices are free to watch all available programming. During the year, state-owned Kuwait-TV broadcast women's gymnastics and swimming events from the 2000 Sidney Olympics that had been censored on the state-owned local television at the time the events originally had taken place because an Islamist National Assembly member criticized them as pornographic.

The Ministry of Information censors all books, films, videotapes, periodicals, and other imported publications deemed morally offensive. The Ministry censors media for political content as well and does not grant licenses to magazines with a political focus. The General Organization of Printing and Publishing controls the publication and distribution of informational materials.

The Internet is easily accessible; there reportedly are 165,000 regular Internet users, representing 8.5 percent of the total population. However, in August the Ministry of Communications issued new directives to Internet service providers to block "immoral" sites and some political sites. Internet providers responded by installing filtering technology. Each Internet service provider determines what sites to block, within the framework of censorship norms.

The Constitution provides for freedom of opinion and of research, and states that every person shall have the right to express and propagate his opinion verbally, in writing or otherwise. There is no formal government censorship of university teaching, research, or publication. However, academic freedom is limited by self-censorship and academics are subject to the same restraints as the media with regard to criticism of the Amir or Islam.

b. Freedom of Peaceful Assembly and Association.—The Constitution provides for the right to assembly; however, the Government restricts this right in practice. Public gatherings must receive prior government approval, as must private gatherings of more than five persons that result in the issuance of a public statement. Informal weekly, social and political gatherings of men, known as "diwanias," are protected by the Constitution. Practically every adult male citizen, including the Amir, members of the Government, and members of the National Assembly hosts or attends diwanias, at which topics of current interest are discussed. The diwaniya system contributes to the development of political consensus and official decisionmaking. Women are not precluded from holding diwanias; however, such diwanias are uncommon. By tradition women are barred from male diwanias.

The Constitution provides for the right of association; however, the Government restricts this right in practice. The Government bans political parties. However, several unofficial blocs, acting much like parties, exist and are active in the National Assembly (see Section 3).

All nongovernmental organizations (NGO's) must obtain a license from the Ministry of Social Affairs and Labor in order to be recognized officially. The Government

uses its power to license as a means of political control and there are 72 NGO's awaiting licensing by the Ministry. The Ministry has licensed 51 NGO's, including professional groups, a bar association, and scientific bodies; however, since 1985, it has issued only 5 new licenses. Licensed NGO's receive government subsidies for their operating expenses, including travel and per diem expenses for participating in international conferences. The Ministry has disapproved other license requests on the grounds that previously established NGO's already provide services similar to those proposed by the petitioners (see Sections 2.d. and 4). In June the Government canceled the licenses of three NGO's. These organizations had been receiving government subsidies of up to \$100,000 per year, although they had few members and undertook virtually no activities. Members of licensed NGO's must obtain permission from the Ministry before attending international conferences (see Sections 2.d. and 4). There were no cases of the Government denying or barring representatives of licensed NGO's from attending international conferences.

There are hundreds of unlicensed civic groups, clubs, and unofficial NGO's in Kuwait. They do not receive Government subsidies. In May 1999, in accordance with a 1993 decree that ordered unregistered NGO's to cease activities, the Government announced a crackdown on unlicensed branches of NGO's, whose activities it previously had overlooked, including unlicensed branches of Islamic charities, and required that they cease operations by mid-September 1999. No further action was taken pursuant to the announced crackdown (see Sections 2.c. and 4). However, in August the Government undertook efforts to prevent unlicensed charity collections by persons fraudulently misrepresenting themselves as part of charity groups. The Government intensified its supervision of all charity groups in the latter part of the year, as part of its effort to prevent any diversion of funds to terrorists and announced that unlicensed charities would be closed in 2002.

c. Freedom of Religion.—The Constitution provides for freedom of religion; however, the Government places some limits on this right. The Constitution also provides that the State protect the freedom to practice religion in accordance with established customs, "provided that it does not conflict with public policy or morals." Islam is the state religion. The Constitution states that Shari'a (Islamic law) is "a main source of legislation."

The procedures for registration and licensing of religious groups are unclear. The Ministry of Awqaf and Islamic Affairs has official responsibility for overseeing religious groups. Officially recognized churches must deal with a variety of government entities, including the Ministry of Social Affairs and Labor (for visas and residence permits for pastors and other staff) and the Kuwaiti Municipality (for building permits). While there reportedly is no official government "list" of recognized churches, seven Christian churches have at least some type of official recognition that enables them to operate openly. These seven churches have open "files" at the Ministry of Social Affairs and Labor, allowing them to bring in the pastors and staff necessary to run their churches. Further, by tradition three of the country's churches are recognized widely as enjoying full recognition by the Government and are allowed to operate compounds officially designated as churches: The Catholic Church (which includes two separate churches, the Roman Catholic and the Maronite), the Anglican Church, and the National Evangelical Protestant Church of Kuwait. The Roman Catholic Church faces problems of overcrowding at its two official church facilities. Its Cathedral in downtown Kuwait City regularly draws as many as 100,000 worshippers weekly, who attend more than 30 weekly services.

The other four churches reportedly are allowed to operate openly, hire employees, invite religious speakers, and conduct other such activities, all without interference from the Government; however, their compounds are, according to government records, registered only as private homes. Church officials themselves appear uncertain about the guidelines or procedures for recognition. Some have argued that these procedures are purposely kept vague by the Government so as to maintain the status quo. All other churches and religions have no legal status but are allowed to operate in private homes.

The procedures for the registration and licensing of religious groups also appear to be connected with government restrictions on NGO's, religious or otherwise. In 1993 all unlicensed organizations were ordered by the Council of Ministers to cease their activities. This order never has been enforced; however, since that time all but five applications by NGO's have been frozen (see Section 4). There were reports that in the last few years at least two groups have applied for permission to build their own churches, but the Government has not yet responded to their requests. In October the Government announced that all unlicensed branches of Islamic charities would be closed by the end of November (see Sections 2.b. and 4). At the end of the year, the Government announced that it would close in 2002 any unlicensed charities that had not obtained licenses.

Shi'a are free to conduct their traditional forms of worship without government interference and the overall situation for Shi'a improved during the year. However, there still are complaints regarding the scarcity of sufficient Shi'a mosques and the Government's slowness or failure to grant approval for the construction of new Shi'a mosques as well as the repair of existing mosques. There are approximately 35 Shi'a mosques, serving the 30–40 percent Shi'a population in the country, compared to the 1,300 Sunni mosques. During the year, the Government began to address such concerns by licensing the construction of three new mosques. It also overturned a decision by the municipality of Kuwait to deny the government-approved construction of a mosque in the central Al-Qurain area.

In addition the Government took steps toward greater equality for Shi'a by instituting a separate appellate court to try Shi'a family law cases and by agreeing to establish an independent Shi'a charity authority comparable to Sunni Awqaf and nongovernmental entities (that formerly controlled all donations going to religious charities).

Shi'a leaders also have complained that Shi'a who aspire to serve as imams are forced to seek appropriate training and education abroad due to the lack of Shi'a jurisprudence courses at Kuwait University's College of Islamic Law, which only offers Sunni jurisprudence. However, to address this longstanding concern the Ministry of Education currently is reviewing an application to establish a private college to train Shi'a clerics within the country. Shi'a reportedly no longer express concern that certain pending proposed legislation within the National Assembly fails to take into account beliefs specific to the Shi'a.

The Roman Catholic, Anglican, National Evangelical, Greek Orthodox, Armenian Orthodox, Coptic Orthodox, and Greek Catholic Churches are able to operate freely on their compounds, holding worship services without government interference. The leaders of these churches state that the Government generally has been supportive of the churches' presence, even providing police security and traffic direction as needed. Other Christian denominations (including Mormons, Seventh Day Adventists, Marthoma, and Indian Orthodox), while not recognized legally, are allowed to operate in private homes or in the facilities of recognized churches. Members of these congregations have reported that they are able to worship without government interference, provided that they do not disturb their neighbors and do not violate laws regarding assembly and proselytizing.

Members of religions not sanctioned in the Koran, such as Hindus and Buddhists, may not build places of worship, but are allowed to worship privately in their homes without interference from the Government.

The Government prohibits missionaries from proselytizing to Muslims; however, they may serve non-Muslim congregations. The law prohibits organized religious education for religions other than Islam, although this law is not enforced rigidly. Informal religious instruction occurs inside private homes and on church compounds without government interference. However, there were reports that government "inspectors" periodically visit public and private schools outside of church compounds to ensure that no religious teaching other than Islam takes place.

The Government does not permit the establishment of non-Islamic publishing companies or training institutions for clergy. Nevertheless, several churches do publish religious materials for use solely by their congregations. Further, some churches, in the privacy of their compounds, provide informal instruction to individuals interested in joining the clergy.

A private company, the Book House Company Ltd., is permitted to import significant amounts of Bibles and other Christian religious material—including videotapes and compact discs—for use solely among the congregations of the country's recognized churches. The Book House Company is the only bookstore that has an import license to bring in such materials, which also must be approved by government censors. There have been reports of private citizens having non-Islamic religious materials confiscated by customs officials upon arrival at the airport.

Although there is a small community of Christian citizens, a law passed in 1980 prohibits the naturalization of non-Muslims. However, citizens who were Christians before 1980 (and children born to families of such citizens since that date), are allowed to transmit their citizenship to their children.

According to the law, a non-Muslim man must convert to Islam when he marries a Muslim woman if the wedding is to be legal in the country. The law forbids marriage between Muslim women and non-Muslim men (see Section 1.f.). A non-Muslim woman does not have to convert to Islam to marry a Muslim man, but it is to her advantage to do so. Failure to convert may mean that, should the couple later divorce, the Muslim father would be granted custody of children, even those very young who most likely would have been left in the mother's custody if she were Muslim.

The law requires jail terms for journalists who ridicule religion (see Section 2.a.). However, there were no cases during the year of writers being threatened or charged with publishing opinions un mindful of Islamic norms. The last such cases concluded in March 2000, when an appeals court acquitted Alia Shuaib of writing books that were "blasphemous" and "obscene," and fined Laila Al-Othman \$3,000 (912 dinars) on similar charges.

The Vatican mission in the country was upgraded from charge d'affaires to Ambassadorial status in September. The Papal Nuncio resides in Kuwait City and also represents Vatican interests in the other Gulf States and Yemen. The Church views the Government's acquiescence to establishing relations with the Vatican as significant in terms of government tolerance of Christianity.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The Government places some limits on freedom of movement. Citizens have the right to travel freely within the country and to change their work place as desired. Unmarried women 21 years old and over are free to obtain a passport and travel abroad at any time. However, married women who apply for passports must obtain their husbands' signature on the application form. Once she has a passport, a married woman does not need her husband's permission to travel, but he may prevent her departure from the country by contacting the immigration authorities and placing a 24-hour travel ban on her. After this 24-hour period, a court order is required if the husband still wishes to prevent his wife from leaving the country. All minor children must have their father's permission to travel outside of the country. Citizens are free to emigrate and to return. Security forces in Kuwait City occasionally set up checkpoints at which they may detain individuals. The checkpoints are mainly for immigration purposes and are used to apprehend undocumented aliens.

The Government has the right to place a travel ban on any citizen or foreigner who has a legal case pending before the courts. Members of licensed NGO's must obtain government approval to attend international conferences as official representatives of the NGO (see Sections 2.b. and 4). The Government severely restricts the ability of its bidoon population to travel abroad (see Section 5).

The Government has abandoned its previous policy of limiting the presence of workers from nations whose leaders had supported Iraq in the Gulf War. In August the Interior Minister announced that there were no longer any special restrictions or permits required for Palestinian workers wishing to return to the country. At year's end, there were an estimated 35,000 Palestinians and Jordanians, and 4,000 Yemenis resident in Kuwait.

While the Government permits the ICRC to verify if deportees object to returning to their countries of origin, it detains those with objections until they either change their minds or make alternative arrangements to travel to a third country (see Section 1.d.).

There is no legislation governing refugees, asylees, or first asylum, and no clear standard procedure for processing a person's claim to be a refugee. The Constitution prohibits the extradition of political refugees. The Government states that it does not deport anyone who claims a fear of persecution in their home country, but it often keeps such persons in detention rather than grant them permission to live and work in the country (see Section 1.d.). There were no reports of forced return of persons to countries where they feared persecution. The U.N. High Commissioner for Refugees (UNHCR) maintains an office in the country and has access to refugees in detention. The Government does not provide first asylum and the issue of the provision of first asylum did not arise during the year.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government. Under the Constitution the National Assembly has a limited role in approving the Amir's choice of Crown Prince (that is, the future Amir). If the Assembly rejects the Amir's nominee, the Amir then submits three names from which the Assembly must choose the new Crown Prince. There is no universal suffrage; only about 14.8 percent of citizens have the right to vote. Women, and citizens naturalized for less than 20 years, may not vote or seek election to the National Assembly. Members of the armed forces, police, and other uniformed personnel of the Ministry of Interior are prohibited from voting or seeking election to the National Assembly.

Under the Constitution, the Amir holds executive power and shares legislative power with the National Assembly. The Prime Minister is appointed by the Amir and presides over a 16-member cabinet, which he chooses in consultation with the Amir. In accordance with the practice of the ruling family (but not specifically the Constitution), the Prime Minister always has been the Crown Prince. The Constitu-

tion empowers the Amir to suspend its provisions and to rule by decree. The Amir suspended constitutional provisions and dissolved the National Assembly from 1976–81, and in 1986 the Amir effectively dissolved the Assembly by suspending the constitutional provisions on the Assembly's election. The Assembly remained dissolved until 1992, when elections were held. Since 1992 the constitutional provisions with respect to the Assembly have been observed. The Constitution provides that cabinet members sit in the National Assembly and may vote on legislation.

There are 50 elected National Assembly members. Members serve 4-year terms, and National Assembly elections have been held on schedule since 1992. The Government bans political parties. Nonetheless, several well organized although unofficial blocs, acting much as political parties, exist and are active in the National Assembly. The Government acknowledges and, at times, works with these blocs, which are organized on the basis of common ideological goals. Most political blocs joined to form coalitions during the year. The coalitions issued platforms and expressed an intention to run together in the next elections. Several called for formal recognition as political parties, although the Government indicated that it was not prepared to acknowledge them as such. Because of the ban on political parties, Assembly candidates must nominate themselves.

The Constitution empowers the National Assembly to overturn any Amiri decrees made during its dissolution, and the Assembly has done so in some cases. During its first session of 1999, the National Assembly rejected 35 of 60 Amiri decrees issued during the dissolution of the Assembly, including the decree providing for women's political rights. The Assembly extensively amended many Amiri proposals in 2000 and during the year.

In May 1999, the Amir dissolved the National Assembly in response to the political gridlock that developed between Parliament and the Government. Elections were held 2 months later as specified in the Constitution.

The 1999 election campaign generally was free and fair; however, there were some problems. Five parliamentary candidates were arrested and charged with slander against the Government. Four of those arrested received nominal fines, had their cases postponed, or were acquitted. While the candidates were not required to withdraw from the election, the fifth candidate withdrew, subsequently was convicted of the charges, and was sentenced to 6 months in prison. The sentence was not carried out (see Sections 1.d. and 2.a.).

In December 2000, a by-election was held to fill the seat of a deceased Assembly member. The election campaign was considered generally free and fair; however, there were some allegations of vote-buying.

In February the Cabinet resigned after a number of its members were scheduled for intense formal questioning by the National Assembly. At the request of the Amir, the Prime Minister formed a new government that included changes in key ministerial positions.

In October various Assembly members proposed formal questioning of four Ministers. In the most serious case, the Minister of Oil was accused of being an agent for a foreign petroleum company because his wife was allegedly on the company's payroll. Liberal Assembly members complained that Islamists were using the threat of formal questioning to change government policy on specific issues, such as regulation of Islamic charities and gender segregation.

Charges filed against several hundred citizens in the Government's attempt to enforce the ban on tribal primaries during the July 1999 elections never were brought to trial. During its fall 2000 session, the National Assembly declined to lift the parliamentary immunity of the two newly elected members the Public Prosecutor had sought to charge with violating the ban on tribal primaries. The case subsequently was abandoned, and no further action was taken during the year.

The percentage of women and minorities in government and politics does not correspond to their percentage of the population. Women have little opportunity to influence government. A May 1999 Amiri decree gave women the right to vote, to seek election to the National Assembly beginning with the National Assembly election scheduled for 2003, and to hold cabinet office. However, in November 1999, the Parliament vetoed the Amir's May decree, based in part on the Amir having bypassed the Assembly by introducing the change while the Assembly was not in session and in part on traditionalist resistance to women's suffrage. Shortly thereafter members of the Assembly introduced identical legislation, but it also was defeated. No new legislation has been introduced by either the Government or by Assembly members. In June a poll of Kuwait University students showed that 84 percent of female students and 65 percent of male students favor women's suffrage. Women do hold some relatively senior nonpolitical positions within some ministries.

Members of the Shi'a minority are underrepresented in high government positions. There is only one Shi'a member of the Cabinet, the Minister of Commerce. Of 50 National Assembly members, 6 are Shi'a, as is the armed forces chief of staff.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government continued its practice of preventing the establishment of new local human rights groups by not approving their requests for licenses (see Section 2.b.). Since 1985 the Government has issued only five licenses. The Government has refused other license requests on the grounds that previously established NGO's already provide services similar to those proposed by the petitions. Members of licensed NGO's must obtain permission from the Government to attend international conferences as official representatives of the NGO; however, there were no cases of NGO's being restricted from attending any conference during the year (see Sections 2.b. and 2.d.).

The Government has not shut down any unlicensed NGO's since it announced a crackdown in 1999 that ended in early 2000. In August the Government began prohibiting public collection boxes for unlicensed Islamic charities in law enforcement efforts against persons fraudulently misrepresenting themselves as charity groups; in October the Government stated that it would soon close unlicensed charities. At year's end, the Government announced that it would close all unlicensed charities in 2002 (see Sections 2.b. and 2.c.).

The Government permits international human rights organizations to visit the country and to establish offices. Several organizations conduct fieldwork and report excellent communication with and reasonable cooperation from the Government. For example, Amnesty International and Human Rights Watch regularly exchange information with the Government either directly or through the Arab Human Rights Organization.

The Government has cooperated fully in the work of the U.N. Special Rapporteurs for Iran and Iraq and the high-level representative of the Secretary General on the issue of Kuwaitis missing in Iraq since the end of the Gulf War. In 2000 the Government submitted its first periodic report on the implementation of the International Covenant on Civil and Political Rights.

The Government cooperated closely with the International Labor Organization (ILO), which sent two senior officials in November to advise Kuwait on how to improve its labor situation. At the ILO's urging, the Government agreed to ratify the remaining two of eight conventions from the ILO's Declaration of Basic Rights at Work.

The National Assembly has an active Human Rights Committee, which takes testimony from individuals regarding abuses, investigates conditions in prisons and nursing homes, and makes nonbinding recommendations for redress. Despite its designation as an advisory body, the Human Rights Committee has shown that, in practice, it is able to mobilize government agencies to address egregious human rights problems. In July the committee announced that it would publish an annual report on human rights in the country.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution prohibits discrimination based on race, national origin, language, or religion. However, many laws and regulations discriminate against women and noncitizens, who face widespread social, economic, and legal discrimination.

Women.—Violence against women is a problem. According to some local experts, domestic abuse of women occurs in an estimated 15 percent of all marriages. Each of the country's 50 police stations reportedly receives on average 1 to 2 complaints of spousal abuse each week, although this may be understated. Of the complaints received, approximately 60 percent involve spousal abuse of noncitizen women. The police and the courts generally seek to resolve family disputes informally and may ask the offending spouse to sign a statement affirming that he agrees to end the abuse. The police refer serious cases to the Psychiatric Department at the Ministry of Health. The courts have found husbands guilty of spousal abuse. The prevalence of spousal abuse is uncertain, due mainly to the reluctance of women to report it. There are no legally mandated restrictions on dress for women.

Rape and sexual assault remain serious problems, particularly for foreign domestic servants or unskilled workers. The police occasionally arrested rapists who held their victims for a period of days, raping them repeatedly. Several cases of rape involved the culprits impersonating police or security officers and luring women to isolated areas on the pretext of arresting them. In September the Court of Cassation affirmed the 15-year sentence of a man convicted of a crime of this nature. There

is no specific article in the Penal Code addressing spousal rape, but the courts can find a husband guilty of abuse, depending on the circumstances of the case and the damages sustained by his wife.

Some employers physically abuse foreign women working as domestic servants, and, despite economic and social difficulties for a domestic servant who lodges a complaint, there are continuing reports of the rape of such women by male employers and male coworkers. The local press devotes considerable attention to the problem, and both the police and the courts have taken action against employers when presented with evidence of serious abuse. Some rapes resulted in unwanted pregnancies. There were reports of domestic servants killing soon after birth children that were fathered by employers. Occasionally domestic workers were charged with assaulting their employers; in such cases, the workers claimed that they acted in response to physical abuse or poor working conditions. There were also dozens of reports of domestic workers committing or attempting to commit suicide because of desperation over poor working conditions. In general these involved hanging or jumping from windows; in September an Asian maid reportedly attempted suicide by lighting herself on fire. In November an Asian maid committed suicide by burning herself to death.

Foreign-born domestic employees have the right to sue their employers for abuse, but few do so fearing judicial bias and deportation. In 2000 the Government reduced the operations of a specialized police facility designated to investigate complaints and provide some shelter for runaway maids; this resulted in a further deterioration of conditions for domestic employees (see Sections 6.c. and 6.e.). The operations of this facility remained limited.

In 2000 a Sri Lankan maid was beaten severely with a plastic water pipe, strangled with a wire, and repeatedly tortured with a hot iron, allegedly by a Kuwaiti couple who employed her. She had worked for this family for over a year, during which time she reported that her employers did not feed her regularly and withheld her salary. The maid suffered permanent damage to her face, neck, ears, and arms. In December, the Kuwaiti woman was sentenced to seven years in jail and began serving her sentence at year's end, while the other family members were acquitted.

In August the criminal court postponed hearing the case of an Indonesian domestic worker who was beaten to death with a vacuum cleaner by her female employer. The entire family admitted to regularly beating her with hard objects for several months. The Kuwaiti woman was being held in prison without bail at year's end.

The employers who beat to death their Sri Lankan maid in August 1999 remained in jail awaiting trial at year's end. There were no new developments in the cases of an Indian maid beaten to death by her employer in 1999, and the kidnap, rape, torture, and beating of a group of four domestic workers allegedly by state security employees in June 2000.

In cases in which individuals were convicted of attacking their employees, sentences varied. In July the court issued a sentence of 10 years to a man convicted of beating his maid to death in August 1999; his teenage son was placed in detention for an unspecified period as a juvenile accomplice. In September the courts sentenced one noncitizen to deportation for life for raping a housemaid, while another noncitizen was sentenced to 7 years imprisonment, to be followed by deportation, after beating his Asian maid and then locking her in a room to starve her until she would have sex with him. In October the court threw out a case of a runaway maid who was reportedly picked up by two rapists and held for 4 days, because she did not cry for help or attempt to escape when left alone by the alleged rapists.

Runaway servants, including many women alleging physical or sexual abuse, often seek shelter at their country's embassy for repatriation or a change in employers (see Sections 6.c. and 6.e.). At any given time, nearly 1,000 women are reported to be in Embassy shelters.

Unemployed, runaway foreign domestic workers are susceptible to recruitment into prostitution. The police actively enforce laws against pandering and prostitution, with arrests reported almost every week. Police carried out large-scale anti-prostitution sweeps in Kuwait City and its suburbs in January, March, and October, arresting hundreds of procurers and prostitutes. Prostitutes generally are deported to their countries of origin. Procurers often receive stiff jail terms. In August an Asian man who established a brothel was sentenced to 13 years' imprisonment. There were two reports during the year of procurers kidnaping maids off the street and forcing them into prostitution. In both cases, police investigated missing persons reports filed by employers and made arrests.

"Honor" crimes occur very infrequently; there is no provision in the Criminal Code that allows for leniency in such cases.

Women continue to experience legal and social discrimination. Women are denied the right to vote (see Section 3). Their testimony is not given equal weight to that

of men in the family courts (see Section 1.e.). Married women require their husbands' permission to obtain a passport (see Section 2.d.). By law only men are able to confer citizenship; therefore, children born to citizen mothers and stateless fathers are themselves stateless. The Government forbids marriage between Muslim women and non-Muslim men (see Sections 1.f. and 2.c.). Inheritance is governed by Islamic law, which differs according to the branch of Islam. In the absence of a direct male heir, Shi'a women may inherit all property, while Sunni women inherit only a portion, with the balance divided among brothers, uncles, and male cousins of the deceased.

As in previous years, women's rights activists brought cases (five during the year) asking the courts to order that they be allowed to register to vote. Several of the cases were turned down on procedural grounds; the two that remained active at year's end repeatedly had faced temporary adjournments. Both remaining sets of plaintiffs stated that their goal was for the Constitutional Court to rule that the current election law was unconstitutional. The activists claimed that the two remaining cases are not vulnerable to the technicalities that caused previous suits to be dismissed.

Women traditionally are restrained from choosing certain roles in society, and the law restricts women from working in "dangerous industries" and trades "harmful" to health. However, almost all citizens work for the state in office jobs, and women are allowed into most areas of the bureaucracy, including oil well firefighting units. Educated women maintain that the conservative nature of society limits career opportunities. Nonetheless an estimated 33 percent of women of working age are employed. The law provides for "remuneration equal to that of a man provided she does the same work." This provision is respected in practice. Women work as doctors, engineers, lawyers, bankers, and professors. A few have been appointed to senior positions in the Ministry of Education, the Ministry of Planning, and the state-owned Kuwaiti Petroleum Corporation. There is one female ambassador and there are two female undersecretaries; however, there are no female judges or prosecutors.

There is no specific law that addresses "sexual harassment"; however, it is not reported to be a widespread problem. Individuals who believe they are being harassed may file complaints that could result in administrative or criminal measures being taken against the harasser.

In cases of divorce, the Government makes family entitlement payments to the divorced husband, who is expected by law and custom to provide for his children even though custody of minor children usually is given to the mother. The law discriminates against women married to foreign men. Such women are not entitled to government housing subsidies, which are available to male citizens. The law also requires women to pay residence fees for their husbands and does not recognize marriage as the basis for granting residency to foreign-born husbands. Instead the law grants residency only if the husband is employed. By contrast male citizens married to foreign-born women do not have to pay residency fees for their spouses, and their spouses' right to residency derives from marriage. In September a group of divorced women announced plans to form an NGO. The group would counsel divorced women, educate them regarding their rights, and help ensure that former husbands were meeting their legal obligations.

Despite a legal requirement to segregate Kuwait University by gender by July 31, classrooms remained largely coeducational. However, men and women practiced voluntary self-segregation, either by members of each gender sitting on opposite sides of a given classroom or by one gender choosing not to enroll in a given course. In July Islamist parliamentarians indicated that they would subject the Education Minister to formal questioning over the failure of the University to meet the deadline. Leading the call for questioning were Assembly members who voted for the law in 1996.

In October the Minister of Education submitted a report on measures already taken and future plans for gender segregation. He claimed that cafeterias and hundreds of freshman and sophomore classes already had been segregated, but unless additional funds become available, it would be impossible to proceed with plans for new buildings and a new Women's College. The Minister estimated the total cost of gender segregation at approximately \$1.8 billion.

Polygyny is legal. It is more common among tribal elements of the population. A husband is obliged to inform his first wife that he is taking a second wife. The husband is obligated to provide the first wife a separate household if that is her preference. A first wife who objects to a second marriage may request a divorce, but the court's determination of divorce and child custody must be made on grounds other than the fact of the second marriage itself.

There are several women's organizations that follow women's issues, among the most active of which are the Women's Cultural and Social Society (WCSS) and the Women's Affairs Committee.

Children.—The Government is committed to the welfare of children. Citizen boys and girls receive a free education, which extends through the university level, including advanced degrees. The Government provides free health care and a variety of other services to citizen children; noncitizen children must pay a small fee to be admitted into a health facility and additional fees for specialized care. Citizen parents also receive a monthly government allowance for each child.

The marriage of girls under the age of 17 is uncommon among the urban population but remains a practice of the Bedouins in outlying areas. There are credible reports of South Asian and Southeast Asian girls working as domestic servants (see Section 6.d.).

There is no societal pattern of abuse of children. There were cases of male youths, some as young as 6 years old, raped by men or gangs of other male youths.

Young boys are used as camel jockeys (see Sections 6.c., and 6.d.).

Persons with Disabilities.—There is no institutionalized discrimination against persons with disabilities in employment, education, or in the provision of state services. Legislation passed by the National Assembly in 1996 mandated accessibility for persons with disabilities to all public facilities, and provides an affirmative action employment program for persons with disabilities. However, this law has not been implemented fully. The law prohibits discrimination against persons with disabilities and imposes penalties against employers who refrain from hiring persons with disabilities without reasonable cause. The Government pays extensive stipends to persons with disabilities, which cover transportation, housing, job training, and social welfare.

In October the Government announced a biannual \$500,000 prize for research to aid persons with special needs to be administered in conjunction with the U.N. Economic, Social, and Cultural Organization (UNESCO).

Religious Minorities.—The Government discriminates in some instances against the Shi'a minority. They have been disadvantaged in provision of mosques and in access to religious education. The Shi'a are underrepresented in high government positions.

While some discrimination based on religion reportedly occurs on a personal level, most observers agree that it is not widespread. There is a perception among some domestic employees and other members of the unskilled labor force, particularly nationals of Southeast Asian countries, that they would receive better treatment from employers as well as society as a whole if they converted to Islam. However, others do not see conversion to Islam as a factor in this regard.

National/Racial/Ethnic Minorities.—The plight of the 80,000 bidoon remains a significant problem, and the Government continues to address the issue. The bidoon (a term meaning "without") are Arabs who have residency ties to Kuwait—some going back for generations, some for briefer periods—but who have no documentation of their nationality. The bidoon have been the objects of harsh government policy since the mid-1980's. Since 1985 the Government has eliminated the bidoon from the census rolls, discontinued their access to government jobs and free education, and sought to deport many. In 1993 the Government decreed that bidoon males no longer would be allowed to serve in the military; however, in July the Minister of Defense suspended action to force bidoon to resign from the Army. The Government has denied bidoon official documents such as birth certificates, marriage certificates, civil identification, and drivers' licenses, which has made it difficult for many unregistered bidoon, particularly young bidoon, to find employment. Bidoon pay more for medical care than citizens do, although less than third-country residents. The Government does not issue travel documents to bidoon routinely, and if bidoon travel abroad without documentation, they risk being barred from returning to the country unless they receive advance permission from the immigration authorities. Marriages pose special hardships because the offspring of male bidoon inherit the father's undetermined legal status.

A law passed in June 2000 required bidoon to register by June 27, 2000 to begin a process in which they could be documented as citizens. The law provides that bidoon who are able to prove sufficient ties to the country (that is, their presence, or the presence of their forebears, in the country prior to 1965) are eligible to apply for citizenship directly. The Government currently has 80,000 bidoon cases on file. Of these, 44,000 officially have registered as bidoon and may be naturalized directly from bidoon status, if they are able to prove Kuwaiti nationality. (Approximately 36,000 of this group of 44,000 registered during a 1965 census or are descendants of those who registered in 1965; the other 8,000 registered in June 2000.) The Government considers the remaining 36,000 of the overall 80,000 to be illegal aliens;

they still may apply for Kuwaiti nationality, but first must adopt some third-country citizenship. However, the Government maintains that at least 40 to 50 percent of the total of 80,000 bidoon are concealing their true identities. While the law allows up to 2,000 registered bidoon to be naturalized each year, the Government only granted citizenship to 500 to 600 during the year. However, an additional 6,900 bidoon in 3 categories—wives of citizens, sons of Kuwaiti women married to bidoon, and those whose male relatives are citizens—have been permitted to apply for citizenship beyond the 2,000 per year limit.

The Government has not clearly stated what will happen to bidoon unable to provide documentation proving sufficient ties. An Executive Committee in Charge of the Bidoon under the Ministry of Interior has been designated to resolve the issue. The Government had stated that those who did not register by the June 27, 2000 shut-off date and who do not rectify their status will be subject to deportation as illegal residents; however, no such action was taken during the year. There were no reports during the year that the Government decided the nationality of any bidoon without a hearing. As a result of what it claimed were fraudulent claims, the Government brought forgery charges against dozens of bidoon applicants for naturalization. There was only one forgery conviction, by year's end.

Since July 2000, when the new law went into effect, 39,000 bidoon have been documented as citizens of other countries. Most have admitted to Saudi or Syrian origin. Once documented, bidoon are able to obtain residency permits and other official papers. However, there also are credible reports of government authorities encouraging bidoon to purchase counterfeit passports in order to establish a claim to an alternate nationality. For example, during the first half of the year, 600 bidoon reportedly received Liberian citizenship and passports in return for a \$5000 fee paid to the Liberian Government. Purchasing a fraudulent passport allows bidoon to receive a residency permit and other civil documents, to marry, and to work. However, bidoon have difficulty obtaining visas to travel abroad on these passports, as they easily are detected as fraudulent, and they may have difficulty renewing these passports when they expire. Under the law, bidoon who admit to another nationality (or who purchase a passport from a country to which they have no true connection) do not automatically forfeit their claim to citizenship based on Kuwaiti residency prior to 1965. However, the law does not permit dual nationality; thus, if former bidoon eventually are naturalized, they must renounce their original or fictitious nationality.

There were no reports during the year that the Government enforced the policy of prior years limiting the presence of workers from nations whose leaders had supported Iraq in the Gulf War, especially Palestinians, Jordanians, and Yemenis. In August the Interior Minister announced that there were no longer any special restrictions or permits required for Palestinian workers wishing to return to the country. In the fall, the Government instituted a program to recruit Palestinian teachers and university professors to work in the country.

Section 6. Worker Rights

a. The Right of Association.—Workers have the right to join unions. Nonetheless, the Government restricts the right of freedom of association by stipulating that there be only one union per occupational trade, and that unions may establish only one federation. The International Labor Organization (ILO) long has criticized such restrictions.

Approximately 52,000 persons, less than 5 percent of a total work force of 1.2 million, are organized into 15 unions, 13 of which are affiliated with the Kuwait Trade Union Federation (KTUF), the sole legal trade union federation. The Bank Workers Union and the Kuwait Airways Workers Union, consisting of approximately 4,500 workers, are independent of the KTUF. The law stipulates that any new union must include at least 100 workers, of whom at least 15 must be citizens. Both the ILO and the International Confederation of Free Trade Unions (ICFTU) have criticized this requirement because it discourages unions in sectors that employ few citizens, such as the construction industry and the domestic servant sector; only 7 percent of employed citizens work in the private sector. Despite past draft proposals under consideration for more than 10 years, and KTUF complaints, no new labor law was enacted during the year.

The new draft Labor Law was submitted in November to the Council of Ministers. At year's end, it was waiting to be passed on to the National Assembly for approval, which was expected to take place in early 2002.

The Government's pervasive oversight powers further erode union independence. The Government subsidizes as much as 90 percent of most union budgets and may inspect the financial records of any union. The ILO has criticized the legal prohibition on any union from engaging in political or religious activities, which are vague-

ly defined. The law empowers the courts to dissolve any union for violating labor laws or for threatening "public order and morals," although such a court decision may be appealed. The Amir also may dissolve a union by decree. By law the Ministry of Social Affairs and Labor is authorized to seize the assets of any dissolved union. The ILO has criticized this aspect of the law. Although no union has been dissolved, the law subordinates the legal existence of the unions to the power of the State.

According to June government statistics, 975,961 foreigners were employed in the country. They constituted over 80 percent of the work force but only 10 percent of the unionized work force. The Labor Law discriminates against foreign workers by denying them voting rights and by permitting them to join unions only after 5 years of residence, although the KTUF states that this requirement is not enforced. The KTUF administers an Expatriate Labor Office, which is authorized to investigate complaints of foreign laborers and provide them with free legal advice. Any foreign worker covered under the Labor Law, which excludes domestic servants, may submit a grievance to the Labor Office regardless of union status. However, such services are not utilized widely.

In November two senior members of the ILO Secretariat advised the Government on how to improve its labor situation. At the ILO's urging, the Government agreed to ratify the remaining two of eight conventions from the ILO's Declaration of Basic Rights at Work. In addition to other areas of ongoing concern, the ILO officials also pointed to problem areas where the Government could make improvements, including the low wages and widespread abuse of domestic servants and the lack of a minimum wage for workers, who must pay health, education, and other fees to the Government. The ILO officials commended the Government for progress in increased freedoms for existing trade unions and improved rights for workers, such as sick leave and end-of-service benefits.

The law limits the right to strike. It requires that all labor disputes must be referred to compulsory arbitration if labor and management are unable to reach a solution (see Section 6.b.). The law does not contain any provision ensuring strikers freedom from legal or administrative action taken against them by the State. However, the Ministry of Labor and Social Affairs has proved responsive to sit-ins or protests by workers who face obvious wrongdoing by their employers.

In September 300 foreign workers staged a one-day work stoppage at a fast food restaurant chain, complaining that they had not been paid for nearly 9 months. The workers filed a complaint with the Ministry of Social Affairs and received prominent coverage in the local press.

Unions may affiliate with international bodies. The KTUF belongs to the International Confederation of Arab Trade Unions and the formerly Soviet-controlled World Federation of Trade Unions.

b. The Right to Organize and Bargain Collectively.—Workers have the right to organize and bargain collectively, subject to certain restrictions (see Section 6.a.). These rights have been incorporated in the Labor Law and, according to all reports, have been respected in practice.

The Labor Law provides for direct negotiations between employers and "laborers or their representatives" in the private sector. Most agreements are resolved in such negotiations; if not, either party may petition the Ministry of Social Affairs and Labor for mediation. If mediation fails, the dispute is referred to a labor arbitration board, which is composed of officials from the High Court of Appeals, the Attorney General's office, and the Ministry of Social Affairs and Labor.

The Civil Service Law makes no provision for collective bargaining between government workers and their employer. Technically, wages and conditions of employment for civil service workers are established by the Government, but in practice, the Government sets the benefit scales after conducting informal meetings with officials from the civil service unions. Union officials resolve most issues at the working level and have regular access to senior officials.

The Labor Law prohibits antiunion discrimination. Any worker who alleges antiunion discrimination has the right to appeal to the judiciary. There were no reports of discrimination against employees based on their affiliation with a union. Employers found guilty of antiunion discrimination must reinstate workers fired for union activities.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor.—The Constitution prohibits forced labor "except in cases specified by law for national emergency and with just remuneration"; however, many unskilled foreign workers are treated like indentured servants (see Section 6.e.). The Constitution prohibits forced and bonded labor by children. However, there are reports of young boys being used as camel jockeys, as well as girls working as domestic servants (see Section 6.d.).

Foreign workers generally may not change their employment without permission from their original sponsors unless they have been in the country for over 2 years. However, in August the Government imposed a 3-month moratorium that temporarily waived restrictions on laborers and domestic workers, allowing them to transfer their residency sponsorships to new employers without penalty. Domestic workers particularly are vulnerable to abuses stemming from restrictions on transferring sponsorship because the Labor Law does not protect them. In many cases employers exercise control over their servants by withholding their passports, although the Government prohibits this practice and in some instances has acted to retrieve the passports of maids involved in disputes.

Some foreign workers, especially unskilled or semiskilled South Asian workers, live and work much like indentured servants. They frequently face poor working conditions and may encounter physical abuse (see Sections 5 and 6.e.). Domestic servants who run away from their employers may be treated as criminals under the law. However, the authorities usually do not enforce this provision. In some reported cases, employers illegally withheld wages from domestic servants to cover the costs involved in bringing them to the country.

There also are credible reports of widespread visa trading, a system by which sponsors agree to extend their sponsorship to workers outside of the country in exchange for a fee of \$1,500 to \$4,000. Middlemen, generally foreigners, use the promise of Kuwaiti sponsorship to attract workers from economically depressed countries, taking a commission and remitting the rest to the nominal sponsor. Once in the country, such workers are passed on to employers in the informal sector or find employment with parties that would otherwise be unable to sponsor them. Foreign workers who are recruited with these traded visas not only face possible prosecution for being engaged in illegal employment (that is, working for an employer other than their sponsor), but also leave themselves extremely vulnerable to extortion by employers, sponsors, and middlemen. Visa trading has resulted in growing numbers of unemployed foreign workers who buy visas to enter the country and then are unable to find work. Government efforts to crack down on visa trading, such as by closing front companies for visa traders, have not made significant progress. There are laws aimed at curbing visa trading, with penalties against both employers and visa traders, but the laws seldom are enforced. In June the Director General of the Immigration Department was suspended for signing 50 blank work residence permits, some of which subsequently were sold by visa traders. He was cleared after a 2-month investigation failed to show any evidence of criminal wrongdoing, but has been criticized for inadequate internal controls, which make visa trading possible.

For over 10 years, the ILO has criticized a 1979 legislative decree that requires prior authorization for public meetings and gatherings, and provides for a penalty of imprisonment including an obligation to work in a vocation of the prisoner's choosing within the prison system. The ILO also is critical of a 1980 legislative decree respecting security, order, and discipline aboard ships, breaches of which also may be punished by imprisonment with an obligation to work.

There were reports of young boys being used as camel jockeys (see Sections 5 and 6.d.).

d. Status of Child Labor Practices and Minimum Age for Employment.—The legal minimum age is 18 years for all forms of work, both full- and part-time. Employers may obtain permits from the Ministry of Social Affairs and Labor to employ juveniles between the ages of 14 and 18 in certain trades. Juveniles may work a maximum of 6 hours a day on the condition that they work no more than 4 consecutive hours followed by a 1-hour rest period.

Article 42 of the Constitution prohibits forced labor, including forced or bonded labor by children. In addition, the Labor Law prohibits child labor, forced or compulsory labor, and exploitation of workers. The Government has ratified 14 ILO conventions, including the conventions prohibiting servitude and forced labor, and its Labor Law enforces these conventions. Child labor is rare in the country. Some South Asian and Southeast Asian domestic servants are under age 18. Such underage workers reportedly falsify their ages in order to enter the country. There were reports of young boys being used as camel jockeys (see Sections 5 and 6.c.). Some small businessmen employ their children on a part-time basis.

e. Acceptable Conditions of Work.—The Ministry of Social Affairs and Labor is responsible for enforcing all labor laws. An informal two-tiered labor market ensures high wages for citizen employees, most of whom are in government white collar or executive positions, while foreign workers, even those in skilled positions, receive substantially lower wages. In June the visiting Bangladeshi Foreign Minister reported that the Bangladeshi domestic workers earn as little as \$70 per month. There is no legal minimum wage in the private sector. In the public sector, the monthly minimum wage is approximately \$742 (226 dinars) for citizens and approxi-

mately \$296 (90 dinars) for noncitizens. However, noncitizens do not receive the same social benefits as citizens and must pay fees for education and health care, which are provided free for all citizens. Private sector wages range from as much as \$10,000 (3,000 dinars) each month for top managers of large companies to between \$500 to \$2500 (150 to 800 dinars) for other skilled professionals and non-skilled workers. The public sector minimum wage provides a decent standard of living for a worker and family. Wages of unskilled workers in the private sector do not always provide a decent standard of living, with housemaids often making less than \$145 (45 dinars) per month. To be eligible to sponsor family members for residency, government and private sector workers must receive a minimum wage of \$1,300 (400 dinars) per month; for private sector workers, this represents a reduction of almost 40 percent from 2000, and is designed to encourage more foreign workers to bring their families to the country.

The Labor Law establishes general conditions of work for the private sector, with the oil industry treated separately. The Civil Service Law also prescribes additional conditions for the public sector, which consists almost entirely of citizen workers. The Labor Law limits the standard work week to 48 hours with 1 full day of rest per week, provides for a minimum of 14 workdays of leave each year, and establishes a compensation schedule for industrial accidents. In July the Government initiated a new program of unemployment allowances for citizen graduates who are unable to find jobs in the public sector or with private companies, providing regular payments until such positions are found. Domestic servants, who specifically are excluded from the Labor Law, frequently work long hours, greatly in excess of 48 hours.

The ILO has urged the Government to extend the weekly 24-consecutive-hour rest period to temporary workers employed for a period of less than 6 months and workers in enterprises employing fewer than five persons. The law pertaining to the oil industry provides for a 40-hour workweek, 30 days of annual leave, and sick leave. Laws establishing work conditions are not applied uniformly to foreign workers.

The Government has issued occupational health and safety standards; however, compliance and enforcement appear poor, especially with respect to unskilled foreign laborers. To decrease accident rates, the Government periodically inspects installations to raise awareness among workers and employers, and to ensure that they abide by the safety rules, control the pollution resulting from certain dangerous industries, train workers who use new machines in specialized institutes, and report violations. Workers have the right to remove themselves from dangerous work situations without jeopardizing their continued employment, and legal protection exists for both citizen and foreign workers who file complaints about such conditions. However, the Government never has devoted sufficient attention to worker safety issues, which has resulted in poor training of inspectors, inadequate injury reports, and no link between insurance payments and accident reports.

While the law mandates that all outdoor work stop in the event that the temperature rises above 122 degrees Fahrenheit, there have been allegations that Government's meteorological division falsifies official readings to allow work to proceed; the Meteorological Division consistently has denied these allegations. In August the official temperature was reported above 122 degrees Fahrenheit on several occasions, but work reportedly continued at many outdoor locations. At the Ahmadi Port refinery, work continued in intense heat despite the collapse of three workers. Refinery shift supervisors reportedly asked for postponement of outdoor activities until the evening, but management refused their request.

Employers often exploit workers' willingness to accept substandard conditions. Some foreign workers, especially unskilled or semiskilled South Asian workers, live and work much like indentured servants, are unaware of their legal rights, and generally lack the means to pursue a legal remedy. They frequently face contractual disputes and poor working conditions, and may face physical and sexual abuse (see Sections 5 and 6.c.). Most are in debt to their employers before they arrive in the country and have little choice but to accept the employer's conditions, even if they breach the contractual terms. It is not uncommon for wages to be withheld for a period of months, or to be decreased substantially. Many foreign workers are forced to live in "housing camps," which generally are overcrowded and lack adequate cooking and bathroom facilities. Workers are housed 10 or more to a room in squalid conditions, many without access to adequate running water. The workers are only allowed off the camp compound on company transport or by permission of the employer. Foreign workers' ability to change their employment is limited, and, in some cases, employers' possession of foreign workers' passports allows them to exercise control over such employees (see Section 6.c.). Many foreign workers go heavily into debt and cannot afford to return home.

The Labor Law discriminates against foreign workers by limiting their ability to join unions (see Section 6.a.). The KTUF administers an Expatriate Labor Office, which is authorized to investigate complaints of foreign laborers and provide them with free legal advice. However, these services are not utilized widely. Any foreign worker may submit a grievance to the labor office regardless of union status.

The Labor Law provides for employer-provided medical care and compensation to both citizen and foreign workers disabled by injury or disease due to job-related causes. Once a worker files a claim, the courts decide the amount of compensation, which is paid in one lump sum rather than monthly payments. Workers, especially foreigners, have had difficulty enforcing such decisions. The law also requires that employers provide periodic medical examinations to workers exposed to environmental hazards on the job, such as chemicals and asbestos. Foreigners must pay high fees for medical care, both yearly and each time medical care is provided. Many employers deduct the medical fees from employees' salaries. Adequate and affordable health care remains a problem for many foreign workers. No health insurance system exists.

Domestic servants are not covered under the Labor Law. Those who flee their employers may be treated as criminals, although the authorities usually do not prosecute them. The 3-month moratorium, which began in August and lasted until November, lifted restrictions on transfer of sponsorship, allowing domestic workers to leave unsuitable employers (see Section 6.c.). In some reported cases, employers illegally withheld wages from domestic servants to cover the costs involved in bringing them to the country. It is also a common practice for employers illegally to withhold their passports. Maids pay the same amount or more than unskilled or semi-skilled workers for visas to work in the country.

Runaway servants often seek shelter at their country's embassy for either repatriation or assistance in dealing with employers. The numbers of servants in need of assistance remained high during the year as conditions for domestic employees remained poor. Some embassies house runaway servants: The Sri Lankan Embassy has approximately 500 nationals in its care, the Indian Embassy 25, the Philippine Embassy 300, the Indonesian Embassy 100, and the Bangladeshi Embassy 40. The total of 965 represents a decrease of 335 from last year, although embassies report that the numbers of domestic servants seeking assistance each month have not diminished; rather, the embassies have reduced the number of persons sheltered in their facilities by expediting repatriation.

Although most such workers sought shelter due to contractual or financial problems with their employers, some women also alleged physical and sexual abuse. The Sri Lankan, Indian, and Philippine Embassies all continue to report the steady occurrence of physical abuse and mistreatment involving domestic servants, including withheld salaries, overwork, and not being fed regularly or enough. Each government has attempted to register its nationals who arrive to work in the country as domestic employees and to regulate recruiting agents in their home countries, without much success. Limited services provided by the police facility designated to mediate between embassies, domestic workers, and employers made it very difficult for domestic servants to file complaints, receive withheld salary, or reach settlement in cases of mistreatment. Domestic servants must now deal with neighborhood police stations, whose personnel are untrained and inexperienced in handling their cases and often side with the employer (see Sections 5 and 6.c.).

Some countries either have warned their female citizens about such work conditions or banned them altogether from working in the country as domestic servants. The Government of India officially banned its nationals from working in Kuwait as domestic employees, but Indian nationals still buy visas and enter the country as domestic workers. In 2000 the Egyptian Foreign Minister warned women seeking employment in all Persian Gulf countries to "exercise caution" and to avoid being forced into illegal activities. In June the Bangladeshi Government lifted its ban on domestic servants coming to Kuwait.

There are also credible reports of widespread visa trading, a system by which sponsors agree to extend their sponsorship to workers outside of the country in exchange for a fee of \$1,500 to \$4,000 (see Section 6.c.).

The courts find in favor of employees in an estimated 90 percent of the labor disputes they hear, but this success did not result in improved conditions for foreign workers. No legal mechanism exists for foreign workers to enforce settlements. There is no compulsion for employers to obey court rulings, and workers often did not receive court-ordered compensation. Employers also reportedly use illegal methods to pressure foreign employees to drop cases against them; such as by withholding their passports, encouraging police intimidation and brutality, and filing criminal charges against them for fabricated crimes, such as theft.

f. Trafficking in Persons.—The law does not specifically prohibit trafficking in persons, although laws against slavery, prostitution, forced labor, coercion, kidnapping, and other acts could be used to prosecute traffickers. The Government has ratified international conventions that commit it to apply these laws to stop trafficking in the event that it should develop.

There were reports of two incidents in which procurers kidnaped domestic servants off the street and temporarily forced them into prostitution. In both cases, the kidnappers were arrested and the domestic servants released.

There have been unverified media reports that Bangladeshi gangs have forced a small number of unemployed South Asian women who entered the country as domestic servants into prostitution.

LEBANON

Lebanon is a parliamentary republic in which, based on the unwritten “National Pact of 1943,” the President is a Maronite Christian, the Prime Minister a Sunni Muslim, and the Speaker of the Chamber of Deputies a Shi’a Muslim. President Emile Lahoud took office in 1998 after an election by Parliament that was heavily influenced by Syria. The Parliament consists of 128 deputies, equally divided between Christian and Muslim representatives. In parliamentary elections in 2000, incumbent Prime Minister Salim al-Hoss lost his seat in a contested election, and former Prime Minister Rafiq Hariri was named Prime Minister by President Lahoud in October 2000. According to international observers, the elections were flawed and the outcome was heavily influenced by the Syrian Government; however, there reportedly were fewer voting irregularities than in the 1996 parliamentary elections. The judiciary is independent in principle; however, in practice it is subject to political pressure.

Non-Lebanese military and paramilitary forces retain significant influence over much of the country. In 1989 the Arab League brokered a peace settlement at Taif, Saudi Arabia, to end the country’s civil war. According to the Taif Accord, the Syrian and Lebanese Governments were to determine the redeployment of Syrian troops to specified areas of the Bika’ Valley, with full withdrawal contingent upon subsequent agreement by both governments. The Syrian Government has not carried out this partial redeployment and has prevented implementation of other political reforms stipulated by the Taif Accord. Strong Syrian influence over Lebanese politics and decision makers makes officials unwilling to press for further progress on fulfilling Taif agreements, including Syrian withdrawal. Since the Taif Accord was signed, no government has requested formally the withdrawal of Syrian forces. The Government’s relationship with Syria does not reflect the will of most of the country’s citizens.

In 1991 the Governments of Syria and Lebanon concluded a security agreement that provided a framework for security cooperation between their armed forces. Approximately 22,000 Syrian troops are stationed in locations throughout the country, excluding the south; during the year, some Syrian troops redeployed from positions in Beirut and Mount Lebanon to Syria and to more eastern positions in Lebanon. An undetermined number of Syrian military intelligence personnel in the country continue to conduct their activities independently of a 1991 security cooperation agreement between the governments of Syria and Lebanon.

Until May 2000, Israel exerted control in or near its self-proclaimed “security zone” in the south through direct military action and support for its surrogate, the South Lebanon Army (SLA). Prior to the Israeli withdrawal, with the tacit support of the Government, the Iranian-backed Shi’a Muslim faction Hizballah, and, to a much lesser extent, the Lebanese Shi’a group Amal and some Palestinian guerrillas were locked in a cycle of attack and counterattack with Israeli and SLA troops. In May 2000, after 22 years of occupation, Israeli Defense Forces (IDF) troops withdrew from the south and West Bika’, and the SLA disbanded. Following the withdrawal, the Government deployed more than 1,000 police and soldiers to the former security zone, and Hizballah guerrillas maintained observation posts and conducted patrols along the border with Israel. The United Nations Interim Forces in Lebanon (UNIFIL), which was established in 1978, also increased its area of operations following the Israeli withdrawal. The Government has not attempted to disarm Hizballah.

Palestinian groups operate autonomously in refugee camps throughout the country. Several armed Palestinian factions are located in the refugee camps, although their freedom of movement is restricted significantly. The Government has not attempted to assert state control over the Palestinian camps.

Hizballah, Palestinian groups, and the influence of the Syrian Government all undermined the authority of the central Government during the year and interfered with the application of law in those areas not completely under the Government's control.

The security forces consist of the Lebanese Armed Forces (LAF), which may arrest and detain suspects on national security grounds; the Internal Security Forces (ISF), which enforce laws, conduct searches and arrests, and refer cases to the judiciary; and the State Security Apparatus and the Surete Generale, both of which collect information on groups deemed a possible threat to state security. The Surete Generale is responsible for the issuance of passports and residency permits, the screening and censoring of foreign periodicals, plays, documentaries, television programs, and movies, and the censoring of those parts that address national security issues and "morals." The security forces committed serious human rights abuses.

The country of approximately 3–3.5 million has a market-based economy, in which the majority of the private sector work force is employed in the service sector such as banking and commerce. There is a small industrial sector, based largely on clothing manufacturing and food processing. Following 2 years of recession, the economy is showing faint signs of recovery. Growth was estimated at between 0.5 and 1.5 percent during the year—compared to flat growth in 2000. The central bank maintained currency stability by intervening on the foreign exchange market to meet a strong dollar demand, thus placing a drain on its reserves. Inflation remained low, and was estimated at 1 percent. Per capita gross domestic product (GDP) was an estimated at \$5000 in 2000, and the unemployment rate was estimated at about 15 to 20. Approximately 30 percent of those unemployed are under age 26. Lebanon suffers from a crippling debt burden, which reached about \$28 billion by the end of the year, reaching approximately 172 percent of the GDP. The budget deficit reached 45.6 percent of expenditures, compared to 51 percent in 2000. Government deficit as a percentage of GDP is estimated to be about 24.8 percent.

The Government's overall human rights record was poor, and serious problems remain, although there were some improvements in a few areas. The right of citizens to change their government remains significantly restricted by the lack of complete government control over parts of the country, shortcomings in the electoral system, and Syrian influence. The 2000 parliamentary elections were flawed and suffered from Syrian government influence. Members of the security forces used excessive force and tortured and abused some detainees. Prison conditions remained poor. Government abuses also included the arbitrary arrest and detention of persons who were critical of government policies. During August army intelligence officers arrested more than 100 supporters of exiled General Michel 'Awn and the banned Lebanese Forces militia group. Lengthy pretrial detention and long delays in trials are problems, although a new Code of Criminal Procedure was enacted during the year in an attempt to address such issues. The courts are subject to political pressure. International observers have reported that the trials of former SLA personnel, which began in 2000 and continued during the year, were not free and fair. The Government infringed on citizens' privacy rights and continued surveillance of political activities during the year. The Government limited press freedom by continuing to harass, abuse, and detain journalists throughout the year, forcing other journalists to practice self-censorship. The Government continued to restrict radio and television broadcasting in a discriminatory manner. Journalists practice self-censorship. The Government continued to restrict freedom of assembly and imposed some limits on freedom of association. There are some restrictions on freedom of religion. The Government imposes some limits on freedom of movement. Violence and discrimination against women; abuse of children; discrimination against Palestinians; forced labor, including by children; child labor; and the mistreatment of foreign domestic servants are problems.

After the IDF withdrawal in May 2000 and the subsequent collapse of the SLA, the cycle of violence in and around the former Israeli security zone decreased significantly. However, there continued to be a number of cross-border attacks by Hizballah and counter-attacks by Israeli forces. Palestinian groups in refugee camps maintain a separate, often arbitrary, system of justice for Palestinians living in the camps. Palestinians sometimes may appeal to Lebanese authorities for legal recourse, often through their agents in the camps.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life.—There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents during the year.

Four persons died in custody during 2000. In January 2000, a Sudanese asylum seeker, Abdallah Juma' Jarkum, died of malaria in Zahle prison. Prison officials reportedly did not offer him medical treatment before his death. An elderly SLA member died in custody in June 2000, allegedly because prison officials refused to provide him with his medicine, which was manufactured in Israel. In November 2000, one SLA detainee, Redwan Shakib Ibrahim, died of cancer and another SLA detainee, Barakat al'Amil, died of complications resulting from high blood pressure. The Military Court initiated an investigation into the deaths of two SLA detainees to determine whether or not they received proper medical treatment; however, its investigations were ongoing at year's end. Subsequent to the deaths of the SLA detainees, the Government announced that it would review the medical records of all SLA detainees to ensure that they receive proper treatment (see Section 1.c.). In a March statement, state prosecutor Adnan Addoum announced that Jarkum and Qarut died in prison of heart attacks, Qarut died in prison of a heart attack, Ibrahim died of an embolysm after undergoing two surgical operations in an attempt to save his life, and al-'Amil died of severe bleeding in the brain.

In December 1999, Sunni extremists killed four LAF soldiers in an ambush in the northern region of Dinniyeh after the soldiers attempted to arrest two Sunni Muslims allegedly involved in a series of church bombings. On December 31, 1999, the LAF retaliated by launching a massive military operation against Sunni insurgents in the north. Five civilians, 7 LAF soldiers, and 15 insurgents were killed in the operation (see Section 1.c., 1.d., and 5).

The judicial system continued to suffer from a backlog of hearings into cases of deaths in custody, some as old as 6 years. Such cases sometimes involve individuals connected to political groups or accused of criminal activity.

There were no new developments in the case of the June 1999 killings of four judicial officials at a courthouse in Sidon. The perpetrators reportedly are members of the outlawed Palestinian group "Asbat al-Ansar;" however, government authorities did not arrest any of the suspected gunmen, who are believed to be hiding in the Palestinian refugee camp of Ain-Al Hilwah.

A military tribunal in 1999 sentenced Captain Camille Yared to 10 years in prison and 4 Lebanese Forces militiamen to death in absentia for carrying out a 1996 bus bombing in Syria, which killed 11 persons. The court also sentenced 13 other Lebanese Forces members to 7 years in prison. In January the military tribunal, on appeal, reduced the sentence for Captain Camille Yared to 7 years in prison and affirmed the sentences of the four Lebanese Forces militiamen.

On January 26, 2000, the Court of Cassation (Supreme Court) reaffirmed the 1998 verdict in the case of the 1976 killing of U.S. Ambassador Francis Meloy, Embassy officer Robert Waring, and their driver, Zohair Moghrabi. The Court upheld defendant Tawfiq Mohammad Farroukh's acquittal on the charge of murder and conviction for the lesser crime of kidnaping. The Court ruled that the verdict made Farroukh eligible for amnesty under the 1991 Amnesty Law.

The cycle of violence in and around the former Israeli controlled security zone decreased significantly following the IDF withdrawal in May 2000. However, there have been a number of violent cross-border incidents since the withdrawal.

On January 26, two members of the Popular Front for the Liberation of Palestine-General Command (PFLP-GC) were killed and a third wounded by Israeli forces near Bastara Farm in Lebanon, which borders Sheb'a Farms (part of the Israeli-occupied Golan Heights, which Lebanon claims as its territory). The Israeli army claimed that the victims were attempting to launch cross-border attacks.

In April Hizballah launched a guided missile attack on Sheb'a Farms, killing one Israeli soldier. For the first time in more than 10 years, Israel responded against a Syrian target in Lebanon, bombing a Syrian radar station in Mudayrej and killing three Syrian soldiers.

On June 29, Hizballah attacked Sheb'a Farms with mortar and rockets, wounding one Israeli soldier. On July 1, Israeli warplanes destroyed a Syrian army radar base in the Biqua' Valley, wounding three Syrian and one Lebanese soldier. Hizballah responded to the air raid by firing mortars against Israeli outposts in Sheb'a Farms and destroying an Israeli radar post in Jabal al-Shaykh. The Israeli Defense Forces responded with artillery shelling.

In October 1999, one person was killed when a bomb exploded in a Maronite church in Beirut (see Section 5).

There are approximately 380,000 landmines in the former security zone that had been occupied by Israel. UNIFIL statistics on recorded landmines in the former security zone indicate that 50,644 antipersonnel mines are located in 108 minefields along the Lebanon-Israel border. Since the Israeli withdrawal in May 2000, there have been 26 deaths and 167 injuries as a result of landmine accidents. Agence

France-Press reports that 13 Lebanese civilians were killed and more than 70 were injured as a result of landmines and other explosive devices since May 2000.

b. Disappearance.—There were no reports of politically motivated disappearances.

In 1999 the Government established a military commission to investigate the fate of those who disappeared during the civil war. In September 2000, the commission concluded that all persons who disappeared at least 4 years before the end of the civil war were dead. The Government endorsed the commission report and then Prime Minister Salim al-Hoss called on all families to “accept reality despite its bitterness.”

However, in December 2000, following the release by the Syrian authorities of an estimated 149 Lebanese detainees from Syrian jails, including some who had been declared dead by the commission, the Government formed a new committee to reexamine the cases of those who had disappeared during the civil strife. The committee had received about 800 applications from family members by year’s end. The committee was scheduled to issue a report to the Government on its findings; however, the Government granted it a 6-month extension to complete the report.

In October 2000, Hizballah guerillas kidnaped 3 Israeli soldiers on patrol in the Sheb’a Farms area of the Golan Heights, and demanded that the Israeli Government release Lebanese political detainees held in Israeli prisons in return for the soldiers’ release. In October the Israeli Government announced that it believed the soldiers were dead. Hizballah made various demands for the release of other Arab prisoners, especially Palestinians, during the year.

Hizballah kidnaped IDF reservist Elhann Tannenbaum in Lebanon in October 2000. He was presumed to still be detained at year’s end.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—Torture is not banned specifically by the Constitution, and there continued to be credible reports that security forces abused detainees and, in some instances, used torture. Human rights groups report that torture is a common practice. Violent abuse usually occurs during the preliminary investigations that are conducted at police stations or military installations, in which suspects are interrogated in the absence of an attorney. Such abuse occurs despite laws that prevent judges from accepting any confession extracted under duress.

Methods of torture reportedly included beatings, applying electric shocks to the genitals, and suspension by arms tied behind the back.

On July 18, the Justice Minister publicly stated that “torture in Lebanese prisons is real, and mainly occurs during preliminary investigations.” The Minister also added that the Government would adopt measures to eliminate the use of torture. No measures had been taken by year’s end.

The Government initially held incommunicado most of the 3,000 SLA personnel who surrendered to authorities following the IDF’s withdrawal from the south in May 2000; however, it subsequently allowed lawyers and family members to have access (see Section 1.d.). Some former SLA detainees reported that they were abused or tortured. Amnesty International and other human rights organizations reported that some detainees were beaten, handcuffed, blindfolded, and forced to lie face down on the ground.

In 1999 police officials allegedly tortured in detention a number of Sunni youths who were suspected of involvement in a series of church bombings (see Sections 1.a., 1.d. and 5).

On April 21, a supporter of Samir Ja’Ja’ was injured badly during a raid by security forces on a sit-in that he and other Ja’Ja’ supporters were holding (see Section 1.e.).

In August security forces arrested hundreds of supporters of exiled General Michel ‘Awn, and detained the former political advisor of the disbanded Lebanese Forces, Samir Ja’ja (see Section 1.d.). Some of those arrested claimed that officers had mistreated them physically. They also alleged that they were psychologically tortured when authorities threatened their families.

Abuses occurred in areas outside of the State’s authority, including in Palestinian refugee camps. There were reports during the year that members of the various groups who control the camps detained their Palestinian rivals (see Section 1.d.).

Prison conditions are poor and do not meet minimum international standards. The Ministry of Interior operates 18 prisons with a total capacity of 3,840 inmates. However, prisons are overcrowded, with a total population of approximately 7,230. Inmates lack heat, adequate toilet facilities, and proper medical care. The Government has not allocated funds for the reform of the prisons. In September the Beirut Bar Association organized a conference composed of local and international participants to underscore the need for local penal reform. The head of the Association described the country’s prison facilities as “unfit for animals.”

In May members of the Parliamentary Commission for Human Rights visited all prisons in the country with the exception of those controlled by the Ministry of Defense. The Interior Ministry denied the press permission to accompany the delegation. The Chairman of the Commission subsequently stated that "the health conditions of the prisoners are deplorable and require continuous care. We hope the women's prisons will be emptied and the prisoners transferred." He also indicated that of the 7,230 persons being held in prison, only 2,500 have been convicted.

Amnesty International issued a report in August on prison conditions for women. The report stated that women in pre-trial detention are routinely denied the protection of the law and held for long periods incommunicado. Many have been coerced to confess guilt or to testify against themselves. Amnesty International also reported that conditions in the four women's prisons "have serious shortcomings, including overcrowding, lack of hygiene and inadequate medical attention." Individual accounts contained in the report described physical and psychological torture by prison officials, including severe beating, threats, and the use of sexually abusive language. Amnesty International claimed that the safeguards contained in the Constitution and the laws against incommunicado detention, torture, and ill-treatment are insufficient and frequently are breached in practice. Amnesty International went on to report that when police, prosecutors, or judges are notified of violations, they fail to take sufficient actions against those responsible.

The Government made an effort to carry out rehabilitation for some inmates. Inmates at Roumieh prison participated in vocational activities, such as computer training courses, to provide them with skills upon release. In September 2000, 36 inmates in Roumieh prison received certificates of accomplishment following completion of a computer training program.

In May the Government concluded its investigation into the deaths in custody of three SLA detainees in 2000 (see Section 1.a.).

The Surete Generale, which is in charge of border posts, operates a detention facility. Hundreds of foreigners, mostly Egyptians and Sri Lankans, are detained there pending deportation. The Surete Generale opened a new detention facility during the year, which reportedly provides somewhat better conditions than the old facility.

Former Lebanese Forces leader Samir Ja'Ja', who is serving four life sentences for the murder or attempted murder of various political figures during and after the civil war, is kept in solitary confinement in a prison in the basement of the Ministry of Defense. He is permitted minimal exercise and allowed only periodic visits from his family and lawyers. He is not allowed to read newspapers or listen to the radio. Government officials stated that his solitary confinement is necessary for his own protection. During the year, the Prosecutor General granted Ja'Ja' permission to receive *The Economist*, provided that all political content is removed.

Local journalists and human rights organizations were given access to certain prisons during the year. Access to prisons that are controlled by the Ministry of Defense was not permitted. Following the Israeli withdrawal from the south in 2000, the Government did not grant independent monitors access to former SLA soldiers in custody. In December 2000, government officials stated that International Committee of the Red Cross (ICRC) representatives would be allowed to visit all SLA detainees; however, this had not occurred by year's end.

Prior to the Israeli withdrawal from the south, Hizballah detained and reportedly mistreated SLA members and suspected agents at unknown locations. The SLA operated its own detention facility, al-Khiam prison, and there were frequent allegations of torture and mistreatment of detainees (see Section 1.d.).

Hizballah did not permit visits by human rights monitors to those persons in its custody. Before its May 2000 dissolution, the SLA allowed representatives of the ICRC and family members of inmates to visit detainees at al-Khiam prison.

d. Arbitrary Arrest, Detention, or Exile.—The law requires security forces to obtain warrants before making arrests; however, the Government uses arbitrary arrest and detention. Military intelligence personnel make arrests without warrants in cases involving military personnel and those involving espionage, treason, weapons possession, and draft evasion (see Section 1.e.). The Parliamentary Commission for Human Rights stated in May that of the 7,230 persons being held in prison, only 2,500 have been convicted.

Under the former Code of Criminal Procedures, which was replaced by a new code in November, authorities could detain suspects for an unlimited period before referring them to an examining judge. Although the former Code permitted interrogation only by an examining judge, the police and prosecutor regularly interrogated suspects. Bail was not available in criminal cases. A new Code of Criminal Procedures was enacted by the Parliament in August, and entered into force in November. The new law provides greater legal protection to suspects, including the right to a law-

yer, to a medical examination, and to inform next of kin. Under the Code, arresting officers are required to refer a subject to a prosecutor within 48 hours of arrest, unless there were witnesses to the crime, in which case the suspect may not be held in custody more than 24 hours. The period may be extended to 48 hours with the concurrence of the public prosecutor's office. If a suspect is held more than 48 hours without formal charges, the arrest is considered arbitrary and the detainee must be released. In such cases, officials responsible for the prolonged arrest may be prosecuted on charges of depriving personal freedom. A suspect caught in hot pursuit must be referred to an examining judge, who decides whether to issue an indictment or order the release of the suspect. Under the Code, bail is available in all cases regardless of the charges. Many provisions of the new Code are not being observed in practice. Some police and members of the judiciary have claimed that they were not properly informed of the new provisions.

Defendants have the right to legal counsel, but there is no state-funded public defender's office. The Bar Association operates an office for those who cannot afford a lawyer, and the court panel on many occasions has asked the Bar Association to appoint lawyers for defendants.

Security forces continued the practice of arbitrary detention and arrest. On several occasions during the year, security forces detained and arrested protestors (see Section 2.b.). The Government also detained, interrogated, and beat journalists (see Section 2.a.).

In August security forces arrested, interrogated, and searched the homes of more than 100 citizens, predominately Christian supporters of exiled General Michel 'Awn, and jailed commander of the disbanded Lebanese Forces, Samir Ja'Ja'. Most of the arrests and searches took place without warrants, and those arrested claimed that they were not given access to lawyers. The authorities allegedly forced most of them to sign affidavits stating that they would abstain from politics and released them within 2 weeks after their arrests. Some were blindfolded and forced to sign the affidavits without reading them; some of those who refused were beaten until they submitted to signing. Retired General Nadim Lteif, Coordinator of the Awnist movement, and Tawfiq Hindi, former political advisor of Samir Ja'Ja', were among those arrested. At least 77 of those detained were referred to both military and civilian courts (see Section 1.e.). All but five of those arrested were released within weeks. Two persons were held until November 30, when they were released on bail; they face indictment for allegedly concealing information regarding collaboration with Israel. Three of those arrested remained in custody at year's end.

In 1999 police officials detained and allegedly tortured a number of Sunni youths for suspected involvement in church bombings; however, the youths later were released due to a lack of evidence (see Sections 1.a., 1.c., and 5).

The Government initially held incommunicado most of the 3,000 SLA members who surrendered to the authorities following the IDF's withdrawal from the south in May 2000 (see Section 1.c.); however, lawyers and family members have since been provided access. The authorities often detain without charges for short periods of time political opponents of the Syrian and Lebanese Governments. All of the former government officials who were detained in 1999 on charges of embezzlement or misuse of power have been acquitted or released on bail. The former officials were detained without charge for prolonged periods of time in Roumieh prison, in violation of the law. Legal action against them remains pending; however, they are free to travel abroad.

Palestinian refugees are subject to arrest, detention, and harassment by state security forces, Syrian forces, and rival Palestinians.

There were no allegations during the year of the transfer of citizens by government authorities to Syria. In December 2000, the Syrian Government transferred 46 Lebanese citizens, 7 Palestinian residents of Lebanon, and 1 Egyptian citizen from Syrian prisons to Lebanese custody. The Government announced that it would review each case; those who had completed their sentences would be released, others would complete their sentences in government custody. Nine of those turned over remained in custody at year's end, including Abu Haytham Karara, an official of the Progressive Socialist Party. No formal charges were brought against them. Human rights activists believe that there are still Lebanese detainees in Syrian prisons; however, the exact number is unknown. Amnesty International reported in 1999 that "hundreds of Lebanese, Palestinians, and Jordanians have been arbitrarily arrested, some over two decades ago, and remain in prolonged and often secret detention in Syria." According to Amnesty International, Syrian forces operating in Lebanon carried out searches, arrests, and detentions of Lebanese nationals outside any legal framework. The Government formed a committee in December 2000 to investigate cases of those who disappeared during the civil strife (See Section 1.b.). The committee solicited applications from concerned families. Although it

was due to issue a report on its findings by year's end, the Government granted the committee an additional 6 months to complete its report.

In August 2000, Syria released Shaykh Heshem Mingara, a radical Sunni member of the Islamic Unification Movement ("Tawheed"), who was arrested by Syrian forces in 1985 and transferred to Syria.

Abuses occurred in areas outside of the State's authority, including the Palestinian refugee camps. There were reports during the year that members of the various groups who control the camps detained their Palestinian rivals.

There were credible reports that Hizballah detained numerous former SLA militiamen in 2000 before handing them over to government authorities for trial. There were no reports that Hizballah conducted arbitrary arrests in areas outside central government control during the year.

Prior to the Israeli withdrawal, the SLA operated its own detention facility, al-Khiam prison. There were frequent reports of torture and mistreatment of detainees. Following the disbandment of the SLA in May, all of the prison's 140 inmates were released. A number of former inmates publicly recounted incidents of abuse by prison officials (see Section 1.c.).

In April 2000, the Israeli Government released 13 Lebanese detainees who were held without charge in Israel for as long as 14 years; the former detainees returned to Lebanon under the auspices of the ICRC. Israel continues to hold 21 Lebanese citizens, including Sheikh Abed al-Karim Obaid and Mustafa Dirani.

Forced exile is not practiced regularly; however, in 1991 the Government pardoned former army commander General Michel 'Awn and two of his aides on the condition that they depart the country and remain in exile for 5 years. 'Awn was accused of usurping power. He remained in France at year's end. Former President Amine Gemayel, who lived in France in exile for the past 12 years, returned to the country in July 2000 and again became active in political life.

e. Denial of Fair Public Trial.—The judiciary is independent in principle; however, it is subject to political pressure. The Constitution provides for a constitutional council to determine the constitutionality of newly adopted laws upon the request of 10 members of Parliament, and stipulates that judges shall be independent in the exercise of their duties; however, influential politicians as well as Syrian and Lebanese intelligence officers at times intervene to protect their supporters from prosecution.

The judicial system consists of the regular civilian courts; the Military Court, which tries cases involving military personnel and security-related issues; the Judicial Council, which tries national security cases; and the tribunals of the various religious affiliations, which adjudicate matters of personal status, including marriage, divorce, inheritance, and child custody (see Section 5).

The Judicial Council is a permanent tribunal of five senior judges that adjudicates threats to national security. Upon the recommendation of the Minister of Justice, the Cabinet decides whether to try a case before this tribunal. Verdicts from this tribunal are irrevocable and may not be appealed.

The Ministry of Justice appoints all other judges according to a formula based on the religious affiliation of the prospective judge. A shortage of judges has impeded efforts to adjudicate cases backlogged during years of internal conflicts. Trial delays are aggravated by the Government's inability to conduct investigations in areas outside of its control.

In general, trials are public, but judges have the discretion to make a court session secret. Defendants have the right to be present at trial and the right of timely consultation with an attorney. Defendants may confront or question witnesses against them but must do so through the court panel, which decides whether or not to permit the defendant's question. Defendants and their attorneys have access to government-held evidence relevant to their cases and have the right of appeal. These rights generally are observed in practice.

Defendants on trial for security cases, which are heard before the Judicial Council, have the same procedural rights as other defendants; however, there is no right to appeal in such cases. The testimony of a woman is equal to that of a man (see Section 5).

Persons arrested by military intelligence are referred to the Military Court. The Military Court has jurisdiction over cases involving the military as well as those involving espionage, treason, weapons possession, and draft evasion. In June 2000, the Military Court began trying the cases of the approximately 3,000 SLA militiamen who surrendered to the Government following the Israeli withdrawal from the south. Some of the former SLA militiamen were charged under Article 273 of the Penal Code for taking up arms against the State, an offense punishable by death; others were charged under Article 285 of the Penal Code for trading with the enemy, an offense punishable by a minimum of 1 year in prison. Domestic human

rights groups and international nongovernmental organizations (NGO's) reported that the trials were open to journalists and members of the public but were not fair. Amnesty International reported that such summary trials, with barely 7 minutes spent on each individual, neither allowed the innocent to be acquitted nor ensured the discovery of those who may be guilty of war crimes. According to Amnesty International, the court tried between 23 and 43 persons each day. SLA lawyers who requested an adjournment to study the files of detainees were granted additional time. However, in most cases, defense lawyers received the file shortly before trial and consequently were unable to argue the cases individually. The standard defense presented by lawyers for the militiamen was that the Government had been unable to defend citizens living under Israeli occupation for the last 22 years. Therefore the residents had no choice but to work with the occupiers.

By year's end, more than 2,700 former SLA members had been tried and convicted since Israel's withdrawal from south Lebanon in May 2000; none of the 665 tried during the year were acquitted. In total, former SLA members received sentences ranging from 1 week to life imprisonment. Approximately one-third of the former SLA members received 1-year prison sentences and about one-third received sentences of 3 to 4 weeks under Article 273. Two persons who were implicated in the abuse and torture of prisoners at al-Khiam prison were sentenced to life in prison. The military prosecutor recommended the death sentence for 37 former SLA militiamen for allegedly killing members of "the resistance" (i.e., Hizballah). Twenty-one of these militiamen were tried while in government custody; 16 were tried in absentia. The Military Court denied every recommendation for the death sentence and handed down lighter sentences in each case. Following attacks by angry crowds on two former SLA members in their villages, in 2000 the court amended the sentences of some persons, barring them from returning to their villages for several years. According to the Government, these bans were issued to protect the former SLA members and were difficult to enforce. No similar sentences were issued during the year. There were no new reports during the year that former SLA members who returned to their villages were subjected to regular harassment by the Government or Hizballah. By the year's end, the Government had released all but 1 of the 220 SLA militiamen who were tried following the June 1999 SLA withdrawal from Jezzine.

In March the Government indicted in absentia Raghda Dergham, a correspondent for al-Hayat newspaper, on charges of "fraternizing with the enemy" for her public appearance in the United States with an Israeli official. In November a military court acquitted her of the charge in absentia (see Section 2.a.).

On April 21, members of the security forces raided a sit-in being held by supporters of Samir Ja'Ja' on the occasion of the seventh anniversary of Ja'Ja's detention. The security forces arrested four of the demonstrators. One of the supporters was badly injured during the raid and was transported to a hospital for treatment. Two of those arrested were referred to the military court and found guilty of insulting the President of the Republic and the president of a neighboring and friendly state. They were sentenced to 10 days in prison. The others were released and no charges were brought against them.

On April 30, the Military Court of Cassation nullified a verdict issued by the Permanent Military Tribunal, which had sentenced the owner of an Internet service provider (ISP) and a human rights activist to 1 month in prison. The Court of Cassation instead fined them each \$200 (300,000 Lebanese pounds) (see Section 2.a.).

In May the State Prosecutor's Office requested that the Bar Association lift the immunity of lawyer Muhammad Mugarby to permit Mugarby's prosecution for criticizing the country's judicial system at a press conference. The Bar Association complied with the request; Mugarby's challenge of the decision remained pending at year's end (see Section 2.a.).

On August 16, the Government arrested without warrant Antoine Bassil, a correspondent for a Saudi Arabian television station, for his alleged association with Israeli officials. Bassil could face the death penalty if found guilty. The trial had not begun by year's end (see Section 2.a.).

On August 19, the Government arrested without warrant Habib Younis, the managing editor in al-Hayat's Beirut office, for his alleged association with Israel. Authorities referred his case to a military court, which indicted him for conspiring with Israel. The charge carries a maximum sentence of death. He remained in custody at year's end.

Authorities referred at least 77 of those supporters of General Michel 'Awn and Samir Ja'Ja' who were arrested by security forces in August to both military and civilian courts. Charges brought by the Military Prosecutor's Office included opposing the policy of the Government, disseminating the principles of an unauthorized political party, jeopardizing the country's relations with a friendly state, using oral

and written statements not authorized by the Government, defaming the Syrian army's reputation, organizing meetings and activities of a unauthorized political party, and transmitting false and exaggerated information. Tawfiq Hindi, Ja'Ja's former political advisor, who authorities arrested in August, was charged with collaborating with the Israeli enemy, forming an association to harm the State's authority, and damaging the country's relation with a sisterly nation. He faces a maximum sentence of death if convicted. The Court of Cassation ruled in September that the military court did not have jurisdiction in 63 of the cases, which were transferred to a criminal court. The cases of Nadim Lteif and Hikmat Deeb, who were charged with defaming the Lebanese and Syrian armies, were referred to both military and civilian courts. Court sessions have been scheduled for February 2002 (see Section 1.d.).

On August 8, nine supporters of General Michel 'Awn were convicted by the Permanent Military Tribunal for distributing illegal flyers and defamation against the Head of State. Sentences varied from between 5 to 45 days.

In April 2000, the military court sentenced eight students to between 10 days and 6 weeks in prison following their participation in demonstrations against the presence of Syrian troops in the country. All of the students had been released by the end of 2000.

Palestinian groups in refugee camps operate an autonomous and arbitrary system of justice.

f. Arbitrary Interference With Privacy, Family, Home, or Correspondence.—The Constitution provides for the inviolability of the domicile; however, authorities frequently interfere with the privacy of persons regarded as enemies of the Government. Laws require that prosecutors obtain warrants before entering homes, except when the security forces are in close pursuit of armed attackers; however, in practice the law is not respected.

The Government and Syrian intelligence services use informer networks and monitor telephones to gather information on their perceived adversaries. The Army Intelligence Service monitors the movements and activities of members of opposition groups (see Section 2.b.). The Government concedes that telephone calls are monitored by security services but claims that monitoring occurs only with prior authorization from competent judicial authorities. During September 1999 parliamentary hearings, the Speaker of Parliament, the Minister of Interior, and the Surete Generale Director General publicly acknowledged that government officials frequently monitor citizens' private telephone conversations.

Politicians and human rights advocates report increasing and more overt government intelligence services' surveillance of political meetings and political activities across the religious and political spectrum. In October 1999, the Parliament passed a law that authorized surveillance in national security and law enforcement cases but banned its use against government ministers and parliamentary deputies; however, the Government has not yet adopted the necessary implementing decrees.

Militias and non-Lebanese forces operating outside the area of central government authority frequently have violated citizens' privacy rights. Various factions also use informer networks and the monitoring of telephones to obtain information regarding their perceived adversaries.

In August 2000, government officials raided the office of an Internet service provider (ISP), based on allegations that the ISP was distributing pornographic materials through the operation of a Web site aimed at the homosexual community. In March the Permanent Military Tribunal tried the owner of the ISP and a human rights activist on charges of violating national security and sentenced them to 1 month in prison. However, in April the Military Court of Cassation vacated the sentence and substituted a fine of \$200 (300,000 Lebanese pounds) (see Section 2.a.).

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution provides for freedom of speech and of the press; however, the Government limits this right in practice, particularly by intimidating journalists and broadcasters into practicing self-censorship. The Government censors television broadcasts on a case-by-case basis.

Although there were repeated attempts to restrict the freedom of opinion and speech during the year, daily criticism of government policies and leaders continued. For example, in August the media devoted substantial coverage, much of it critical, to the arrests of supporters of exiled General Michel 'Awn and the Lebanese Forces (see Section 1.d.). Dozens of newspapers and hundreds of periodicals are published throughout the country and are financed by various local and foreign groups. While the press is independent, press content often reflects the opinions of financial backers.

The Government has several legal mechanisms at its disposal to control freedom of expression. The Surete Generale is authorized to approve all foreign magazines and nonperiodical works, including plays, books, and films, before they are distributed in the market. The law prohibits attacks on the dignity of the Head of State or foreign leaders. The Government may prosecute offending journalists and publications in the Publications Court, a special tribunal empowered to try such matters. Moreover, the 1991 security agreement between Lebanon and Syria contains a provision that effectively prohibits the publication of any information deemed harmful to the security of either state. In view of the risk of prosecution, journalists censor themselves on matters related to Syria.

On several occasions throughout the year, authorities detained persons for distributing antigovernment and anti-Syria leaflets. The military court sentenced nine students to varying lengths of time in prison. All of the students had been released by year's end (see Sections 1.d. and 1.e.).

In May 2000, lawyer Muhammad Mugarby criticized the country's judicial system at a press conference. The State Prosecutor's Office requested that the Bar Association lift Mugarby's immunity (all lawyers enjoy immunity), to permit his prosecution for defaming the judiciary. The Bar Association complied with the request; however, Mugarby challenged the decision of the Bar Association. The case remained pending at year's end (see Section 1.e.). In June 2000, the military court sentenced a man to 1 year in prison for calling on the public to celebrate the death of the late Syrian president Hafiz al-Asad (see Section 1.e.).

In 1999 President Lahoud announced that under his tenure no charges would be brought against any journalist because of his writings or opinions; however, the Government continued to harass, abuse, and detain journalists throughout the year. In March the Surete Generale confiscated the passport of prominent journalist Samir Kassir upon his return to the country after a short trip. The Surete Generale informed Kassir that it was attempting to verify the circumstances under which he obtained his passport. Earlier in the month, Kassir had used the term "private security" in an editorial to refer to the Surete Generale, whose chief reportedly had played a role in negotiating a solution to a dispute between the LAF and political shareholders of Lebanon Broadcasting Corporation International (LBCI) television station. On April 9, the Surete returned Kassir's passport, but noted that it was conducting further investigations into his naturalization file. Security agents followed Kassir during the period in which his passport was confiscated.

On March 13, the Government confiscated the film of several reporters covering demonstrations by The Free Patriotic Movement, or Awnists (see Section 2.b.).

In August the Government brought charges against Joseph Nasr, the editor in chief of the daily newspaper An-Nahar, and Rafi Madayan, the author of an article published in that newspaper that the Government deemed insulting to the military. The Government also brought charges against the weekly newspaper al-Watan al-Arabi for having published news that it deemed insulting to the Lebanese and Syrian armies. The cases had not been tried by year's end.

On August 9, two journalists were beaten and one journalist was detained by intelligence services agents for reporting on a demonstration against the arrests of activists for the Free Patriotic Movement and the Lebanese Forces (see Sections 1.d. and 2.b.). The detained journalist was released following the intervention of the president of the photographers' union.

On August 16, three men from the army's intelligence services arrested without a warrant Antoine Bassil, a correspondent for the Saudi Arabian television station Middle East Broadcasting Corporation (MBC). On December 5, a court indicted Bassil on charges of contact with the enemy, entering Israel, forming an association to harm the State's authority, and damaging relations with a sisterly country. Bassil could face the death penalty if he is found guilty (see Section 1.e.).

On August 19, the Government arrested without a warrant Habib Younis, an editor with al-Hayat's Beirut office on charges of "contact with the Israeli enemy." The Government interrogated Younis without the presence of a lawyer (see Section 1.e.). On December 10, a military court indicted him on charges of conspiring with Israel, a charge that carries a maximum sentence of death. At year's end he remained in custody.

In September Prosecutor General Adnan Addoum announced that he was considering filing charges against members of the Council of Lebanese American Organizations for a statement made in an advertisement in an overseas newspaper. The prosecutor claimed that the statement could provoke attacks against the country.

In June 2000, the Government cancelled the passport of Raghida Dergham, a correspondent for al-Hayat newspaper, because she allegedly "fraternized with the enemy" when she appeared publicly in the United States with an Israeli official. The Government reissued the passport shortly after the incident. In March a military

court indicted Dergham in absentia on fraternization charges. On November 30, the tribunal acquitted her of the charge, also in absentia (see Section 1.e.).

In 2000 the Government banned a number of publications that printed articles critical of Syria.

The Government continued to restrict radio and television broadcasts in a discriminatory manner. There are 7 television stations and 36 radio stations. The Government owns one television and one radio station; the remaining stations are owned privately. Satellite television is available widely and is inexpensive.

Although the Government does not censor broadcasts directly, government officials exert pressure on journalists to practice self-censorship. During the 2000 parliamentary elections, the Government used the television station it owns, Teleliban, to attempt to discredit the leading opposition candidate, former Prime Minister Rafiz Hariri. Nonetheless, Hariri won the election. However, during the year politicians from across the political spectrum, including the opposition, appeared on Teleliban programs.

In general the Government does not restrict Internet access, and it is used widely. In August 2000, government officials raided the office of an IISP based on allegations that the ISP was distributing pornographic materials through operation of a Eebsite aimed at the homosexual community. The Government also pressed charges against the owner of the ISP and a human rights activist on national security grounds (see Section 1.f.). On April 30, the Military Court of Cassation nullified a verdict issued by the Permanent Military Tribunal on March 9, which had sentenced the owner of the ISP and the human rights activist to 1 month in prison, and instead fined them each \$200 (300,000 Lebanese pounds).

The Government generally respects academic freedom, and the country has a flourishing private educational system (a result of inadequate public schools and a preference for religious community affiliation). Students exercise the right to form campus associations, and the Government usually does not interfere with student groups.

On November 21, two ISF officers entered the campus of St. Joseph University without the University's permission. They removed posters that were critical of government actions at an August political demonstration, as well as Lebanese flags bearing black ribbons (see Section 2.b.). This was the first time since 1974 that security forces entered a university campus without permission from the Administration. On November 26, thousands of students went on strike to protest the action. The Government publicly criticized that ISF's action, and the three officers involved were reprimanded.

b. Freedom of Peaceful Assembly and Association.—The Constitution provides for freedom of assembly; however, the Government restricts this right. Any group that wishes to organize a rally must obtain the prior approval of the Ministry of Interior, which does not render decisions consistently. Groups opposing government positions sometimes do not receive permits. Various political factions such as Amal, Hizballah, the Free Patriotic Movement ('Awnists), and supporters of former Prime Minister Hariri held several rallies during the year.

On March 13, LAF troops instituted tight security measures to stop 'Awnists from conducting demonstrations in front of Syrian troop posts to mark the 12th anniversary of the beginning of Awn's "war of liberation." Army troops set up numerous checkpoints on all roads leading to university campuses and schools. Traffic was disrupted and students encountered difficulty reaching schools and universities. Student demonstrations held at universities were peaceful, but the security forces confiscated the film of several reporters and detained approximately 40 students for several hours (see Sections 2.a. and 1.d.). In addition, ISF and army members—including riot police and a special forces brigade—obstructed the demonstrators' attempted march to a Syrian troop post.

On several occasions during the year, military personnel used excessive force to disperse protesters, sometimes detaining or arresting them (see Sections 1.c. and 1.d.).

On August 9, approximately 200 persons, mostly university students, gathered near the Justice Ministry to protest the arrests of more than 100 'Awnists and Lebanese Forces supporters (see Section 1.d.). Plainclothes intelligence agents arrested at least 10 persons, reportedly including 1 journalist (see Section 2.a.), and used heavy force to suppress the demonstration. Demonstrators were beaten with rifle butts, kicked, and trampled by security forces. At least two journalists reportedly also were beaten (see Section 2.a.). LAF checkpoints were set up at most main and secondary roads leading to the Justice Ministry to hinder access to the protest. All of those arrested were released within 2 days. A few days after the protest, the Minister of Interior stated that those responsible for using excessive force would be punished. Subsequently the Justice Minister instructed the Prosecutor General's Office

to investigate the incident; however, there were no reports that any measures were taken by year's end.

The Constitution provides for freedom of association, and the Government generally respects this right and does not interfere with most organizations; however, it imposes some limits on this right. The law requires every new organization to submit a notification of formation to the Ministry of Interior, which issues a receipt. In addition to what is provided by law, the Ministry of Interior imposes further restrictions and requirements on organizations that are not enforced consistently. The Ministry at times withholds the receipt, essentially transforming a notification procedure into an approval process. The Ministry in some cases sends notification of formation papers to the security forces, which then conduct inquiries regarding an organization's founding members. The results of such inquiries may be used by the Ministry in deciding whether or not to approve the formation of the group. In 1996 the Ministry of the Interior notified organizations that they must invite Ministry representatives to a general assembly in which votes are held for by-law amendments or in which elections are held for positions on the board of directors. The Ministry also required every association to obtain the Ministry's approval of any change in by-laws; failure to do so could result in the dissolution of the association.

Although the law does not distinguish between political parties and other associations, the Cabinet must license political parties.

The Government scrutinizes requests to establish political movements or parties and to some extent monitors their activities. The Army Intelligence Service monitors the movements and activities of members of opposition groups (see Section 1.f.).

The Government closely monitors groups that are critical of Syrian policies, and their members are subject to harassment and arrest by the Government.

c. Freedom of Religion.—The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there are some restrictions. Discrimination based on religion is built into the system of government. There are no legal barriers to proselytizing; however, traditional attitudes and edicts of the clerical establishment discourage such activity (see Section 5).

The State is required to ensure the free exercise of all religious rites, provided that public order is not disturbed. The Constitution also provides that the personal status and religious interests of the population be respected. The Government permits recognized religions to exercise authority over matters pertaining to personal status, such as marriage, divorce, and inheritance. There is no state religion; however, politics are based on the principle of religious representation, which has been applied to every aspect of public life.

A group that seeks official recognition must submit its dogma and moral principles for government review to ensure that such principles do not contradict popular values and the Constitution. The group must ensure that the number of its adherents is sufficient to maintain its continuity. Alternatively, religious groups may apply to obtain recognition through existing religious groups. Official recognition conveys certain benefits, such as tax-exempt status and the right to apply the recognized religion's codes to personal status matters. Each recognized religious group has its own courts for family law matters, such as marriage, divorce, child custody, and inheritance. State recognition is not a legal requirement for religious worship or practice. For example, although Baha'is, Buddhists, and Hindus are not recognized officially, they are allowed to practice their faith without government interference; however, their marriages, divorces, and inheritances in the country are not recognized under the law.

The unwritten "National Pact" of 1943 stipulates that the President, the Prime Minister, and the Speaker of Parliament be a Maronite Christian, a Sunni Muslim, and a Shi'a Muslim, respectively. The Taif Accord, which ended the country's 15-year civil war in 1990, reaffirmed this arrangement but resulted in increased Muslim representation in Parliament and reduced the power of the Maronite President. The Accord called for the ultimate abolition of political sectarianism in favor of "expertise and competence;" however, little substantive progress has been made in this regard. A "Committee for Abolishing Confessionalism," which was called for in the Taif Accord, has not yet been formed. One notable exception is the LAF which, through universal conscription and an emphasis on professionalism, has significantly reduced the role of confessionalism (or religious sectarianism) in that organization. Christians and Muslims are represented equally in the Parliament. Seats in the Parliament and Cabinet, and posts in the civil service, are distributed proportionally among the 18 recognized groups (see Section 3).

The Government does not require citizens' religious affiliations to be indicated on their passports; however, the Government requires that religious affiliation be encoded on national identity cards.

An individual may change his religion if the head of the religious group he wishes to join approves of this change. There are different personal status codes for each of the 18 officially recognized religious groups. Administered by representatives of the groups, these codes govern many areas of civil law, including marriage, divorce, inheritance, and child custody. Many families have relatives who belong to different religious communities, and intermarriage is not uncommon; however, intermarriage may be difficult to arrange in practice between members of some groups because there are no procedures for civil marriage. Article 473 of the Penal Code stipulates that one who "blasphemes God publicly" faces imprisonment for up to 1 year. In 1999 a leading singer and songwriter was accused of insulting Islam for incorporating lines from a poem based on verses from the Koran into a song; however, he was acquitted of the charges in December 1999. No one was prosecuted under this law during the year.

d. Freedom of Movement Within the Country, Foreign Travel Emigration and Repatriation.—The Constitution provides for these rights, and the Government generally respects them in practice; however, there are some limitations. The law prohibits travel to Israel. All men between 18 and 21 years of age are subject to compulsory military service and are required to register at a recruitment office and obtain a travel authorization document before leaving the country. Married women must obtain their husband's signatures to apply for a passport. Although a man may obtain passports for his children without his wife's approval, a woman may not obtain passports for her children without the approval of her husband (see Section 5).

The LAF and Syrian troops maintain checkpoints throughout much of the country. Following the May 2000 Israeli withdrawal, dozens of customs and military intelligence officers were dispatched to the south. In August 2000, the Government deployed approximately 1,000 ISF and LAF officers to the south. Following the withdrawal, the Government announced that citizens no longer require permits to visit Jezzine.

There are no legal restrictions on the right of citizens to return to the country. However, many emigres are reluctant to return for a variety of political, economic, and social reasons. The Government encouraged the return to their homes of over 600,000 persons displaced internally during the civil war. During the year, the Central Fund for the Displaced continued to disburse funds to assist internally displaced persons return to their homes. The Fund provided approximately \$20 million (30 billion Lebanese pounds) for the repair of infrastructure in villages most affected by displacement. Between July 1999 and October 2001, the Fund disbursed approximately \$208 million (300 billion Lebanese pounds) for the repair and reconstruction of homes. The Central Fund discontinued payments in November due to a lack of funds. Although some persons have begun to reclaim homes abandoned or damaged during the war, the vast majority of displaced persons have not attempted to reclaim and rebuild their property. The resettlement process is slowed by tight budgetary constraints, destroyed infrastructure, political feuds, a lack of schools and economic opportunities, and the fear that physical security still is inadequate in some parts of the country. During the year, the Ministry of Displaced sponsored several reconciliation meetings between Christian and Druze residents in eight villages throughout the Chouf and Aley. The Ministry also handed over to displaced persons from Mreije, Laylaki, and Tahwitat al-Ghadir (southern suburbs of Beirut) the keys to their abandoned houses.

In May 2000, approximately 6,000 SLA militiamen and their families fled to Israel following the Israeli withdrawal and concurrent collapse of the SLA. At year's end, approximately 2,200 of these former SLA personnel and their family members had returned to Lebanon. Several hundred relocated elsewhere outside of Israel, and between 3,000 and 4,000 remained in Israel at year's end. The former SLA personnel who returned to Lebanon faced trial for taking up arms against the State or for trading with the enemy, and most received prison sentences of varying lengths (see Section 1.e.). Those who remain in Israel reportedly wish to avoid facing trial or fear possible retribution. The Government publicly stated that the former SLA militiamen are welcome to return to the country, but that they would face trial upon their return. There have been few incidents of harassment of returned deportees.

Most non-Lebanese refugees are Palestinians. During the year, the U.N. Relief and Works Agency (UNRWA) reported that the number of Palestinian refugees in the country registered with the UNRWA was approximately 383,000. This figure, which includes only the families of refugees who arrived in 1948, is presumed to include many thousands who reside outside of the country. Most experts estimate the actual number in the country to be between 150,000 and 200,000. Most Palestinian refugees are unable to obtain citizenship and are subject to governmental and

societal discrimination; however, Palestinian women who marry Lebanese men may obtain citizenship (see Section 5).

The Government issues laissez-passers (travel documents) to Palestinian refugees to enable them to travel and work abroad. In January 1999, the Government eased the tight travel restrictions that it previously imposed on Palestinians resident in the country and those entering from other countries by revoking a decision that had required all Palestinian refugees who hold Lebanese travel documents to obtain entry and exit visas when entering or leaving the country. However, in March 1999, the Government stopped issuing visitors' visas to Jordanian nationals who were born in Lebanon and are of Palestinian origin. In recent years, Palestinian incomes have continued to decline. The law prohibits Palestinian refugees from working in 72 professions.

In April the Parliament passed legislation depriving Palestinian refugees of the right to own property in the country. Under the new law, Palestinians no longer may purchase property and those who own property will be prohibited from passing it on to their children. The Parliament justified the law on the grounds that it was protecting the right of Palestinian refugees to return to the homes they fled after the creation of the state of Israel in 1948.

There are no legal provisions for granting asylum or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government grants admission and temporary (6 months) refuge to asylum seekers, but not permanent asylum. The Government generally cooperates with the offices of the U.N. High Commissioner for Refugees (UNHCR) and UNRWA.

According to the UNHCR, there are nearly 3,000 non-Palestinian refugees (mostly Iraqi Kurds and Sudanese) residing in the country. The Surete Generale periodically detains non-Palestinian refugees, primarily Iraqis and Sudanese, for illegal entry. Some of those detained are registered with the UNHCR and are eligible for resettlement outside the country. Two recognized refugees had been held in detention for more than one year by year's end. The Surete Generale denies UNHCR officials access to the detainees. There were credible reports that the Surete Generale deported Iraqi Kurds seeking asylum in Lebanon back to Iraq through Syria.

During 2000 the Government granted political asylum to Japanese Red Army (JRA) member Kozo Okamoto, citing services rendered to the Arab cause and his physical incapacity; Okamoto led the massacre at Israel's Lod airport in 1972. The Government refused to grant asylum to four other JNA members and deported them to Japan.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution states that citizens have the right to change their government in periodic free and fair elections; however, lack of control over parts of the country, defects in the electoral process, and strong Syrian influence over politics and decisionmakers significantly restrict this right.

According to the Constitution, elections for the Parliament must be held every 4 years. In turn, the Parliament elects the President every 6 years. The President and Parliament nominate the Prime Minister, who, with the President, chooses the Cabinet. According to the unwritten "National Pact of 1943," the President must be a Maronite Christian, the Prime Minister a Sunni Muslim, and the Speaker a Shi'a Muslim (see Section 2.c.). Since the National Reconciliation Agreement reached in Taif, Saudi Arabia in 1989, which revised the 6 to 5 ratio of Christian to Muslim seats in Parliament, there has been a 50-50 balance between Christian and Muslim Members of Parliament. The Taif Accord also increased the number of seats in Parliament and transferred some powers from the Maronite President to the Sunni Prime Minister and the religiously mixed Cabinet.

There was some improvement in the parliamentary elections held in August and September 2000, such as fewer incidents of voter fraud and tampering with ballots than in the previous election; however, the electoral process was flawed with serious shortcomings. The Syrian Government heavily influenced the electoral law governing the process and also preapproved all of the candidates on alliance slates, who ultimately won seats in the Cabinet. Security officials promoted relatives and political allies, and government officials supervised voting. The Government also used the official television station, Teleliban, to discredit the leading opposition candidate, former Prime Minister Rafiq Hariri. Officials applied inconsistent voting regulations, often favoring progovernment candidates. Officials of various security services personally became involved in promoting candidates who were political allies or relatives. Nonetheless, Prime Minister Hoss lost his seat in a contested election, as did many progovernment candidates. Following his overwhelming victory in parliamentary elections, the President and members of Parliament selected former

Prime Minister Hariri as the new Prime Minister on October 23, 2000. Following consultation between the Government and senior Syrian officials, President Lahoud and Prime Minister Hariri reached an agreement on the composition of the new Cabinet.

In 1998 the Parliament elected a new President after amending the Constitution on a one-time basis to permit senior government officials to run for office. (The Constitution prohibits senior government officials from running for president unless they resign at least 2 years before the election. The amendment provided for a one time exception to this provision.) There was substantial criticism of the Syrian role in influencing political leaders in the selection of the presidential candidate; however, there was broad public support for the new President, Emile Lahoud, who took office in November 1998.

On September 9, municipal elections were held for the first time since 1963 in 64 villages and towns in areas formerly occupied by Israel. Local observers reported that the elections were generally free and fair; however, there were some irregularities, including attempts by government agencies to pressure candidates and voters, the presence of unauthorized persons inside polling stations, and the absence of registration committees on voting day to correct errors in voters lists.

Women have the right to vote, and there are no legal barriers to their participation in politics; however, there are significant cultural barriers, and the percentage of women in government or politics does not reflect accurately their numbers in the population. No woman has ever held a cabinet position. In September 2000, 3 women were elected to the 128-seat Parliament.

Palestinian refugees have no political rights (see Section 5). An estimated 17 Palestinian factions operate in the country and are generally organized around prominent individuals. Most Palestinians live in refugee camps controlled by one or more factions. Refugee leaders are not elected, but there are "popular committees" that meet regularly with the UNRWA and visitors.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Several local human rights groups operate freely without overt government restriction, including the Lebanese Association for Human Rights, the Foundation for Human and Humanitarian Rights-Lebanon, and the National Association for the Rights of the Disabled. Some of these groups have sought to publicize the detention in Syria of hundreds of Lebanese citizens and took credit in part for the release of a number of Lebanese from Syrian jails during 1999 (see Section 1.d.). The Bar Association and other private organizations regularly hold public events that include discussions of human rights issues. Some human rights groups reported harassment and intimidation by government, Syrian, or Hizballah forces.

The Government generally cooperates with international NGO's. In July 2000, Amnesty International opened an office in the country. During a December visit to the country, Amnesty International Secretary General Irene Zubaida Khan and an accompanying Amnesty International delegation met with President Lahoud and a number of domestic NGO's.

During the year, government officials discussed human rights problems with representatives of foreign governments and NGO's.

The Parliamentary Commission for Human Rights did not take action in response to the arrests in August by security forces of antigovernment and anti-Syrian protestors. However, the Commission played an important role in ratifying the U.N. Convention against Torture, passing the new Code of Criminal Procedures, and in improving the conditions of children and women. The Commission also inspected prisons to investigate the conditions of inmates. Following visits to the prisons, the Commission's chairman stated that prison conditions were "deplorable" and that the Commission would work on improving prison conditions by passing the Code of Criminal Procedures and by disbursing \$50 million (80 billion Lebanese pounds) to build new correctional facilities; however, no funds had been allocated by year's end. The Commission also recommended that inmates at the women's prisons of Verdun and Baabda be relocated to the central prison of Rumieh, where conditions are somewhat better; they had not been transferred by year's end. (See Section 2.c.)

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution calls for "social justice and equality of duties and rights among all citizens without prejudice or favoritism;" however, in practice aspects of the law and traditional beliefs discriminate against women, and religious discrimination is built into the political system. Although the law reserves a percentage of private sector and government jobs to persons with disabilities, there are few accommoda-

tions made for them. Discrimination based on race, language, or social status is illegal and is not widespread among citizens; however, foreign domestic servants often are mistreated.

Women.—The law does not specifically prohibit domestic violence; however, violence against women is a common problem. The press reports cases of rape with increasing frequency, and cases reported are believed to be only a fraction of the actual number. There are no authoritative statistics on the extent of spousal abuse. Most experts agree that the problem affects a significant portion of the female population. In general battered or abused women do not talk about their suffering due to fear of bringing shame upon their own families or accusations of misbehavior upon themselves. Despite a law prohibiting battery with a maximum sentence of 3 years in prison for those convicted, some religious courts legally may require a battered wife to return to the house in spite of physical abuse. Many women are compelled to remain in abusive marriages because of social and family pressures. Possible loss of custody of children and the absence of an independent source of income also prevent women from leaving their husbands. Doctors and social workers believe that most abused women do not seek medical help because of shame or inability to pay for treatment.

The Government has no separate program to provide medical assistance to battered women; however, it provides legal assistance to victims who cannot afford it regardless of the gender of the victim. In most of the cases, the police ignore complaints submitted by battered or abused women. The NGO the Lebanese Council to Resist Violence Against Women has worked actively to reduce violence against women by offering counseling and legal aid and raising awareness about domestic violence.

Foreign domestic servants often are mistreated, abused, and in some cases, raped. Asian and African female workers have no practical legal recourse available to them because of their low status, isolation from society, and because the labor laws do not protect them (see Section 6.e.). Because of such abuse, the Government prohibits foreign women from working if they are from countries that do not have diplomatic representation in the country.

The law prohibits rape, and the minimum sentence for a person convicted of rape is 5 years in prison. The minimum sentence for a person convicted of raping a minor is 7 years.

The legal system is discriminatory in its handling of so-called “honor crimes.” According to the Penal Code, a man who kills his wife or other female relative may receive a reduced sentence if he demonstrates that he committed the crime in response to a socially unacceptable sexual relationship conducted by the victim. However, in 1999 the law was amended to increase the severity of the sentence for perpetrators of “honor crimes.” Several instances of honor crimes are reported in the media every year, and reportedly there were an average of two to three cases of honor crimes each month during the year. No person has been convicted in a case legally considered as an honor crime.

Prostitution is legal but regulated; in practice most prostitution is unlicensed and thus illegal. Thousands of foreign women, primarily from Russia and Eastern Europe, engage in prostitution.

The country is a destination for trafficked persons, primarily women (see Section 6.f.).

Women have varying employment opportunities in government, medicine, law, academia, the arts, and to a lesser degree, business. However, social pressure against women pursuing careers is strong in some parts of society. Men sometimes exercise considerable control over female relatives, restricting their activities outside of the home or their contact with friends and relatives. The law prohibits sexual harassment; however, it is a widespread problem.

Women may own property but often cede control of it to male relatives for cultural reasons and because of family pressure. Husbands may block foreign travel by their wives (see Section 2.d.). The testimony of a woman is equal to that of a man in court (see Section 1.e.). During 2000 the Government amended some labor laws affecting women. For example, maternity leave was extended, and women no longer are forbidden from working at night. During the year, Parliament adopted a law providing equal pay for equal work for men and women.

Only men may confer citizenship on their spouses and children. Accordingly, children born to citizen mothers and foreign fathers are not eligible for citizenship. Citizen widows may confer citizenship on their minor children.

Religious groups administer their own family and personal status laws (see Section 2.c.). There are 18 recognized religious groups, each of which differs in its treatment of marriage, family, property rights, and inheritance. Many of these laws discriminate against women. For example, Sunni inheritance law provides a son twice

the inheritance of a daughter. Although Muslim men may divorce easily, Muslim women may do so only with the concurrence of their husbands. There is no law that permits civil marriages, although such ceremonies performed outside the country are recognized by the State. Only religious authorities may perform marriages.

Children.—The plight of children remains a serious concern; however, the Government has not allocated sufficient resources to address the situation. Education is free in public schools and compulsory until the age of 12. However, public schools generally are inadequate, and the cost of private education is a significant problem for the middle and lower classes. Many children, particularly in rural areas, take jobs at a young age to help support their families. UNICEF reported that in the 2000 school year, approximately 85 percent of children between the ages of 3 and 5, and approximately 98 percent of children between the ages of 7 to 11 were enrolled in school. In some families with limited incomes, boys receive more education than girls. Illiteracy rates have reached 37.5 percent. The minimum for child employment is 13 years of age (See Section 6.d.).

The Ministry of Health requires the establishment of health records for every child up to 18 years of age.

An undetermined number of children are neglected, abused, and exploited. The normal procedure for adoption is through religious homes or institutions authorized to arrange adoption; however, the demand to provide infants for adoption abroad results in illegal international adoptions. There are no statistics available concerning the prevalence of the illegal adoption of infants. Poor children often are compelled by their parents to seek employment and often take jobs that jeopardize their safety, including in industry, car mechanic shops, and carpentry (see Section 6.d.). Because of their ages, wages earned by such children are not in conformity with labor regulations. The Government does not have specific child protection laws to remove children from abusive situations and does not grant NGO's adequate legal standing to litigate on behalf of abused minor children.

There are hundreds of abandoned children in the streets nationwide, some of whom survive by begging or by working for low wages. The Center for Street Children has been active in gathering children from various regions and providing a home for them. The Center places children with disabilities in institutions and refers children with police records to juvenile courts.

During the year, the police discovered and broke up several child prostitution rings.

Juvenile delinquency is rising; many juveniles wait in ordinary prisons for trial and remain there after sentencing. Although their number is small, there is no adequate place to hold delinquent girls; therefore, they are held in the women's prison in Ba'abda. Limited financial resources have hindered efforts to build adequate facilities to rehabilitate delinquents. The Government operates a modern juvenile detention facility in Ba'asir.

The Committee for Children's Rights, formed by prominent politicians and some local NGO's, has been lobbying for legislation to improve the condition of children. The Ministry of Social Affairs oversees the Higher Council for Childhood and the National Committee for Literacy. The Higher Council for Childhood prepares legal studies and produces progress reports on national compliance with the Convention on the Rights of the Child. During the year it published a report documenting the follow-up to the World Summit for Children.

Persons with Disabilities.—More than 100,000 persons became disabled during the civil war. Families generally perform care of persons with disabilities. Most efforts to secure education, independence, health, and shelter for persons with disabilities are made by approximately 100 private organizations. These organizations are relatively active, although poorly funded.

There are few accommodations for persons with disabilities in the cities. The Government does not mandate building-code requirements for nongovernment buildings for ease of access by persons with disabilities, although in its rebuilding projects the Government has constructed sidewalks in some parts of Beirut that allow access for persons with disabilities. The private "Solidere" project for the reconstruction of downtown Beirut has self-imposed requirements for access by persons with disabilities. This project is considered to be a model for construction efforts around the country.

During 2000 Parliament passed amendments to the law on persons with disabilities which stipulate that at least 3 percent of all government and private sector positions should be filled by persons with disabilities, provided that such persons fulfill the qualifications of the position. The amendments provide the private sector with tax-reduction benefits if the number of persons with disabilities who are hired exceed the number specified in the law. The amendments also impose a new building code for all government buildings and require that public transportation be ac-

cessible for persons with disabilities. Implementing regulations have not yet been adopted.

On December 2, citizens with disabilities elected 12 members to an 18-member National Committee for Disabled Affairs. The Government is to appoint the remaining six members of the Committee. Some associations representing persons with disabilities boycotted the elections, resulting in very low voter turnout; only 666 of 19,000 eligible voters participated in the elections.

Religious Minorities.—Discrimination based on religion is built into the system of government (see Sections 2.c. and 3). The amended Constitution of 1990 embraces the principle of abolishing religious affiliation as a criterion for filling government positions, but few practical steps have been taken to accomplish this aim. One notable exception is the Lebanese Armed Forces, which through universal conscription and an emphasis on professionalism, have reduced significantly the role of religious sectarianism in that the organization. Each religious group has its own courts for family law matters, such as marriage, divorce, child custody, and inheritance (see Section 2.c.).

There are no legal barriers to proselytizing; however, traditional attitudes and edicts of the clerical establishment strongly discourage such activity. There were reports during the year that members of the Christian community in Kesirwan, with the knowledge of local clergy, occasionally verbally harassed church leaders and persons who attend an unrecognized Protestant evangelical church.

In October a Greek Orthodox church in Tripoli and the Saint Elias Maronite Church in Sidon were bombed. Later that month, arsonists set fire to a north Lebanese mosque. President Lahoud blamed "Israeli sympathizers" for the second incident. No one had been arrested in connection with either crime by year's end.

On October 3, 1999, one person was killed when a bomb exploded in a Maronite church in an eastern Beirut suburb. There were no arrests made in the case during the year.

Throughout the fall of 1999, approximately six random bombings were carried out against Orthodox churches and shops that sold liquor; the bombings took place in the northern city of Tripoli and in surrounding areas. The Government suspected that Sunni extremists carried out the bombings in retaliation for Russian military operations in Chechnya. Police officials detained and allegedly tortured a number of Sunni youths for suspected involvement in the bombings; however, the youths later were released due to a lack of evidence (see Section 1.d.).

In December 1999, Sunni extremists killed four LAF soldiers in an ambush in the northern region of Dinniyeh after the soldiers attempted to arrest two Sunni Muslims allegedly involved in a series of church bombings. On December 31, 1999, the LAF retaliated by launching a massive military operation against Sunni extremists in the north. Five civilians, 7 LAF soldiers, and 15 extremists were killed in the operation (see Section 1.a.).

National/Racial/Ethnic Minorities.—According to the UNHCR, an estimated 380,000 Palestinian refugees are registered in the country (see Section 2.d.); however, it is believed that perhaps between 150,000 to 200,000 Palestinians actually reside in the country. Most Palestinian refugees live in overpopulated camps that have suffered repeated heavy damage as a result of fighting. The Government generally has prohibited the construction of permanent structures in the camps on the grounds that such construction encourages the notion of permanent refugee settlement in the country. Refugees fear that the Government may reduce the size of the camps or eliminate them completely. Very few Palestinians receive work permits, and those who find work usually are directed into unskilled occupations.

Under legislation enacted in April, Palestinian refugees may no longer own property in the country. Other foreigners may own a limited size plot of land but only after obtaining the approval of five different district offices. The law applies to all foreigners, but for political, cultural, and economic reasons it is applied in a manner disadvantageous to the 25,000 Kurds in the country. The Government does not provide health services to Palestinian refugees, who rely on UNRWA and UNRWA-contracted hospitals.

In recent years, Palestinian incomes have declined. Palestinian children reportedly have been forced to leave school at an early age because U.N. relief workers do not have sufficient funds for education programs. The U.N. estimates that 18 percent of street children are Palestinian. Drug addiction, prostitution, and crime reportedly are increasing in the camps, although reliable statistics are not available. In August 1999, the Fatah faction of the PLO expanded its operations in the Ain al-Hilwah refugee camp by opening security offices and hiring personnel to maintain order in the camps.

Section 6. Worker Rights

a. The Right of Association.—All workers except government employees may establish and join unions. Worker representatives must be chosen from those employed within the bargaining unit. About 900,000 persons form the active labor force, 42 percent of whom are members of 160 labor unions and associations. Twenty-two of the unions, with about 200,000 workers, are represented in the General Confederation of Labor (GCL).

Palestinian refugees may organize their own unions; however, because of restrictions on their right to work, few Palestinians participate actively in trade unions.

The law provides for the right to strike. In October the General Federation of Labor Unions held a demonstration to protest an increase in the price of gasoline.

Unions are free to affiliate with international federations and confederations, and they maintain a variety of such affiliations.

b. The Right to Organize and Bargain Collectively.—The right of workers to organize and to bargain collectively exists in law and practice. Most worker groups engage in some form of collective bargaining with their employers. Stronger federations obtain significant gains for their members and on occasion have assisted non-unionized workers. There is no government mechanism to promote voluntary labor-management negotiations, and workers have no protection against antiunion discrimination. Union leaders allege credibly that, in the past, the Government has tried to interfere in elections for union officials.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor.—Forced labor is not prohibited by law. Children, foreign domestic servants, and other foreign workers sometimes are forced to remain in situations amounting to coerced or bonded labor (see Sections 5 and 6.e.).

There were reports that women were trafficked to the country (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment.—The Labor Code stipulates that workers between the ages of 8 and 16 may not work more than 7 hours per day, and requires 1 hour of rest provided after 4 hours. The law defines workers under the age of 13 as child laborers. Children are prohibited from working between the hours of 7 p.m. and 6 a.m. The Code also prohibits certain types of mechanical work for children between the ages of 8 and 13 and other types for those between the ages of 13 and 16. The law prohibits children under the age of 16 from working in jobs that jeopardize their health, safety, or morals and requires that employers give children at least 20 hours of annual leave. In June 2000, Parliament passed amendments to the Labor Code that prohibit children under age 18 from working more than 6-hour days with 1 hour of rest for days of more than 4 hours of work, and from working between the hours of 7 p.m. and 7 a.m. The proposed amendments also would entitle children to 20 hours of paid annual leave. The Ministry of Labor is responsible for enforcing these requirements; however, it does not apply the law rigorously. Forced and bonded child labor is not prohibited and sometimes occurs (see Sections 5 and 6.c.).

Children between the ages of 10 and 14 constitute 0.6 percent of the labor force (5,936 children in total), according to 1996 figures. Most of these child laborers are Lebanese, but some are Syrian; they work predominantly in the industrial, craft, and metallurgical sectors. According to a 1995 UNICEF study, 60 percent of working children are below 13 years of age and 75 percent earn wages below two-thirds of the minimum wage. Nearly 40 percent of working children work 10 to 14 hours per day, and few receive social welfare benefits. In addition, approximately 52,000 children between the ages of 15 and 19 are in the active labor force; they are not eligible for the minimum wage until they reach the age of 21.

e. Acceptable Conditions of Work.—The Government sets a legal minimum wage, currently approximately \$200 (300,000 Lebanese pounds) per month. The law is not enforced effectively in the private sector. In theory the courts could be called upon to enforce it, but in practice they are not. The minimum wage is insufficient to provide a decent standard of living for a worker and family. Trade unions attempt to ensure the payment of minimum wages in both the public sector and the large-scale private sector.

The Labor Law prescribes a standard 6-day workweek of 48 hours, with a 24-hour rest period per week. In practice workers in the industrial sector work an average of 35 hours per week, and workers in other sectors work an average of 30 hours per week. The law includes specific occupational health and safety regulations. Labor regulations require employers to take adequate precautions for employee safety. The Ministry of Labor is responsible for enforcing these regulations, and it does so unevenly. Labor organizers report that workers do not have the right to remove themselves from hazardous conditions without jeopardizing their continued employment. Foreign domestic servants, mostly of Asian and African origin, often are mis-

treated, abused, and raped (see Section 5). The employment contract for a foreign worker is signed by a recruitment agency and the employer; workers rarely are a party to the contract or, if they are a party, may not know what the contract stipulates because it is written in Arabic. The passports of foreign domestic workers are confiscated by the recruitment agency or employers when the workers arrive at the airport. Foreign domestic servants are not protected by labor laws. Domestic servants often work 18 hours per day and, in most cases, do not receive time off for vacations or holidays. There is no minimum wage for domestic servants; their average wage is approximately \$100 (150,000 Lebanese pounds) per month. They have no entitlement to government financial assistance. Many foreign workers leave their jobs—which is not against the law—but their employers often report them as thieves to the police in order to locate them and force them to return.

f. Trafficking in Persons.—The law does not specifically prohibit trafficking in persons; however, the Penal Code stipulates that “any person who deprives another of freedom either by abduction or any other means shall be sentenced to temporary hard labor.” If forced prostitution or forced rendering of sexual services occurs as a result of the abduction, the Penal Code stipulates that the abductor be sentenced to at least 1 year in prison. The country is a destination for internationally trafficked persons, primarily women. There is illegal prostitution involving foreign women, primarily from Russia and Eastern European countries.

Foreign domestic workers are not protected by labor laws. Their passports usually are confiscated by recruitment agencies or employers when the workers arrive at the airport. Employers sometimes falsely accuse employees who leave their jobs of crimes so that the police will help locate them and the employer is able to exert pressure to coerce them to return (See section 6.e.).

LIBYA⁹

The Socialist People’s Libyan Arab Jamahiriya is a dictatorship that has been ruled by Colonel Mu’ammar Al-Qadhafi (the “Brother Leader and Guide of the Revolution”) since 1969, when he led a military coup that overthrew King Idris I. Borrowing from Islamic and pan-Arab ideas, Qadhafi created a political system that rejects democracy and political parties and purports to establish a “third way” superior to capitalism and communism. Libya’s governing principles are derived predominantly from Qadhafi’s “Green Book.” In theory the country is ruled by the citizenry through a series of popular congresses, as laid out in the Constitutional Proclamation of 1969 and the Declaration on the Establishment of the Authority of the People of 1977, but in practice Qadhafi and his inner circle control political power. Qadhafi is aided by extragovernmental organizations—the Revolutionary Committees—that exercise control over most aspects of citizens’ lives. The judiciary is not independent of the Government, and security forces have the power to pass sentences without trial.

Libya maintains an extensive security apparatus, consisting of several elite military units, including Qadhafi’s personal bodyguards, local Revolutionary Committees, and People’s Committees, as well as “Purification” Committees. The result is a multilayered, pervasive surveillance system that monitors and controls the activities of individuals. The various security forces committed numerous serious human rights abuses.

The Government dominates the economy through complete control of the country’s oil resources, which account for approximately 95 percent of export earnings and approximately 30 percent of the gross domestic product. Oil revenues constitute the principal source of foreign exchange. Much of the country’s income has been lost to waste, corruption, conventional armament purchases, and attempts to develop weapons of mass destruction, as well as to large donations made to developing countries in attempts to increase Qadhafi’s influence in Africa and elsewhere. Despite efforts to diversify the economy and encourage private sector participation, extensive controls on prices, credit, trade, and foreign exchange constrain growth. The Government’s mismanagement of the economy has led to high inflation and increased import prices, resulting in a decline in the standard of living for most of the approximately 5 million citizens in recent years, whose average per capita gross domestic product (GDP) was approximately \$8,900. Nevertheless, the country’s gross domestic product grew due to high oil prices, the end of a long cyclical drought, and increased foreign investment following the suspension of U.N. sanctions in 1999.

⁹The United States has no official presence in Libya. Information on the human rights situation therefore is limited; this report draws heavily on non-U.S. Government sources.

The Government's human rights record remained poor, and it continued to commit numerous serious abuses. Citizens do not have the right to change their government. Qadhafi uses summary judicial proceedings to suppress domestic opposition. Security forces torture prisoners during interrogations and as punishment. Prison conditions are poor. Security forces arbitrarily arrest and detain persons, and many prisoners are held incommunicado. Many political detainees are held for years without charge. The Government controls the judiciary, and citizens do not have the right to a fair public trial or to be represented by legal counsel. The Government infringes on citizens' privacy rights, and citizens do not have the right to be secure in their homes or persons, or to own private property. The Government restricts freedom of speech, press, assembly, association, and religion. The Government imposes some limits on freedom of movement. The Government prohibits the establishment of independent human rights organizations. Violence against women is a problem. Traditional attitudes and practices continue to discriminate against women, and female genital mutilation (FGM) is practiced in remote areas of the country. The Government discriminates against and represses tribal groups. The Government continues to repress banned Islamic groups and exercises tight control over ethnic and tribal minorities, such as Amazighs (Berbers), Tuaregs, and the Warfalla tribe. The Government restricts basic worker rights, uses forced labor, and discriminates against foreign workers. In October Libyan mobs killed at least 150 African workers. Government authorities put down the violence, but then expelled hundreds of thousands of African migrants. There have been reports of slavery and trafficking in persons.

U.N. sanctions against Libya were suspended in 1999 following the Government's surrender of two Libyans suspected in the 1988 bombing of Pan Am flight 103. On January 31, a Scottish court in The Hague convicted one of the suspects, Abdelbasset al-Megrahi, in connection with the bombing. Megrahi has appealed the conviction; the appeal is scheduled to begin in January 2002.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life.—Clashes between the security forces and militant Islamic opposition groups were concentrated predominantly in the eastern region and resulted in an undetermined number of deaths. However, there were no reports of such clashes during the year. Since a 1996 prison mutiny in Benghazi and other attacks against the Government, it has maintained tightened security measures. In the years following the mutiny, the Government made hundreds of arrests, conducted military operations in the areas of insurrection, and killed a number of persons.

Prison conditions reportedly are poor and may have caused an unknown number of deaths in custody (see Section 1.c.).

The Government uses summary judicial proceedings to suppress domestic dissent.

U.N. sanctions against Libya were suspended after the Government surrendered two suspects wanted in connection with the bombing of Pan Am flight 103 over Scotland in 1988, which killed 259 persons on board and 11 persons on the ground. On January 31, a Scottish tribunal in The Hague found one man, Abdelbasset al-Megrahi, guilty in connection with the bombing, and acquitted a second. Megrahi has appealed the conviction; the appeal is scheduled to begin in January 2002. U.N. Security Council resolutions require Libya to fulfill certain obligations regarding the Pan Am 103 bombing before sanctions may be lifted, including accepting responsibility for the actions of its officials and payment of appropriate compensation.

In March 1999, a French court convicted in absentia six defendants in the bombing of UTA flight 772 over Chad in 1989, which killed 171 persons, and sentenced them to life in prison. In July 2000, the Government paid the French Government \$31 million (17 million dinars) to compensate the victims' families. Family members of the UTA 772 victims now are seeking indictments of more senior officials, including Qadhafi.

In late November 1999, the Government paid compensation to the British Government for the 1984 killing of British policewoman Yvonne Fletcher outside the Libyan Embassy in London.

In October Libyan mobs killed an estimated 150 Africans, including a Chadian diplomat, in the worst outbreak of antifeigner since Qadhafi took power in 1969. Government security forces reportedly intervened to stop the violence, but then deported hundreds of thousands of African migrant workers by driving them in convoys to the southern border and leaving them stranded in the desert (see Section 6.e.).

b. Disappearance.—There have been no reports of abductions or killings since 1994; the Government in the past has abducted and killed dissidents in the country and abroad. Dissident Mansour Kikhiya disappeared from Cairo, Egypt in 1993. There is credible information that, following his abduction, Kikhiya was executed in Libya in early 1994.

Prisoners routinely are held in incommunicado detention (see Section 1.d.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—Security personnel reportedly routinely torture prisoners during interrogations or for punishment. Government agents reportedly periodically detain and torture foreign workers, particularly those from sub-Saharan Africa. Reports of torture are difficult to corroborate because many prisoners are held incommunicado. In April 1999, the U.N. Committee against Torture reported that it continued to receive allegations of torture and recommended that the authorities send a clear message to all of its law enforcement personnel that torture is not permitted under any circumstances. The law provides for fines against any official using excessive force; however, there are no known cases of prosecution for torture or abuse.

Methods of torture reportedly include: Chaining to a wall for hours; clubbing; applying electric shock; applying corkscrews to the back; pouring lemon juice in open wounds; breaking fingers and allowing the joints to heal without medical care; suffocating with plastic bags; depriving of food and water; hanging by the wrists; suspending from a pole inserted between the knees and elbows; burning with cigarettes; attacking with dogs; and beating on the soles of the feet. In May 1999, in a much publicized case involving the HIV infection of nearly 400 children, three defendants, two Bulgarians and one Palestinian, all health professionals claimed that their confessions had been obtained under duress.

Prison conditions reportedly are poor. According to Amnesty International (AI), political detainees reportedly are held in cruel, inhuman, or degrading conditions, and denied adequate medical care, which has led to several deaths in custody. AI reported that Mohammad 'Ali al-Bakoush, detained since 1989 without charge or trial, died in Abu Salim prison in August 1999, reportedly as a result of poor conditions of detention.

The Government does not permit prison visits by human rights monitors.

d. Arbitrary Arrest, Detention, or Exile.—Security forces arbitrarily arrest and detain citizens. By law the Government may hold detainees incommunicado for unlimited periods. It holds many political detainees incommunicado in unofficial detention centers controlled by members of the Revolutionary Committees.

In 1998 security forces arrested suspected members and sympathizers of banned Islamic groups and monitored activities at mosques following violent clashes in eastern Libya. In June 1998, at least 100 professionals, including engineers, doctors, and university professors in Benghazi and several other major cities were arrested on suspicion of political opposition activities, specifically support of or sympathy for Islamic oppositionist groups. These professionals were held without charge or trial until March, when AI reported that they and approximately 50 other persons were tried on suspicion of supporting or sympathizing with Islamic oppositionist groups. According to AI, relatives of these detainees were only allowed to meet with them in the context of the trial hearings (see Section 1.e.). Some practicing Muslims have shaved their beards to avoid harassment from security services (see Section 2.c.).

The 1994 Purge Law was established to fight financial corruption, black marketeering, drug trafficking, and atheism. It has been enforced by the "Purification" Committees since June 1996. Scores of businessmen, traders, and shop owners have been arrested arbitrarily on charges of corruption, dealing in foreign goods, and funding Islamic fundamentalist groups, and dozens of shops and firms have been closed. As part of the campaign to implement the Purge Law, the wealth of the middle class and affluent has been targeted as well.

The law provides for the punishment of accomplices to crimes of "obstructing the people's power, instigating and practicing tribal fanaticism, possessing, trading in or smuggling unlicensed weapons, and damaging public and private institutions and property." The law also provides that "any group, whether large or small," including towns, villages, local assemblies, tribes, or families, be punished in their entirety if they are accused by the General People's Congress of sympathizing, financing, aiding in any way, harboring, protecting, or refraining from identifying perpetrators of such crimes. Punishment under the Collective Punishment Law ranges from the denial of access to utilities (water, electricity, telephone), fuels, food supplies, official documents, and participation in local assemblies, to the termination of new economic projects and state subsidies. In 1997 Qadhafi declared that if any member of a family was found guilty of an offense, the individual's entire family was to be considered guilty.

Hundreds of political detainees, many associated with banned Islamic groups, reportedly are held in prisons throughout the country (but mainly in the Abu Salim prison in Tripoli); many are held for years without charge. Hundreds of other detainees may have been held for periods too brief (3 to 4 months) to permit confirmation by outside observers (see Section 1.c.).

The Government does not impose forced exile as a form of punishment, and it continued to encourage Libyan dissidents abroad to return, promising to ensure their safety; however, with the exception of the appointment in 2000 of the Ambassador to the Arab League, formerly an opponent of the Government, few have returned, and the sincerity of the Government's offer and the likelihood of reconciliation remain unclear. Students studying abroad have been interrogated upon their return.

e. Denial of Fair Public Trial.—The judiciary is not independent of the Government, and security forces have the power to pass sentences without trial.

There are four levels of courts: Summary courts, which try petty offenses; the courts of first instance, which try more serious crimes; the courts of appeal; and the Supreme Court, which is the final appellate level.

Special revolutionary courts try political offenses. Such trials often are held in secret or even in the absence of the accused. In other cases, the security forces have the power to pass sentences without trial, especially in cases involving political opposition. The U.N. Special Rapporteur noted in 1996 a lack of fairness in trials of capital cases. In the past, Qadhafi has incited local cadres to take extrajudicial action against suspected opponents. In 2000 the attorney defending 16 health professionals who were charged with infecting 400 Libyan children with HIV claimed that he had been allowed to meet with his clients only twice since their incarceration. The defendants (nine Libyans, one Palestinian, and six Bulgarians) were arrested in January 1999. Amnesty International reported that approximately 150 professionals who were arrested in 1998 on suspicion of supporting Islamic oppositionist groups were allowed to meet with family members only when their trial began in March (see Section 1.d.). In November nine Ethiopians arrested in 1992 were released; human rights groups alleged that they had been held illegally after being charged as "black Jews" who were spying on behalf of Israel.

A large number of offenses, including political offenses and "economic crimes," are punishable by death. The law mandates the death penalty for any person associated with a group opposed to the principles of the revolution, as well as for other acts such as treason and attempting to change the form of government by violence. The "Green Book" of 1988 states that "the goal of the Libyan society is to abolish capital punishment;" however, the Government has not acted to abolish the death penalty, and its scope has increased. The law also applies the death penalty to those who speculate in foreign currency, food, clothing, or housing during a state of war or a blockade, and for crimes related to drugs and alcohol.

The private practice of law is illegal; all lawyers must be members of the Secretariat of Justice.

The Government holds a large number of political prisoners. AI estimates that there are hundreds of persons imprisoned for political reasons. According to AI, in August the Government released dozens of political prisoners on the 32nd anniversary of Qadhafi's coming to power, including Ahmad al-Zubayr Ahmad al-Sanussi, who had been in custody for 31 years, many of those years spent in solitary confinement.

The Government does not permit access to political prisoners by international human rights monitors.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—The Government does not respect the right to privacy. Security agencies often disregard the legal requirement to obtain warrants before entering a private home. They also routinely monitor telephone calls.

The security agencies and the Revolutionary Committees oversee an extensive network of informants; one credible foreign observer estimated that 10 to 20 percent of the population was engaged in surveillance for the Government. Exiles have reported that family ties to suspected Government opponents may result in harassment and detention. The Government may seize and destroy property belonging to "enemies of the people" or those who "cooperate" with foreign powers. In the past, citizens have reported that the Government warned members of the extended family of any Government opponent that they, too, risk the death penalty.

The law provides for the punishment of families or communities that aid, abet, or do not inform the Government of criminals and oppositionists in their midst (see Section 1.d.).

The 1994 Purge Law provides for the confiscation of private assets above a nominal amount, describing wealth in excess of such undetermined amounts as "the fruits of exploitation or corruption." In 1996 the Government ordered the formation

of hundreds of "Purge" or Purification Committees composed of young military officers and students. The Purification Committees reportedly seized some "excessive" amounts of private wealth from members of the middle and affluent classes; the confiscated property was taken from the rich to be given to the poor, in an effort to appease the populace and to strengthen the Government's power and control over the country. The activities of the Purification Committees continued during the year.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Government severely limits the freedoms of speech and of the press. This is especially true with regard to criticism of Qadhafi or his Government. The occasional instances of criticism of political leaders and policies in the state-controlled media usually are government attempts to test public opinion or weaken a government figure who may be a potential challenger to Qadhafi. The authorities tolerate some difference of opinion in People's Committee meetings and at the General People's Congress.

The Government restricts freedom of speech in several ways: By prohibiting all political activities not officially approved; by enacting laws so vague that many forms of speech or expression may be interpreted as illegal; and by operating a pervasive system of informants that creates an atmosphere of mistrust at all levels of society (see Section 1.f.).

The State owns and controls the media. There is a state-run daily newspaper, *Al-Shams*, with a circulation of 40,000. Local Revolutionary Committees publish several smaller newspapers. The official news agency, JANA, is the designated conduit for official views. The Government does not permit the publication of opinions contrary to its policy. Such foreign publications as *Newsweek*, *Time*, the *International Herald Tribune*, *L'Express*, and *Jeune Afrique* are available, but authorities routinely censor them and may prohibit their entry into the market.

Technology has made the Internet and satellite television widely available in Libya. According to numerous anecdotal reports, both are accessed easily in Tripoli.

The Government restricts academic freedom. Professors and teachers who discuss politically sensitive topics face the risk of government reprisal.

b. Freedom of Peaceful Assembly and Association.—The Government severely restricts the right of assembly. Public assembly is permitted only with Government approval and in support of the Government's positions.

Speculation continued that the September 2000 mob violence against sub-Saharan African workers, as well as the October riots that resulted in the death of approximately 150 workers and the deportation of hundreds of thousands (see Sections 5 and 6.e.), reflect dissatisfaction with the Government's efforts to enhance ties to Africa, particularly the decisions to provide greater economic assistance to African nations and projects associated with Qadhafi's pan-African policy.

The Government restricts the right of association; it grants such a right only to institutions affiliated with the Government. Under the law, political activity found by the authorities to be treasonous is punishable by death. An offense may include any activity that is "opposed to the principles of the Revolution."

c. Freedom of Religion.—The Government restricts freedom of religion. The country is overwhelmingly Sunni Muslim, and the leadership states publicly its preference for Islam. In an apparent effort to eliminate all alternative power bases, the Government has banned the once powerful Sanusiyya Islamic sect. In its place, Qadhafi established the Islamic Call Society (ICS), which is the outlet for state-approved religion, as well as a tool for exporting the revolution abroad. The ICS also is responsible for relations with other religions, including Christian churches in the country. In 1992 the Government announced that the ICS would be disbanded; however, its director still conducts activities, suggesting that the organization remains operational. Islamic groups whose beliefs and practices are at variance with the state-approved teaching of Islam are banned. Although most Islamic institutions are under state control, some mosques are endowed by prominent families; however, they generally follow the government-approved interpretation of Islam.

According to recent reports, individuals rarely are harassed because of their religious practices, unless such practices are perceived as having a political motivation. In 1998 at least 100 professionals in Benghazi and several other major cities were arrested on suspicion of political opposition activities, specifically support of or sympathy for the Islamic oppositionist movement. Some practicing Muslims have shaved their beards to avoid harassment from security services.

Members of some minority religions are allowed to conduct services. Christian churches operate openly and are tolerated by the authorities. However, Christians are restricted by the lack of churches; there is a government limit of one church per denomination per city. The authorities reportedly have failed to honor a promise

made to provide the Anglican Church with alternative facilities when the Government took the property used by the Anglicans in 1970. Since 1988 Anglicans have shared a villa with other Protestant denominations. There are two resident Catholic bishops and a small number of priests. In 1997 the Vatican established diplomatic relations, stating that the country had taken steps to protect freedom of religion. The Vatican hoped to be able to address more adequately the needs of the estimated 50,000 Catholics in the country.

There are no known places of worship for other non-Muslim religions such as Hinduism, the Baha'i Faith, and Buddhism, although adherents are allowed to practice within the privacy of their homes. Foreign adherents of these religions are allowed to display and sell religious items at bazaars and other gatherings.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The Government usually does not restrict the internal movement of citizens, but it has imposed blockades on those cities and regions (primarily in the east) in which antigovernment attacks or movements originate.

The Government requires citizens to obtain exit permits for travel abroad and limits their access to hard currency. A woman must have her husband's permission to travel abroad (see Section 5). Authorities routinely seize the passports of foreigners married to citizens upon their entry into the country.

The right of return exists. The Government has called on students, many of whom receive a government subsidy, and others working abroad, to return to the country on little or no notice.

The Government expels noncitizens arbitrarily. Following reports in October of mob violence in which 150 African workers were killed, the Government expelled hundreds of thousands of African migrants by driving them in convoys to the border with Niger and Chad and abandoning them there in the desert (see Section 5 and 6.e.).

In 2000 the Government reportedly expelled hundreds of African workers following incidents of mob violence (see Section 5). In April 1998, the Government accused at least 10 Tunisians of suspected membership in, or support for, the Islamist group An-Nahda, which is banned in Tunisia for activities in opposition to the Tunisian Government and forcibly returned them to Tunisia, where they reportedly were subjected to abuse.

While the country has acceded to the 1969 Organization of African Unity Convention on refugees, it is not a signatory to the 1951 U.N. Convention relating to the Status of Refugees and its 1967 Protocol. The law does not include provisions for granting asylum, first asylum, or refugee status. The U.N. High Commissioner for Refugees (UNHCR) reported that there were approximately 33,000 refugees in the country, including 30,000 Palestinians and 3,000 Somalis. During the year, the UNHCR assisted approximately 1,300 of the most vulnerable refugees in the country and supported income-generating programs for refugee women. The Government cooperates with UNHCR and provides free housing to approximately 850 refugees.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The Government denies citizens the right to change their government. Major government decisions are controlled by Qadhafi, his close associates, and committees acting in his name. Political parties are banned. Qadhafi appoints military officers and official functionaries down to junior levels. Corruption and favoritism, partly based on tribal origin, are major problems that adversely affect government efficiency.

In theory popular political participation is provided by the grassroots People's Committees, which are open to both men and women, and which send representatives annually to the national General People's Congress (GPC). In practice the GPC merely approves all recommendations made by Qadhafi.

Qadhafi established the Revolutionary Committees in 1977. These bodies consist primarily of youths who guard against political dissent. Some committees have engaged in show trials of Government opponents; the committees also have been implicated in the killing of opponents abroad. The committees approve all candidates in elections for the GPC.

There is no reliable information on the representation of women and minorities in the Government.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government prohibits the establishment of independent human rights organizations.

The Government has not responded substantively to appeals from Amnesty International on behalf of detainees. In 1994 the Government characterized Amnesty International as a tool of Western interests and dismissed its work as neocolonialist; its representatives last visited the country in 1988.

The Government created the Libyan Arab Human Rights Committee in 1989. The committee is not known to have published any reports.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution prohibits discrimination based on these factors; however, the Government does not enforce the prohibitions, particularly those against discrimination against women and tribal minorities.

Women.—Although there is little detailed information regarding the extent of violence against women, it remains a problem. In general the intervention of neighbors and extended family members tends to limit the reporting of domestic violence. Abuse within the family rarely is discussed publicly, due to the value attached to privacy in society.

Some nomadic tribes located in remote areas still practice female genital mutilation (FGM) on young girls, a procedure that is condemned widely by international health experts as damaging to both physical and psychological health.

Citizens have been implicated in the purchase of Sudanese slaves, mainly southern Sudanese women and children (see Section 6.f.).

The 1969 Constitutional Proclamation granted women total equality. Despite this legal provision, traditional attitudes and practices prevail, and discrimination against women persists and keeps them from attaining the family or civil rights formally provided them. A woman must have the permission of her husband or another close male relative to travel abroad (see Section 2.d.).

Although their status is still not equal to that of men, the opportunity for women to make notable social progress increased in recent years. Oil wealth, urbanization, development plans, education programs, and even the impetus behind Qadhafi's revolutionary government have contributed to the creation of new employment opportunities for women. In recent years, a growing sense of individualism in some segments of society, especially among the educated young, has been noted. For example, many educated young couples prefer to set up their own households, rather than move in with their parents, and view polygyny with scorn. Educational differences between men and women have narrowed.

In general the emancipation of women is a generational phenomenon: Urban women under the age of 35 tend to have more "modern" attitudes toward life and have discarded the traditional veil; at the same time, older urban women tend to be more reluctant to give up the veil or traditional attitudes toward family and employment. Moreover, a significant proportion of rural women still do not attend school and tend to instill in their children such traditional beliefs as women's subservient role in society.

Female participation in the workforce, particularly in services, has increased in the last decade. However, employment gains by women tend to be inhibited by lingering traditional restrictions that discourage women from playing an active role in the workplace and by the resurgence of Islamic fundamentalist values. Some observers have noted that even educated women tend to lack self-confidence and social awareness and seek only a limited degree of occupational and social equality with men.

Children.—The Government subsidizes education (which is compulsory until age 15) and medical care, and it has improved the welfare of children; however, declining revenues and general economic mismanagement have led to cutbacks, particularly in medical services.

Sudanese girls reportedly have been sold as slaves in the country (see Section 6.f.).

FGM is practiced on young girls (see Section 5, Women).

Persons with Disabilities.—No information is available on the Government's efforts, if any, to assist persons with disabilities.

National/Racial/Ethnic Minorities.—Arabic-speaking Muslims of mixed Arab and Amazigh ancestry constitute 97 percent of the population. The principal minorities are Amazighs and sub-Saharan Africans. There are frequent allegations of discrimination based on tribal status, particularly against Amazighs in the interior and Tuaregs in the south. The Government has manipulated the tribes to maintain a grip on power by rewarding some tribes with money and government positions and repressing and jailing members of various other tribes. The Government also has attempted to keep the tribes fractured by pitting one against another.

Foreigners constitute a significant part of the workforce. Africans in particular have become targets of resentment, and in October mobs of citizens in several locations reportedly killed 150 African workers, including a Chadian diplomat. The Government dispersed the rioters, but then reportedly expelled hundreds of thousands of African workers.

The October violence followed similar attacks on African workers in September 2000, in which mobs beat and killed numerous workers and, in some cases, burned their places of residence and employment. The mobs blamed the foreign population for increased crime and the presence of HIV/AIDS in the country.

Section 6. Worker Rights

a. The Right of Association.—Independent trade unions and professional associations are prohibited, and workers do not have the right to form their own unions. The Government regards such structures as unacceptable “intermediaries between the revolution and the working forces.” However, workers may join the National Trade Unions’ Federation, which was created in 1972 and is administered by the People’s Committee system. The Government prohibits foreign workers from joining this organization.

The law does not provide workers with the right to strike. In a 1992 speech, Qadhafi claimed that workers were permitted to strike but added that strikes do not occur because the workers control their enterprises. There have been no reports of strikes for years.

The official trade union organization plays an active role in the International Confederation of Arab Trade Unions and the Organization of African Trade Union Unity. The Arab Maghreb Trade Union Federation suspended the membership of the country’s trade union organization in 1993. The suspension followed reports that Qadhafi had replaced all union leaders, in some cases with loyal followers without union experience.

b. The Right to Organize and Bargain Collectively.—Collective bargaining does not exist in any meaningful sense, because labor law requires that the Government must approve all agreements.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor.—In its 2000 report, the International Labor Organization’s (ILO) Committee of Experts stated that in the country “persons expressing certain political views or views ideologically opposed to the established political, social, or economic system may be punished with penalties of imprisonment,” including “an obligation to perform labor.” The ILO report also noted that public employees may be sentenced to compulsory labor “as a punishment for breaches of labor discipline or for participation in strikes, even in services whose interruption would not endanger the life, personal safety, or health of the whole or part of the population.”

There have been credible reports that the Government arbitrarily has forced some foreign workers into involuntary military service or has coerced them into performing subversive activities against their own countries. Despite the Penal Code’s prohibition on slavery, citizens have been implicated in the purchase of Sudanese slaves, mainly southern Sudanese women and children, who were captured by Sudanese government troops in the ongoing civil war in Sudan (see Section 6.f.).

There is no information regarding whether the law prohibits forced or bonded labor by children or whether such practices occur.

d. Status of Child Labor Practices and Minimum Age for Employment.—The minimum age for employment of children is 18. There is no information available on the prevalence of child labor, or whether forced or bonded labor by children is prohibited or practiced (see Section 6.c.).

e. Acceptable Conditions of Work.—The legal maximum workweek is 48 hours. The labor law defines the rights and duties of workers, including matters of compensation, pension rights, minimum rest periods, and working hours.

Wages, particularly in the public sector, frequently are in arrears. A public sector wage freeze imposed in 1981 remains in effect and has eroded real income significantly, particularly in the face of consistently high inflation. According to some reports, the average family lives on \$170 (86.7 dinars) a month. There is no information available regarding whether the average wage is sufficient to provide a worker and family with a decent standard of living.

Labor inspectors are assigned to inspect places of work for compliance with occupational health and safety standards. Certain industries, such as the petroleum sector, attempt to maintain standards set by foreign companies. There is no information regarding whether a worker may remove himself from an unhealthy or unsafe work situation without risking continued employment.

Although foreign workers constitute a significant percentage of the work force, the Labor Law does not accord them equality of treatment. Foreign workers may reside in the country only for the duration of their work contracts and may not send more than half of their earnings to their families in their home countries. They are subject to arbitrary pressures, such as changes in work rules and contracts, and have little option but to accept such changes or to depart the country. Foreign workers who are not under contract enjoy no protection.

In 1997 the U.N. Committee on Economic, Social, and Cultural Rights cited inadequate housing, threats of imprisonment to those accused of disobeying disciplinary rules, and accusations of causing a variety of societal problems as some of the problems in the Government's treatment of foreign laborers.

The Government uses the threat of expulsion of foreign workers as leverage against countries whose foreign policies run counter to the Government's. For example, over 130 Algerians were expelled in 1997.

In October mobs of citizens in several locations reportedly killed 150 African workers, leading to the deportation of hundreds of thousands of African workers by the Government. The violence followed similar attacks on African workers in September 2000 (see Section 5).

f. Trafficking in Persons.—There is no information available regarding whether the law specifically prohibits trafficking in persons.

There have been reports of trafficking in persons. On August 28, Senegalese authorities detained 100 young Senegalese women from boarding a charter flight to Libya. According to a media report, two French nationals of Senegalese origin were arrested and charged with organizing international prostitution. In September Senegalese authorities questioned a Senegalese and the French nationals relating to allegations that these women were being sent to Libya to work as prostitutes. Citizens have been implicated in the purchase of Sudanese slaves, mainly southern Sudanese women and children, who were captured by Sudanese Government troops in the ongoing civil war in Sudan (see Section 6.c.).

MOROCCO

The Constitution provides for a monarchy with a Parliament and an independent judiciary; however, ultimate authority rests with the King, Mohammed VI, who presides over the Council of Ministers, appoints or approves many members of the Government, and may, at his discretion, terminate the tenure of any minister, dissolve the Parliament, call for new elections, and rule by decree. Since the constitutional reform of 1996, the bicameral legislature consists of a lower house, the Chamber of Representatives, which is elected through universal suffrage, and an upper house, the Chamber of Counselors, whose members are elected by various regional, local, and professional councils (members of whom are elected directly). The lower house of Parliament also may dissolve the Government through a vote of no confidence. In March 1998, King Hassan named a coalition government headed by opposition socialist leader Abderrahmane Youssoufi and composed largely of ministers drawn from opposition parties. Prime Minister Youssoufi's Government is the first government drawn primarily from opposition parties in decades, and also represents the first opportunity for a coalition of socialist, left-of-center, and nationalist parties to be included in the Government. The November 1997 parliamentary elections were held amid widespread, credible reports of vote-buying by political parties and the Government, and excessive government interference. The fraud and government pressure tactics led most independent observers to conclude that the results of the election were heavily influenced, if not predetermined, by the Government. After a long appeals process, some of the results were overturned by the Constitutional Council in 2000, and new by-elections were held. In September 2000, the Government reported that various political parties had engaged in vote buying and fraud during indirect elections to replace one-third of the 270 seats in the Chamber of Counselors, Parliament's upper house. The judiciary is subject to government influence and some members of the judiciary accepted bribes; however, the Youssoufi Government continued to implement a reform program aimed at developing greater judicial independence and impartiality.

The security apparatus includes several overlapping police and paramilitary organizations. The Border Police and the National Security Police are departments of the Ministry of Interior; the Judicial Police falls under the jurisdiction of the Ministry of Justice; and the Royal Gendarmerie reports to the Palace. Some members of the security forces continued to commit serious human rights abuses, although such abuses decreased somewhat during the year. While there were some well-pub-

licized prosecutions for abuses by security forces, the failure to prosecute most other cases raised concerns regarding the Government's commitment to resolving the problem.

The country has a population of approximately 30,120,000. The economy is based on large phosphate reserves, a diverse agricultural sector, fisheries, a sizable tourist industry, a growing manufacturing sector (especially textiles), and a dynamic, deregulated telecommunications sector. Citizens working abroad are a source of considerable remittances. The illegal production and export of cannabis also is a significant economic activity, particularly in the north. Economic growth is highly dependent on agricultural output, which has been affected adversely by three consecutive years of worsening drought. According to the Government's statistics, the real gross domestic product (GDP) per capita was \$1,181 in 2000, and the Government expected an increase of 6.1 percent in 2001.

The Government generally respected the rights of its citizens in most areas; however, the Government's record was generally poor in a few areas. Citizens do not have the full right to change their government. While then-King Hassan II's appointment of a first-ever opposition coalition government in 1998 marked a significant step toward democratization, officially recognized corruption and vote-buying in the September 2000 Chamber of Counselors elections constituted a notable setback. There is one report of a suspicious death in police custody, and a number of prisoners died while incarcerated. Despite progress by the Government, human rights groups continued to call for full disclosure of all available information concerning citizens abducted by the Government from the 1960's through the 1980's. Some members of the security forces beat protesters on several occasions, although the extent of such abuses was more limited than in the past. Prison conditions remain harsh but continued slowly to improve. Authorities, at times, arbitrarily arrested and detained persons. The judiciary was subject to Interior Ministry influence and some members of the judiciary accepted bribes. Human rights organizations and activists continued to allege a lack of due process in high-profile court trials. Sixty-four member of the Islamist Justice and Charity Organization (JCO) and 36 human rights activists were sentenced to between 3 months and 1 year in prison plus fines, for their participation in protests held in December 2000 to celebrate the International Day of Human Rights. In July the Government quickly prosecuted on extremely questionable grounds a former intelligence agent who had made embarrassing assertions regarding the disappearance from Paris in 1965 of socialist leader Mehdi Ben Barka, a leading socialist and opposition figure. The Royal Arbitration Commission that the King established in 1999 to indemnify former political prisoners and their families continued to adjudicate cases and pay compensation.

At times authorities infringed on citizens' privacy rights. The Government's record on press freedom remained inconsistent during the year, although it improved over 2000. While the Government permitted extensive coverage of formerly taboo topics, it systematically restricted press freedom on several specific topics that it considered sensitive, and on which journalists continued to practice self-censorship, including criticism of the Monarchy, Morocco's claim to the Western Sahara, and the sanctity of Islam. The Government censored and banned several domestic and foreign publications during the year. The Government limited freedom of assembly and association. In several incidents throughout the year, police beat and violently dispersed demonstrators although police broke up fewer demonstrations than in the past. The Government limited freedom of religion. Although non-Muslim foreigners may practice their religions freely, missionaries who proselytized faced expulsion, and converts from Islam to other religions continued to experience social ostracism. The Government monitored the activities of mosques. The Government at times restricted freedom of movement and withheld the granting of passports for foreign travel. Human rights awareness training continued for teachers and police personnel. In April Amnesty International Secretary General Pierre Sane "applauded the progress recorded by Morocco in the field of human rights," although he urged more progress concerning political prisoners and past cases of disappearance.

Domestic violence and discrimination against women were common. Teenage prostitution was a problem in urban centers. Berbers faced cultural marginalization, and continued to press the Government to preserve their languages and culture. On October 17, the King established an institute to promote Berber culture. The Government violated worker rights, subjecting unions to government interference, restricting the right to strike and the right of workers to form unions, and using security forces to break up strikes. Child labor was a problem, and the Government did not act strongly enough to end the plight of young girls who were illegally employed and subjected to exploitative and abusive domestic servitude. Trafficking in persons, particularly child maids, was a problem.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life.—There were no reports of politically motivated killings.

On February 20 in Sale, a person died in custody as a result of police abuse. A policeman was tried on October 26 and convicted of torture resulting in death. He has appealed the conviction; the court has not yet handed down its sentence at year's end.

In January 2000, Ali Akzkane died while in police custody in Tiznit. The Inspector General of the National Security Police investigated the matter. The investigation determined that Akzkane had been suffering from depression and had committed suicide in his jail cell. The autopsy was not made public. The Government did not file any charges (see Section 1.c.).

In July 2000, a Royal Armed Forces patrol took Mustapha Najaji and another person into custody. According to the other person, the patrol beat Najaji at a Ministry of Interior holding cell. Najaji later fell down, lost consciousness, and stopped breathing, at which time the security forces released the second person. The security forces reported Najaji committed suicide by hanging himself. The second person later claimed Najaji died from beatings by the security forces. The Moroccan Association of Human Rights (AMDH) reported that the autopsy indicated that Najaji had been the victim of violence before his death, and expressed concern regarding the slow pace of the investigation. No charges were filed in the case during the year and the investigation was ongoing at year's end (see Section 1.c.).

Police authorities stopped Farah Mohammed near Oujda in 1999. Eyewitnesses reported he was beaten and kicked into unconsciousness. He later died in police custody. In August 1999, three police and security officers were arrested in the case. They were convicted of torturing Mohammed and sentenced to 12 years in prison.

After a lengthy delay, the trial of three policemen accused of manslaughter in the 1996 death of Hassan Mernissi resumed in September 2000. The prosecution maintained that Mernissi was beaten to death while in detention. The defendants maintain that Mernissi was drunk and knocked his head against the cell bars until he died. The autopsy indicated that he bled to death. After a 2-year investigation, the case finally went to trial in September 2000, was delayed until March, and was still pending at year's end.

Human rights groups maintained that poor medical care in prisons results in unnecessary deaths. The National Prison Administration continues to allow prison site visits by human rights groups, the press, and foreign diplomats (see Section 1.c.).

b. Disappearance.—There were no new cases of confirmed disappearance for the sixth consecutive year. However, the AMDH claimed that the continued practice of incommunicado detention without informing family members of those detained was evidence of the continued practice of forced disappearance (see Section 1.d.).

The forced disappearance of individuals who opposed the Government and its policies occurred during several decades. The Youssoufi Government, upon taking office, pledged that such policies would not recur, and that it would disclose as much information as possible on past cases. Many of those who had disappeared were implicated in attempts to overthrow the Government in 1971 and 1972, or were Moroccans or Sahrawis (inhabitants of former Spanish Protectorate of Western Sahara) who challenged the Government's claim to the Western Sahara or other government policies. Many of those who disappeared were held in secret detention camps. The Government has provided information and death certificates regarding many of those who had disappeared over the years. However, hundreds of Moroccan and Sahrawi families do not have any information about their missing relatives, many of whom disappeared over 20 years ago. Authorities stated that they have released information on all confirmed disappearance cases.

After years of denying that Sahrawis were imprisoned in Morocco for Polisario-related military or political activity, the Government released more than 300 such prisoners in 1991. Entire families, and Sahrawis who had disappeared in the mid-1970's, were among those released. The Government has failed to conduct a public inquiry or to explain how and why those released spent up to 16 years of incommunicado detention without charge or trial. The former Sahrawi detainees have formed an informal association whose principal objective is to seek redress and compensation from the Government for their detention. A delegation of this association continued to meet with various government officials, human rights organizations, members of the press, and diplomatic representatives in both Rabat and in Laayoune during the year. They reported that little progress has been made in gaining the Government's recognition of their grievances.

Since October 1998, the Royal Consultative Council on Human Rights (CCDH) has been releasing information regarding cases of disappearance. However, human rights groups and families continue to claim hundreds more cases of disappearances than the Government, which lists only 112. Many disputed disappearances are from the Western Sahara. On April 13, the King issued a decree expanding the CCDH's mandate to allow it to investigate cases on its own initiative. The decree also directed the CCDH to submit its own annual report on the human rights situation in Morocco, and created an annual human rights prize. The decree enhanced autonomy by changing the composition of the council to decrease the number of slots for political parties and unions from 18 to 9, and increase the number for economic, social and cultural associations; however, the King nominates all persons on the Council. In addition decision making was changed from requiring a unanimous vote to a two-thirds majority. The decree also changed the status of ministerial delegates from voting to advisory members. Thus, the influence of the Ministry of the Interior and the Ministry of Justice is significantly reduced. Moroccan human rights organizations favored these changes and helped argue for them, although some groups do not feel the changes went far enough.

The CCDH also is responsible for assisting the Arbitration Commission in providing compensation to victims of past human rights abuses, or their surviving family members. In July 2000, the Government, through the Arbitration Commission of the CCDH, began distributing preliminary compensation payments to Sahrawis who had disappeared or been detained in the past, and their family members. The Government announced that it intended such initial payments to be provisional funds for Sahrawis with urgent medical or financial needs who had appealed for compensation by December 31, 1999, and that more compensation could be distributed pending the results of the Commission's review of petitions by Sahrawi claimants. However, numerous cases remain pending. In an interview, CCDH President Driss Dahak claimed that as of June 22, the commission had settled 609 cases of disappearances, paying compensation in 376. It also had paid compensation in 712 cases of arbitrary detention and had turned down 233 applications. According to the CCDH, as of late September, over 5,000 applications had been filed, including multiple applications for each person who had disappeared. By year's end, the Arbitration Commission had awarded approximately \$45 million (495 million dirhams) in compensation, including employment assistance and medical care.

Nevertheless, human rights organizations maintain that the compensation process is neither independent nor transparent, that it provides insufficient compensation, and that it precludes appeal. Some groups also criticized the small number of cases settled, citing that thousands remained. The CCDH claimed that it has completed the disappearance and Sahawri cases and currently was investigating individual claims, which take longer. On November 7, prior to a national meeting on human rights, the AMDH, the Moroccan Organization of Human Rights (OMDH) and Moroccan Forum for Truth and Justice (FMVJ—created by victims of forced disappearance and their surviving family members) proposed the creation of an independent commission to determine the truth in past cases of human rights violations. Several international organizations attended the meeting, as well as 14 Moroccan political parties and organizations.

Associations that seek information regarding those who have disappeared, including the FMVJ, an executive coordinating committee of former Sahrawi political prisoners, and a group specifically representing Tazmamart prison survivors, operate openly, and call upon the Government for full disclosure of events surrounding cases that date back to the 1960's. Several front-page articles in newspapers affiliated with parties in the governing coalition called at various times during the year for full disclosure on all outstanding cases of disappearance. The associations also called for compensation to families of those who have disappeared, death certificates and the return of the remains of those who died, and prosecution of responsible officials. The Government had indicated in recent years that it would be more open to providing information regarding these past cases. However, it now claims to have released all the information it possesses, an assertion that several human rights NGO's dispute. Throughout the year, FMVJ leaders met with leaders of national political parties, although the FMVJ claimed in 2000 that political parties were reluctant to help them address past disappearances. Associations in the Western Sahara that seek information on disappearances were not free from government interference; there were reports that some members of these associations were harassed and intimidated while seeking information regarding missing Sahrawis. Some also continued to be denied passports (see Section 2.d.).

On January 16, activist Abdelkarim Manouzi claimed that some of the disappeared persons still unaccounted for were alive and in Government custody. However, he offered no evidence. On November 10 and 11, a committee of families of

abducted persons staged a hunger strike to protest “the procrastination of the authorities in replying to the crucial requests of the families of abducted people.”

Beginning in October 2000, the Government has permitted an organization of former political detainees, as well as hundreds of human rights activists, to travel to and hold remembrance ceremonies at the notorious former secret detention center at Tazmamart, whose existence the authorities formerly denied (see Section 2.a.). The press is now free to write stories about Tazmamart.

c. Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.—The law prohibits torture, and the Government claims that the use of torture has been discontinued; however, some members of the security forces still tortured or otherwise abused detainees. The Penal Code stipulates sentences up to life imprisonment for public servants who “use or oblige the use of violence” against others in the exercise of their official duties. By law, pretrial-investigating judges must, if asked to do so or if they themselves notice physical marks that so warrant, refer the detained person to an expert in forensic medicine. However, according to legal experts affiliated with human rights groups, judges often ignored this requirement in practice. While there were some well-publicized prosecutions for abuses by security forces, the failure to prosecute most other cases raised concerns regarding the Government’s commitment to resolving the problem.

On February 20, a person died after police reportedly abused him while in custody (see Section 1.a.).

In January 2000, Ali Akzkane died while in police custody in Tiznit. The Inspector General of the National Security Police investigated the matter. The investigation determined that Akzkane had been suffering from depression and committed suicide in his jail cell. The Government did not file any charges (see Section 1.a.).

Following his release from prison in May 2000 after a royal pardon, Sadok El-Kihal, a trucker and regional bureau member of the Istiqlal party’s General Union of Moroccan Workers (UGTM), contacted the AMDH. He claimed that authorities had arrested arbitrarily, jailed, tortured, and falsely convicted him in June 1999 following his participation in a national truckers’ strike. El-Kihal alleged that security forces in the Gendarmerie of Taouriate (Oujda province) tortured him for almost 24 hours, suspending him by his arms for extended periods while beating his fingers and feet. El-Kihal also alleged to AMDH that members of the Gendarmerie tied his hands behind his back, bent him backward on his knees, and applied pressure to his stomach while fingers were forced down his throat. El-Kihal alleged that two adjutants in the Gendarmerie participated in his torture. El-Kihal claimed that his jailers wrote a false police report, which they forced him to endorse with his thumbprint without first allowing him to read. He alleged that this police report formed the basis of his conviction at the Oujda court of appeals, which sentenced him to 2 years’ imprisonment. No charges were filed based on his allegations during the year. At year’s end, the investigation of El-Kihal was ongoing (see Sections 1.d., 1.e., and 6.a.).

In July 2000, a Royal Armed Forces patrol took Mustapha Najiaji and another person into custody. According to the other person, the patrol beat Najiaji at a Ministry of the Interior holding cell. Najiaji later fell down, lost consciousness, and stopped breathing, at which time the security forces released the second person. The security forces reported that Najiaji committed suicide by hanging himself. The second person later claimed Najiaji died from beatings by the security forces. The AMDH reported that the autopsy indicated that Najiaji was the victim of violence before his death, and expressed concern over the slow pace of the investigation. No charges were filed in the case during the year. The investigation of Najiaji was ongoing at year’s end (see Section 1.a.).

In August 2000, the media reported allegations by Abderrahmane Jamali that police officers in the Ain Sebaa-Hay Al-Hassani station in Casablanca had tortured him for 3 days, once in the presence of a citizen who had filed a complaint against him. Press reports alleged that the incident began when the plaintiff twice filed a complaint against Jamali for abuse of confidence and theft. After the prosecutor dismissed the first complaint for lack of proof, the plaintiff requested a reopening and more thorough investigation of the case. Press reports alleged that Jamali subsequently was detained, tortured for 3 days, and then convicted and sentenced by a Casablanca court to 5 months’ imprisonment. Jamali reportedly fainted during the sentencing hearing, and became ill within days of his incarceration. After his family sent a letter to the prison director requesting the director’s intervention, he was sent to various medical facilities. At Averroes Hospital, doctors in August 2000 detected an infection allegedly transmitted by parasites found on rodents. According to the Party of Progress and Socialism’s French-language daily newspaper Al-Bayane, doctors also found signs of “physical cruelty” on Jamali’s body. The marks reportedly included contusions and bruises on his neck and knees. A doctor at

Averroes wrote a letter to Al-Bayane claiming that the infection Jamali contracted “does not explain all of the signs that we observed during (his) clinical examination.” Jamali later filed complaints against three agents of the judicial police for torture; the Casablanca police department announced in August 2000 that it had opened an investigation into the charges. Some newspapers called for an investigation into the court’s handling of the case because the judge and prosecutor allegedly failed to inquire into the detainee’s fragile state of health, as required by law. No charges were filed in this case during the year, and the investigation was ongoing at year’s end.

In September 2000, the media reported on two cases of alleged torture by a Royal Gendarmerie officer in Zaio. According to the reports, the officer tortured two persons in order to extort money from their family and friends. In one of the cases, a cafe owner alleged that the officer slapped him in September 2000 in front of his customers, used force to remove him from his establishment, and subjected him to various forms of torture at brigade headquarters. In the second case, an elderly woman brought suit against the same officer for torturing her son and extorting approximately \$450 (5,000 dirhams) from her to stop the torture. After he was informed of the cases, Zaio’s municipal president (who also is a Member of Parliament) reportedly referred the cases immediately to the national authorities. An investigation into the alleged torture cases was ongoing at year’s end; no charges have been filed in either case.

In 2000 the OMDH appealed to the Interior Minister to implement a series of proposed measures, including measures reinforcing individual protections against torture through the full implementation of the Convention Against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment, providing for the destruction of police files on former political prisoners or exiles, and ending illegal punitive detention measures by local authorities. According to the OMDH, torture in detention largely continues to escape the notice of the judiciary. The OMDH noted that the implementation of judges’ instructions on eliminating the use of torture has been “exceedingly slow.” While the OMDH admitted that the use of torture has diminished over the years, it claimed that it has not disappeared. The OMDH alleged in its report that those who commit such abuses “do so with impunity in almost all cases.” The NGO called on the Government to harmonize domestic law with its responsibilities under the U.N. Convention Against Torture, to ensure full independence for the judiciary, and to punish those who resort to torture.

An investigation remains ongoing into charges of police abuse of protesters and persons in custody during late 1999 in Laayoune. No charges were filed in connection with the abuse and the investigation was closed. A Sahawari student claimed to have been tortured with burning cigarettes by police during detention following large-scale demonstrations by mostly Sahrawi students near the Marrakech University campus in May 2000. A university student arrested in Rabat following solidarity protests with Sahrawi students in May 2000 claimed to have been beaten severely and interrogated regarding his links with other Sahrawi students and human rights activists; charges against him and 13 others were dismissed in November 2000. Due to OMDH’s efforts, the allegations in these cases were investigated; however, no charges were filed as a result.

The Government continued to admit past torture and abuses; however, it has not prosecuted those responsible. In 2000 the Government permitted publication of “The Unachieved Past,” regarding the harsh conditions in the Kenitra high security prison (the author has since been awarded a literary prize from the King himself for his most recent novel). The authorities also permitted publication of a comic book called “They Even Starve Rats,” which vividly recounted the torture, injustice, and humiliation that the author and others suffered at the hands of the authorities (see Section 2.a).

In early January, Ahmed Marzouki published a book, “Tazmamart: Cell 10,” about his 18 years as a prisoner at the notorious Tazmamart prison. The book described Marzouki’s ordeal, including the cruelty of the guards, torture, solitary confinement, and the perpetual darkness. Marzouki finally was granted a passport on January 17 (after a public appeal to the King), and allowed to travel to Paris and publicize his book. The government-owned television station, 2M, carried an interview with Marzouki (see Section 2.a. and 2.d.).

Police and security forces reportedly used excessive force to disrupt a number of protests and demonstrations during the year, although such incidents declined in comparison to the previous year. On April 17, the police reportedly used excessive force to disperse taxi drivers in Rabat and Sale who were conducting a peaceful protest against what they considered unreasonably large fines imposed by the police. The taxi union criticized the Government’s action. Seventeen persons reportedly were injured (see Section 2.b.).

On May 3, five demonstrators reportedly were injured when police violently disrupted sit-in by unemployed graduates outside the Employment Department in the Western Saharan city of Laayoune (see Section 1.d.). On November 14, security forces using clubs broke up an attempted a sit-in by striking teachers in front of the Ministry of Finance in Rabat. According to press reports, some of the strikers were injured seriously (see Sections 2.b. and 6.a.).

Prison conditions remain harsh, although there have been some improvements in medical care and overcrowding. Credible reports indicate that harsh treatment and conditions continue, often as a result of chronic overcrowding. Despite being designed to hold 4,000 inmates, Oukacha Central Prison in Casablanca currently holds more than 7,000 prisoners. Human rights groups allege that poor medical care in prisons results in unnecessary deaths. In addition to extreme overcrowding, malnutrition and lack of hygiene continue to aggravate the poor health conditions inside prisons.

According to a February article by the newspaper *Liberation*, most prisons lack adequate medical care and supplies for prisoners, with the exceptions of the prisons at Sale and Casablanca. Almost one half of prisons do not have a full-time doctor, and new inmates are not provided a screening physical. However, 42 physicians now work full-time for the prison system, compared with 2 in 1988. Extremely harsh conditions have been reported inside the detention center of Ain Atiq outside of Rabat. While Ain Atiq's status as a detention or social center is not defined clearly, it often receives homeless, vagrant, and persons with mental disabilities, in addition to juvenile delinquents. Negligence at Ain Atiq reportedly has led to serious problems, such as hygienic and nutritional deficiencies, and harsh general living conditions. The center also is reportedly underequipped, understaffed, and unable to provide adequate medical care. In the past, human rights organizations have called for Ain Atiq's closure, as well as of other similar centers.

In an article in May, *Liberation* reported the results of 15 visits to prisons conducted by the Moroccan Prison Observatory (OMP) between February and July 2000. The NGO reported that the Moroccan prisons housed 55,000 prisoners, despite being designed to hold only 39,000. It also reported problems of corruption, drug use, and violence. The report also criticized the prisons for mixing young, first-time offenders with hardened criminals, as well as the lack of training and education for inmates. In response the Ministry of Justice claimed that the OMP arrived at its conclusions without visiting all the prisons. It also noted that 12 of the existing 43 prisons are being enlarged and 19 more prisons are under construction.

The Ministry of Justice's Penitentiary Administration, which administers all Moroccan civil prisons, uses the services of 126 doctors. Prisoners have benefited from vaccination programs, and the prison medical budget has grown 61 percent since 1998. The Penitentiary Administration has autopsied deceased inmates since 1993. The Administration also was examining alternatives to incarceration for some criminals.

In May the AMDH issued a communique reporting that 14 prisoners had died in Ukasha (also spelled "Oakacha") Prison in Casablanca during 2000, and that 11 had died through May 15. The AMDH claimed that the cause was diseases contracted by the prisoners, all of which were "the result of the inhuman and unhealthy conditions of the Ukasha prison." The AMDH also requested investigations into the deaths. The Government did not respond. On October 2, the newspaper *Al Ahdath Al-Maghribiyah* followed up with an article entitled "Will an Investigation Ever Take Place on the Causes of Death in Ukasha Prison?" According to the article, some prisoners blamed poor sanitary conditions in Ukasha for the increasing deaths there. The article claimed the doctor assigned to care for 8,000 prisoners spent only half days at the prison and neglected prisoner's health needs.

On March 30, the prison in Kenitra invited doctors, journalists, and members of the OMP for the observance of "Spring of Prisoners" day, designed to improve prison conditions through public awareness. Also in late March, the National Prison Administration hosted a visit by an international women's group (including a diplomatic and international spouse association) to the women's wing of Sale Prison. Near the end of the year, during Ramadan, the King made an unprecedented prison visit to observe conditions.

d. Arbitrary Arrest, Detention or Exile.—The Constitution does not prohibit arbitrary arrest or detention, and police continued to use arbitrary arrest and detention. Although legal provisions for due process have been revised extensively in recent years, reports indicate that authorities sometimes ignored them. Although police usually make arrests in public and during the day, they do not always identify themselves and do not always obtain warrants. Preventive detention is limited to 48 hours, with one 24-hour extension allowed at the prosecutor's discretion. In state security cases, the preventive detention period is 96 hours; the prosecutor also may

extend this time. Defendants are denied access to counsel during this initial period, which is when the accused is interrogated and abuse or torture is most likely to occur. Some members of the security forces, long accustomed to indefinite precharge access to detainees, continue to resist the time limits, which were adopted in 1997.

The police are required to notify a person's next of kin of an arrest as soon as possible. However, lawyers are not always informed promptly of the date of arrest, and thus are not always able to monitor compliance with the preventive detention limits. While the law provides for a limited system of bail, it rarely was granted. However, defendants in some instances are released on their own recognizance. The law does not provide for habeas corpus or its equivalent. Under a separate military code, military authorities may detain members of the military without warrants or public trial.

Although accused persons generally are brought to trial within an initial period of 2 months, prosecutors may request up to five additional 2-month extensions of pretrial detention. Thus, an accused person may be kept in detention for up to 1 year prior to trial.

On May 3, in the Western Saharan city of Laayoune, the local headquarters for the Democratic Confederation of Labor (CDT) issued a statement claiming that security forces forcibly dispersed a sit-in by unemployed graduates outside the Employment Department Headquarters. Some of the students sought refuge in the Confederation Democratique du Travail (CDT) headquarters. Five demonstrators reportedly were injured and seven CDT members arrested. The statement called for the release of those arrested. They received a royal pardon in November.

Forced exile is provided by law; however, there were no known instances of its use during the year.

e. Denial of Fair Public Trial.—The Constitution provides for an independent judiciary; however, the courts remain to some extent subject to extrajudicial pressures, including government influence. Some members of the judiciary are corrupt. The Government continued to implement reforms intended to increase judicial independence and impartiality. In 1999 the Ministry of Justice created a system of commercial courts for business litigation and began to implement a 5-year reform plan that emphasized transparency, accountability, and professionalism. The OMDH and other groups have criticized the Government regarding the slow pace of judicial reform. During the past 3 years, the administrative courts frequently have ruled against local governments that exceeded their authority. However, the Government was slow in providing restitution and damages.

There are four levels in the common law court system: Communal and district courts, courts of first instance, the Appeals Court, and the Supreme Court. While in theory there is a single court system under the Ministry of Justice, other courts also operate, including: The Special Court of Justice, which handles cases of civil servants who are implicated in corruption; administrative courts, which deal with the decisions of the bureaucracy; commercial courts, which deal with business disputes; and the military tribunal, which tries cases involving military personnel and, on certain occasions, matters pertaining to state security (although state security cases also may fall within the jurisdiction of the regular court system).

Although there is a single court system for most nonmilitary matters, family issues such as marriage, divorce, child support and custody, and inheritance are adjudicated by judges trained in Shari'a (Islamic law) as applied in the country. Judges considering criminal cases or cases in nonfamily areas of civil law generally are trained in the French legal tradition. All judges trained in recent years are graduates of the National Institute for Judicial Studies, where they undergo 3 years of study heavily focused on human rights and the rule of law. It is not necessary to be a lawyer to become a judge, and the majority of judges are not lawyers.

In general detainees are arraigned before a court of first instance. If the infraction is minor and not contested, the judge may order the defendant released or impose a light sentence. If an investigation is required, the judge may release defendants on their own recognizance. If the judge determines that a confession was obtained under duress, the law requires him to exclude it from evidence. However, according to reliable sources, cases often are adjudicated on the basis of confessions, some of which are obtained under duress.

While appeal courts may in some cases be used as a second reference for courts of first instance, they primarily handle cases involving crimes punishable by 5 years or more in prison. In practice defendants before appeals courts who are implicated in such crimes consequently have no method of appeal if a judgment goes against them. The Supreme Court does not review and rule on cases sent to it by courts of appeal; in its role as a court of cassation, the Supreme Court may overturn an appellate court's ruling on procedural grounds only. The absence of appeals for defendants in such crimes therefore becomes more problematic given the fact that an

investigation into the case by an examining magistrate is mandatory only in those crimes punishable by sentences of life imprisonment or death.

Justice Minister Azziman continued his efforts to end petty corruption in the judiciary. The caseload for the Special Court of Justice has increased, and the Justice Ministry publicizes the disciplinary action taken against judicial personnel. Nonetheless, the court system remained subject to extrajudicial pressures. Observers alleged that petty bribery remained a routine cost of court business. In some courts, especially in minor criminal cases, observers alleged that defendants or their families must bribe court officers and judges to secure a favorable ruling.

The Special Court of Justice, despite its resource constraints, increasingly has prosecuted public servants for corruption. On April 24, the Special Court of Justice announced the verdict in its first major public financial case. It acquitted 2 defendants and sentenced 14 others to prison terms from 6 months to 15 years, plus restitution. The case involved embezzlement of \$2.16 million (24 million dirhams) from the Professional Millers Association. Since 1999 the Special Court of Justice has reviewed 59 cases involving prison administration personnel. On November 9, the Minister of Justice reported that since mid-1998, 707 disciplinary cases involving the misconduct of justice system personnel had been opened. Of these 129 were judges, 49 of whom had been removed permanently from the bench.

Following the installation of a new Government in 1998, the judiciary's relationship with the Ministry of Interior began to be less dependent. Nevertheless, judges continue to work closely with the Interior Ministry's network of local district officials, or "caids" (although as judicial police, caids technically fall under the jurisdiction of the Justice Ministry), who legally are charged with the responsibility of questioning criminal defendants. Caids prepare the written summary of an arrest and subsequent interrogation. The summary is admissible in court as an element of the evidentiary process and can carry great weight with the judge. In the last several years, the Ministry of Justice began to attempt to assert its authority and control over judges; however, such control was not realized by year's end.

The law does not distinguish political and security cases from common criminal cases. In serious state security cases (offenses deemed against the Monarchy, Islam, or the territorial integrity of the country), communications between the Ministry of Interior and the court are more direct. At the Government's discretion, such cases may be brought before a specially constituted military tribunal, which is subservient to other branches of the Government, especially the military and the Ministry of Interior.

Aside from external pressures, resource constraints also affect the court system. Consequently, criminal defendants charged with less serious offenses often receive only a cursory hearing, with judges relying on police reports to render decisions. Although the Ministry of Justice provides an attorney at public expense for serious crimes (when the offense carries a maximum sentence of more than 5 years), appointed attorneys who are not paid adequately often provide inadequate representation.

During the year, the courts continued to handle an increasing number of cases that involved sensitive human rights issues, most of which were covered openly and extensively by national and international media. Defense attorneys continued to claim that judicial processes in these cases were marked by significant irregularities, and that such irregularities infringe on the right to a fair trial for the accused.

A number of persons were tried during the year for their participation in protests in December 2000. They had been arrested in December 2000 in connection with peaceful demonstrations held to celebrate the International Day of Human Rights, during which security forces violently attacked human rights activists, members of the JCO, and unemployed university graduates (see Sections 2.b and 4). Between February 1 and March 1, 64 JCO members were convicted (and several acquitted) in trials in Rabat, Fez and Marrakech. Prison sentences ranged from 3 months (suspended) to 1 year and fines of up to approximately \$450 (5,000 dirhams). In addition 36 AMDH members were convicted for organizing an unauthorized demonstration, including the president, Abderrahmane Benomar, and other leading AMDH members. On May 16, they received sentences of 3 months plus fines of approximately \$270 (3,000 dirhams). The cases were criticized in the domestic and international press. Amnesty International and Human Rights Watch declared that "intimidating human rights defenders with jail sentences for exercising their right of freedom of expression is unacceptable." On November 21, the Rabat Court of Appeals overturned the conviction of the AMDH members. The Court held that the AMDH had requested permission for the event, but that the Ministry of the Interior had not denied it in writing, as it was required to do.

In July Ahmed Boukhari, a former intelligence agent, made public allegations regarding the Government's role in the 1965 Paris disappearance of socialist activist Mehdi Ben Barka. Within a month, the authorities incarcerated Boukhari on charges of issuing bad checks. On August 28, the Casablanca-Anfa Court of First Instance sentenced Boukhari to one year in prison and a fine of approximately \$14,000 (155,000 dirhams) for writing bad checks in the early 1990's. The defense maintained that Boukhari previously had been convicted and punished for issuing some of the checks in 1998. On October 16, the Casablanca Court of Appeals ruled, in Boukhari's favor, determining that Boukhari already had already been sentenced and punished for issuing the 1998 checks. For issuing the remaining checks, the Court of Appeals reduced Boukhari's sentence to 3 months' imprisonment and a fine of approximately \$1,350 (15,000 dirhams). The Court of Appeals blamed the prosecution for not providing the file of the earlier conviction during the trial, and based its decision on that ground.

However, on December 5, Boukhari appeared in court in a defamation suit brought against him by three former intelligence officers whom Boukhari alleged were involved the kidnaping and murder of Ben Barka. All three requested damages of approximately \$90,000 (1 million dirhams). On December 12, Boukhari was sentenced to 3 months in prison and ordered to pay approximately \$28,800 (320,000 dirhams), including \$9,000 (100,000 dirhams) to each of the former agents.

The Ben Barka case continues to embarrass the Government. The King himself, in an August interview with the French newspaper *Le Figaro*, declared he wanted the truth to come out concerning the disappearance of Ben Barka. Most Moroccans see this case as a patent, heavy-handed attempt by the Government to prevent Boukhari from talking about the Ben Barka disappearance. Nevertheless, the press reported on this case in great detail.

The Supreme Court and the Courts of Appeals issued several decisions during the year concerning continuing cases originally tried in previous years. In November 2000, 14 Islamist students who had been arrested during violent clashes between students and police at Mohammedia University earlier in November were convicted of disturbance of public order and sentenced to 2 years' imprisonment and fines ranging from \$45 to \$135 (500 to 1,500 dirhams). The alleged victims of the students' vandalism did not appear at the trial to testify or to be cross-examined. On January 2, amidst extremely tight security, due to concerns over possible demonstrations by Islamist supporters, the case was opened by the Casablanca Court of Appeals, and then rescheduled for January 23. After a hearing on January 23, the Court of Appeals acquitted one person, reduced two sentences to 8 months, reduced one sentence to 7 months, and reduced the remaining sentences to 4 months (see Sections 1.c. and 2.b.).

Mustapha Adib, an Air Force captain, originally was tried in December 1999 before a military court for allegedly violating the Military Code and libeling the military. The authorities detained Adib after he spoke out against military corruption and harassment to a journalist from the French newspaper *Le Monde*. In February 2000, a military court convicted Adib. The court denied the defense's requests that the court make the trial public, allow the defense to summon more than a dozen defense witnesses and present documentary evidence, and recuse one of the military judges, who was a former superior of Adib's. The judge whom the defense asked be recused allegedly was responsible for blocking Adib's promotions after Adib made the allegations of corruption in a 1998 letter to then-Crown Prince Sidi Mohammed (now King Mohammed VI). The military tribunal sentenced Adib to the maximum prison term of 5 years and expelled him from the air force. Human rights activists criticized the conduct of the trial; the OMDH issued a report in February 2000 contending that closed trials unjustly influenced the results and accused the court of partiality in refusing to recuse Adib's former superior. After deciding on a "silent defense" to protest the military court's conduct of the case, the attorney representing Adib characterized the trial as a "travesty of justice." In June 2000, the Supreme Court overruled the military court and announced that a new military tribunal composed of different judges would retry the case.

A newly constituted military court in Rabat retried Adib's case in October 2000, and after 3 days of hearings, during which the court again refused to hear witnesses requested by the defense, the military court found Adib guilty of the charges initially brought against him. The court sentenced Adib to 2½ years in prison and expelled him from the military. On February 21, the Supreme Court denied Adib's final appeal. The case remains very visible. The truth regarding Adib's accusations of corruption was not a defense and, in fact, never was contested. On September 24, Adib published a letter from Sale Prison, distributed through human rights groups. The letter announced Adib's sixth hunger strike and protested his arbitrary detention, his lack of a fair trial, the flagrant pressure placed on the judges, and

the silence and negligence of the authorities concerning his case. An article in the weekly newspaper *Le Journal* criticized the silence of the Prime Minister, who previously had discussed “whistleblower” laws to protect such persons as Adib and had publicly praised Adib’s efforts to fight corruption. Adib remains an Amnesty International “Prisoner of Conscience,” and in 2000 was awarded a Transparency International Integrity Award.

In April 2000, a Moroccan court in the Western Sahara city of Laayoune sentenced five Sahwari youths to prison terms of between 5 and 10 years for the “formation of a criminal organization” after their alleged participation in a March 2000 stone-throwing event, which reliable sources say was spontaneous, unorganized, and lasted only 5 minutes. Human rights activists criticized the handling of the trial, particularly the court’s refusal to hear witnesses who allegedly would have testified that two of the defendants were elsewhere at the time of the incident. The prosecution allegedly presented no evidence that the five defendants were the ones who had thrown rocks during this incident. One defense attorney alleged that the judicial police investigating the affair committed several illegal acts by unlawfully entering homes of the defendants and detaining them, torturing the accused during their detention, and forcing them to sign police reports under duress, which they were not allowed to read, and which they claimed contained falsehoods. The decision has been appealed to the Supreme Court; however, before the trial could be held, the five youths were granted a royal pardon in November.

Four Sahrawis who were sentenced in 2000 to 4 years in prison for threatening the internal security of the state also were granted a royal pardon in November.

In November the King pardoned all those arrested during the September 1999 protests in the Western Sahara city of Laayoune. A total of 56 prisoners were released (see Section 2.b.).

According to some groups, the Government continued to hold a number of political prisoners. The AMDH states that 20 political prisoners remained in detention at year’s end on charges of trying to smuggle arms into Algeria. Unlike in the past, according to the OMDH, the Government held no political prisoners at year’s end; OMDH had claimed that seven political prisoners remained in detention in 2000.

In the past, the Ministry of Interior claimed that there were 55 Islamists serving sentences for offenses that ranged from arms smuggling in the 1980’s to participating in a bomb attack on a hotel in Marrakech in 1994. There also have been past claims that some of these Islamists were imprisoned solely for calling for an Islamic state during the 1980’s. The AMDH claims that two members of the “Group of 26,” an Islamist group involved in smuggling arms into the country from Algeria in the mid-1980’s, remained in prison. The other 24 members completed their sentences or otherwise were released at various times between 1994 and the end of the year. Various international human rights groups’ estimates of the number of persons in prison for advocating independence for the Western Sahara vary from none to 700. Amnesty International identifies 60 persons whom it considers to be political prisoners. According to several human rights organizations, achieving consensus on a definitive number of political prisoners is extremely difficult, mainly because conditions in the Western Sahara complicate attempts to confirm whether Sahrawis were imprisoned solely for their political affiliation or open advocacy of Western Saharan independence, or whether they were imprisoned for other actions in violation of the law. The AMDH claims that it knows of no persons imprisoned for having overtly advocated Western Saharan independence. The Government does not consider any of its prisoners to be political prisoners.

Although the Government claims that it no longer holds political prisoners, it permits international humanitarian organizations to visit prisoners whom such organizations consider to be imprisoned for political reasons; however, no organizations visited such prisoners during the year.

f. Arbitrary Interference with Privacy, Family, Home or Correspondence.—The Constitution states that the home is inviolable and that no search or investigation may take place without a search warrant, and the law stipulates that a search warrant may be issued by a prosecutor on good cause; however, authorities sometimes ignored these provisions.

Government security services monitored certain persons and organizations, both foreign and Moroccan and government informers monitored activities on university campuses.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution provides for freedom of expression; however, the Government restricted discussion regarding the three topics that the Government considers sensitive: The Monarchy, Morocco’s claim to the Western Sahara, and the sanctity of Islam. Nonetheless, an interview was published on Octo-

ber 26 that criticized the King concerning an issue of religion. Newspapers and weeklies from across the political spectrum, from Socialist to nationalist to Islamist, published freely, and the Government continued to permit extensive coverage of formerly taboo topics during the year.

The Government owns the official press agency, Maghreb Arab Press (MAP), and the Arabic daily newspaper, Al-Anbaa. The Government also supports two semiofficial dailies, the French-language *Le Matin* and the Arabic-language *Assahra Al Maghribia*. In addition the Government provides subsidies to the rest of the press through price supports for newsprint and office space. A 1958 decree grants the Government the authority to register and license domestic newspapers and journals. Authorities may use the licensing process to prevent the publication of materials that they believe crosses the threshold of tolerable dissent. Offending publications may be declared a danger to state security and seized, the publisher's license suspended, and equipment destroyed. The Ministry of Interior may control foreign publications by collecting "banned" publications after they have been distributed. In December the authorities confiscated an issue of the Spanish publication *El Pais*. Human rights activist Christine Serfaty's book, *Letter from Morocco*, which has been published in Europe, has not been made available in the country.

The Press Code empowers the Minister of Interior to confiscate publications that are judged offensive by the Government. Under the code, the Prime Minister may order the indefinite suspension of a publication. The Press Code also empowers the Government to censor newspapers directly by ordering them not to report on specific items or events. In most past instances, government control of the media generally has been exercised through directives and "guidance" from the Ministry of Interior. A proposed new press law, still before Parliament, would give such authority to the courts rather than the executive branch.

There were approximately 2,000 domestic and foreign newspapers, magazines, and journals in circulation during the year. The Government generally tolerates satirical and often stinging editorials in the opposition parties' dailies. The media continue to engage regularly in self-censorship to avoid the Government's attention and possible sanctions.

In January journalist Tayeb Hannouda allegedly was arrested while taking pictures of the governor's office in Casablanca. During the arrest, Hannouda reportedly suffered a broken shoulder; in addition his camera was broken.

On January 10, the Paris-based International Federation of Human Rights League (FIDH) held its 34th congress in Casablanca. The presidents of FIDH and AMDH, as well as other activists, openly delivered extremely critical speeches, highlighting the then-recent closure of the three publications above, and the arrests following the December 2000 AMDH protests.

The Government continued to allow publication of books about the past torture and mistreatment in its prisons. In early January, Ahmed Marzouki published "Tazmamart: Cellule 10," about his 18 years as a prisoner at the notorious Tazmamart prison. In 2000 the Government had permitted publication of "The Unachieved Past" and "They Even Starve Rats," also about life and torture in the country's prisons. The Government-owned television station, 2M, which employs several former political prisoners, carried an interview with Marzouki (see Section 1.c).

According to press reports in late spring and summer 2000, the authorities allegedly blocked the publication of two newspapers associated with the JCO—*Al Adl Wal Ihsane* and *Rissalat Al Fatuwa*—by ordering printers to suspend their distribution.

According to press reports, the Government continued to block the publication of the JCO's newspapers throughout the year, and in mid-April, seized thousands of copies of the JCO's weekly youth organization newspaper, *Rissalat Al Fatuwa*. The authorities also blocked two of the JCO's Web sites at the same time, with domestic access to them cut off. The head of the Paris-based NGO, *Journalists Without Borders* sent a protest letter, also in April, to Minister of Interior Midaoui, criticizing the Government's actions.

On January 25, the Islamic movement JCO held a press conference claiming that the authorities exerted pressure on print shops to prohibit the printing of its newspaper *Rissalat Al Fatuwa*. The organization claimed its last issue was printed offset and had been distributed throughout Morocco by its members. The organization periodically claimed that the Government had pressured printing firms not to print or distribute the publication.

On February 18, Sheikh Abdessalam Yassine (who previously had been detained under house arrest for refusing to acknowledge the religious authority of then King Hassan II) presented his new book, "Justice, the Islamists, and Power." According to the March 2 issue of the magazine *Demain*, the printer's shop was broken into

in October 2000, and 800 copies of the book were stolen, among other items. Many observers suspect government involvement.

The law provides for jail sentences, fines, and damages for newspaper officials found guilty of libeling public officials. On March 1, the Casablanca Court of First Instance ruled in favor of Foreign Minister Benaissa in his May 2000 libel suit against *Le Journal Hebdo*, which claimed in April 2000 that Benaissa had embezzled \$4 million (44 million dirhams) while he was the Ambassador to the United States. The editor, Boubker Jamai, received a sentence of 3 months in prison. The manager, Ali Amar, received a sentence of 2 months. Each was fined approximately \$900 (10,000 dirhams). The publication was ordered to pay approximately \$180,000 (2 million dirhams) in damages. RSF claimed that the verdict was "contrary to the rights of the citizens to be freely informed." The publication changed its name (dropping *Hebdo*) and continued to publish without further incident. The publication claimed to have filed an appeal on March 2, and had not paid the 2 million dirhams in damages to Benaissa by year's end.

On March 5, Jamai himself announced that he intended to file a similar suit for defamation against Ahmed Midaoui, then-Minister of the Interior, who declared during a television broadcast that Jamai was not "100 percent Moroccan," as his newspaper supported the "Polisario and Morocco's enemies." The following month, another publication, *Demain*, ran, without incident, an article highly critical of alleged nepotism and abuse in the Ministry of Foreign Affairs and Cooperation.

In March Khalid Adroune from the television station 2M claimed that the Government attempted to prohibit him from attending a seminar. Adroune eventually attended the seminar; however, it was not broadcast by 2M.

According to the weekly *Al Hayat Al Yaoumia*, on April 6 police broke into a distribution company in Casablanca and seized 10,000 copies of *Rissalat Al Fatuwa*. The Paris-based Reporters without Borders (RSF) criticized the Government's actions. On April 22, the Moroccan National Press Syndicate (SNPM) also criticized the incident.

On April 10, the Moroccan International Weekly published an interview with Abdelhamid Amine, the newly elected president of the AMDH. Amine claimed that the Government had taken no action regarding the AMDH list of 14 persons publicly accused of torture in October 2000, but had instead prosecuted the authors of the list. Amine was one of 36 AMDH activists arrested in December 2000 and sentenced in May to 4 months and a fine (see Sections 1.e. and 4). On April 15, Amine was prohibited from participating in a broadcast in which he was scheduled to appear.

The Government banned the May 17 issue of the French weekly *Le Courier International*, which included an article regarding the Berber issue in Morocco. RSF criticized the banning.

On May 27, the Government seized a double issue of *Rissalat Al Fatuwa* that dealt with human rights abuses suffered by the JCO during the past year.

On June 22, a local government official in Khouribga, Hassan Hamada, allegedly kidnaped and attempted to kill journalist Mustapha Bekkari from the newspaper *Rissalat Al Umma*. Bekkari was covering a sit-in of unemployed university graduates. The Ministry of Interior investigated, but no charges were filed.

On October 1, the Moroccan National Press Union stated that it would closely examine the case of Channel 1 TV employee Mustapha Abbasi, whom the Government suspended "just after he presented a program on all the detentions that involved activists of the Moroccan Union for Human Rights."

According to MAP, on October 25 the Rabat prosecutor initiated a preliminary investigation against Ali Lemrabet, publisher of *Demain* magazine for publishing an article claiming that the Royal Palace in Skhirat would be sold. The prosecutor's office claimed the article contained lies, and the investigation aimed "to safeguard the code of ethics of journalism." On November 7, a communique by the AMDH expressed its concerns about the harassment of *Demain* director Ali Lemrabet. The case convened on November 7 in the Rabat Court of First Instance, and Lemrabet received a sentence of 4 months and a fine of approximately \$2,700 (30,000 dirhams), which was widely criticized by press and human rights organizations.

On November 1, the King prohibited the Spanish newspaper *El Mundo* from covering his trip to the Western Sahara, allegedly because of critical articles that it had published. Other Spanish media freely covered and reported on the trip.

On January 12 and January 15, the Government reversed its December 2000 decision and lifted the ban against three independent weekly publications (*Le Journal*, *Demain*, and *Assahifa*) known for their politically sensitive reporting.

On October 26, the press freely published an interview with Dr. Driss Kettani, an extremist Islamic scholar, in which he accused the Minister of Islamic Affairs of abuse of power. He also called a September 16 ecumenical ceremony in the Rabat

cathedral “a big sin” for Muslims and stated that “the notion of dialogue among the three monotheistic religions is a Zionist idea.” Kettan’s uncensored criticism attacked the King both as the political and religious leader of the country.

In general press articles containing unflattering material that routinely had been prevented from circulation in past years, with the exception of those related to the topics the Government still considers sensitive, were permitted free circulation during the year. These included reports on corruption in the Government and military, financial scandals at public institutions, sensitive human rights-related court cases, torture, violence against women, the exploitation of child maids, prostitution, poverty, sexual abuse of children, and harsh conditions inside prisons. Some critical books were published and are openly sold, such as “1961–1999: A Broken Hope,” by Ignace Dalle, which is highly critical of the reign of King Hassan II.

In 2000 the King announced that the Government was preparing legislation for reforming the Public Liberties Law (see Section 2.b.), and Prime Minister Youssoufi’s Cabinet reviewed a draft in December 2000. The most significant proposed change was to give the judiciary the authority to shut down or suspend a publication, removing that authority from the executive branch. The SNPM claimed that the draft still permits the Government to seize, confiscate, and ban publications, and to punish those convicted of libel and defamation with jail sentences. Domestic critics and human rights activists have long criticized such provisions that widely are perceived to repress and stifle freedom of expression. The proposed legislation was before Parliament but had not been acted on by year’s end.

On April 10, the SNPM launched a national campaign to protect journalists from harassment and repression. It also called for the revision of the Press Code. On May 3, the SNPM and the International Federation of Journalists (FIJE) used International Press Day to launch a campaign to protect journalists. On November 7 in Casablanca, the SNPM, four human rights organizations, the Union of Moroccan Writers, the Bar Association, the Publishers Association, and Transparency International created an independent body to promote journalistic ethics and freedom of expression.

The Government controls Radio-Television Marocaine (RTM) broadcasts. Another major broadcaster is the French-backed Medi-1, which operates from Tangier and broadcasts throughout Morocco and other parts of North Africa. While nominally private and independent, Medi-1 practices self-censorship, as do other media outlets. A government-appointed committee monitors broadcasts. The Government owns the only television stations whose broadcasts may be received in most parts of the nation without decoders or satellite dish antennas.

Dish antennas permit free access to a wide variety of television foreign broadcasts and are available at moderate cost on the market. The antennas are in wide use throughout the country. Residents of the north are able to receive Spanish broadcasts with standard antennas. The Government did not impede the reception of foreign broadcasts during the year.

The Government generally does not restrict Internet access; however, the Government reportedly blocked JCO’s Web sites.

From the mid-1980’s, the popular humorist Ahmed Snoussi (also known as Bziz) was prohibited from performing in the country because of his satirizing those in power. The ban was lifted when the King invited him to appear in a public service advertisement for the Mohammed V Foundation.

The universities enjoy academic freedom in most areas, but are barred from open debate on the Monarchy, the Western Sahara, and Islam. Government informers monitor Islamist campus activities and rectors must be approved by the Ministry of Interior (see Section 1.f.).

b. Freedom of Peaceful Assembly and Association.—The Constitution provides for freedom of assembly; however, the law also permits the Government to suppress even peaceful demonstrations and mass gatherings, and at times police forcibly prevented and disrupted gatherings during the year. Most conferences and demonstrations require the prior authorization of the Ministry of Interior, ostensibly for security reasons. Local observers generally agree that the authorities require a declaration of a public meeting and authorization by the authorities in order for public-venue meetings to proceed, and the authorities only allow those meetings to proceed that they do not consider threatening.

Throughout the year, many meetings and marches took place peacefully without government interference, including sit-ins at the Ministry of Labor by unemployed university graduates; however, other demonstrations including those involving teachers, taxi drivers and unemployed graduates were prevented or disrupted by the Government.

The Government banned a meeting of Berbers in Fez in April, as well as the Berber national conference originally scheduled for June 22–24 (see Section 5).

On April 17, the police reportedly used excessive force to disperse taxi drivers in Rabat and Sale who were conducting a peaceful protest against what they saw as unjustified fines imposed by the police. The taxi union criticized the Government's action, in which 17 persons reportedly were injured (see Sections 1.c. and 6.a.).

On May 3, in the Western Sahara city of Laayoune, the CDT issued a statement claiming that security forces violently disrupted a sit-in by unemployed graduates outside the Employment Department headquarters (see Section 1.d.).

A group of handicapped, unemployed graduates near Rabat alleged that the authorities prevented them from participating in a May 1 Labor Day March.

In October the Party for Justice and Democracy, an Islamist-oriented political party, requested permission for a demonstration in downtown Rabat to protest military action in Afghanistan by the international counter-terrorism coalition. Permission was not granted.

According to press reports, on October 11, police used force to break up a sit-in by dock workers aboard a ship and arrested 60 union members.

On November 14, security forces using clubs broke up a sit-in in front of the Ministry of Finance in Rabat. According to press reports, some of the strikers were injured seriously (see Sections 1.c. and 6.a.).

On December 10 (Human Rights Day), 400 members of the AMDH staged a peaceful rally without incident, unlike last year. The demonstrators sent the Minister of Justice a list with 45 names of persons whom the AMDH claims were involved in past human rights abuses. On December 31, the AMDH, OMDH, and the FMVJ staged a peaceful New Years Eve sit-in demonstration in Casablanca to support those who have disappeared and been martyred.

One hundred protestors were sentenced early in the year in connection with demonstrations in late 2000 for holding an unauthorized demonstration. In December 2000, security forces used violent means to disperse demonstrations throughout Morocco involving thousands of protestors from the AMDH, JCO, and other organizations. Most of those arrested were released. The AMDH and the JCO claimed early in the year that 1,164 JCO demonstrators were detained and 950 injured during the incident. Between February 1 and March 1, 64 JCO members were sentenced to prison terms ranging from 3 months (suspended) to 1 year, plus fines. A total of 36 AMDH members, including their president, also received jail sentences (see Sections 1.d., 1.e., and 4). On November 21, the Rabat Court of Appeals overturned the conviction of the AMDH members. The Court found that the AMDH had requested permission for the event, but that the Ministry of the Interior had not denied it in writing, as required.

During the year, there were no new developments related to the investigation of police abuses committed in the Western Sahara city of Laayoune in September and October 1999. At that time, police used brutal force to break up demonstrations organized by students, unemployed graduates, miners, and former Sahrawi political prisoners, who were protesting a variety of social grievances. However, in November the King pardoned all those arrested during the September 1999 protests, and also pardoned Mohamed Daddach, whom the Polisario had portrayed as a political prisoner. Daddach had left the Polisario and voluntarily joined the military. He was prosecuted for attempted desertion, reportedly for attempting to return to the Polisario side. A total of 56 prisoners were released. There was progress during the year on local elections to choose members of the proposed new Royal Advisory Council for the Western Sahara that the King announced in October 1999.

The Constitution provides for freedom of association; however, the Government limits this right in practice. Under a 1958 decree, which was amended substantially in 1973 to introduce restrictions on civil society organizations, persons who wish to create an organization must obtain the approval of the Ministry of Interior before holding meetings. In practice the Ministry uses this requirement to prevent persons suspected of advocating causes opposed by the Government from forming legal organizations. Historically, extreme Islamist and leftist groups have encountered the greatest difficulty in obtaining official approval. Although there are over 20 active Islamist groups, the Government has prohibited membership in two, the JCO and Jama'a Islamia, due to their perceived anti-Monarchy rhetoric. The Ministry of Interior, which has used this power to control participation in the political process, also must approve political parties. However, individual Islamists are not barred from participating in recognized political parties.

Several proposed parties were not allowed to form during the year. In April the Government banned the founding congress of the Liberal Party of former Human Rights Minister Mohammed Ziane. In June the Government prohibited the establishment of the Civic Forces party by Abderrahim Lahjouji, former head of an employers association. However, it held its constitutive assembly on November 10. More than 2,500 founding members attended, electing a national council, as well as

electing Lahjouji as temporary chairman. The party planned to hold its first national congress in March 2002.

Throughout the year, journalists, NGO's, and human rights activists continued to call on the Government to enact a new public liberties law, which Prime Minister Youssoufi announced he would do when he assumed power in 1998 (see Section 2.a.). In 1999 42 NGO's addressed a memorandum to the Prime Minister proposing amendments to the law that governs the press, associations, and public gatherings. Their proposals were aimed at easing current restrictions and giving associations more freedom to organize and function. The present Public Liberties Law dates from 1958, and many legal observers agree that the sole amendment to the law, which was ratified in 1973, constituted a setback to civil liberties. The amendment apparently introduced restrictions that established firmer government control over the legal establishment of associations and the associations' scope of action once they are recognized legally and allowed to operate. A number of NGO's and activists expressed frustration at the Government's slow progress with respect to the reforms that they have called for on numerous occasions.

In October the Moroccan Bar Association also called for the promulgation of a new public liberties law.

c. Freedom of Religion.—The Constitution provides for freedom of religion and Jewish and Christian communities openly practice their faiths; however, the Government places certain restrictions on Christian religious materials and proselytizing, and several small religious minorities are tolerated with varying degrees of official restrictions. A small foreign Hindu community has received the right to perform cremations and to hold services. Baha'is are forbidden to meet or participate in communal activities. The Government monitors the activities of mosques and places other restrictions on Muslims and Islamic organizations whose activities are deemed to have exceeded the bounds of religious practice and become political in nature. The Constitution provides that Islam is the official religion, and designates the King as "Commander of the Faithful" with the responsibility of ensuring "respect for Islam."

The Government does not license or approve religions or religious organizations. The Government provides tax benefits, land and building grants, subsidies, and customs exemptions for imports necessary for the observance of the major religions.

The Ministry of Islamic Affairs monitors Friday mosque sermons and the Koranic schools to ensure the teaching of approved doctrine. At times the authorities suppress the activities of Islamists, but generally tolerate activities limited to the propagation of Islam, education, and charity. Security forces sometimes close mosques to the public shortly after Friday services to prevent the use of the premises for unauthorized political activity. The Government strictly controls authorization to construct new mosques. Most mosques are constructed using private funds.

The Government bars the Islamic JCO as a political party and subjects prominent members to constant surveillance and at times prevented them from obtaining passports. The Government also arrested and prosecuted JCO members and blocked publication of JCO newspapers (see Sections 1.f., 2.a., 2.b., and 3).

The teaching of Islam in public schools benefits from discretionary funding in the Government's annual education budget, as do other curriculum subjects. The annual budget also provides funds for religious instruction to the small parallel system of Jewish public schools.

Since the time of the French protectorate (1912–56), a small foreign Christian community has operated churches, orphanages, hospitals, and schools without any restriction or licensing requirement being imposed. Missionaries who conduct themselves in accordance with societal expectations largely are left unhindered. However, those who proselytize publicly face expulsion.

Islamic law and tradition call for strict punishment for any Muslim who converts to another faith. Citizens who convert to Christianity and other religions sometimes face social ostracism, and in the past a small number have faced short periods of questioning by the authorities. Voluntary conversion is not a crime under the Criminal or Civil Codes; however, the authorities have jailed some converts on the basis of references to Koranic law. Any attempt to induce a Muslim to convert is illegal. Foreign missionaries either limit their proselytizing to non-Muslims or conduct their work quietly.

In 2000 the Gendarmerie Royale summoned several members of the foreign Christian community for questioning concerning the practice of their faith. The Gendarmerie began an investigation into their activities at that time. The investigation reportedly still was ongoing at year's end. Despite not possessing resident visas, the subjects of the investigation continued to face no problems residing in, exiting, and returning to the country.

The Government permits the display and sale of Bibles in French, English, and Spanish, but confiscates Arabic-language Bibles and refuses licenses for their importation and sale, despite the absence of any law banning such books. Nevertheless, Arabic Bibles reportedly have been sold in local bookstores. There were no known cases in which foreigners were denied entry into the country because they were carrying Christian materials, as occurred in the past.

The small Baha'i community has been forbidden to meet or participate in communal activities since 1983; however, there were no reports during the year that the Government summoned members of the Baha'i Faith for questioning or denied them passports, as had occurred in previous years.

There are two sets of laws and courts—one for Jews and one for Muslims—pertaining to marriage, inheritance, and family matters. The family law courts are administered, depending on the law that applies, by rabbinical and Islamic authorities who are court officials. Parliament must authorize any changes to those laws. Non-Koranic sections of Islamic law on personal status are applied to non-Muslims and non-Jews.

The Government encourages tolerance and respect among religions. The King sponsored an inter-faith memorial ceremony on September 16 for the victims of the September 11 terrorist attacks in the United States. Muslim, Christian and Jewish religious leaders presided. Prime Minister Yousoufi and numerous other ministers attended the ceremony, which was held in Rabat's Catholic cathedral.

The Government annually organizes in May the "Fez Festival of Sacred Music," which includes musicians from many countries representing many religions. The Government has organized in the past numerous symposiums among local and international clergy, priests, rabbis, imams and other spiritual leaders to examine ways to reduce religious intolerance and to promote interfaith dialogue. Each year during the Islamic holy month of Ramadan, the King hosts colloquiums of Islamic religious scholars that include examination of ways to promote tolerance and mutual respect within Islam and between Islam and other religions.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The Constitution provides for freedom of movement; however, the Government restricts this right in certain areas. The gendarmerie maintains checkpoints throughout the country, at which drivers' licenses and vehicle registrations are examined for validity. Although checkpoints have been maintained in the same places for years, the degree of inspections of motorists has relaxed, although the emphasis on inspecting trucks and buses continues due mainly to the country's status as a major transit point for illegal immigrants from sub-Saharan Africa and for drugs destined for Europe. While there were continuing allegations that gendarmes demand small bribes to clear vehicles, press reports indicate that gendarmes found guilty of such behavior are punished. In 1998 the Gendarmerie Royale began a campaign to combat such abuses within its ranks.

In the Moroccan-administered Western Sahara, authorities restrict movement in areas regarded as militarily sensitive.

The Ministry of Interior restricts freedom to travel outside the country in certain circumstances. In addition all civil servants and military personnel must obtain written permission from their ministries to leave the country. The OMDH and AMDH have compiled lists of individuals who reportedly have been denied passports or who have passports but are denied permission to travel. The OMDH contended that the Government, in resorting to arbitrary administrative delays, continues to harass former political prisoners who seek to resume normal lives. The OMDH also has alleged that the Government forbids some citizens to leave the country during the year.

On January 17, after a public appeal to the King, Ahmed Marzouki was granted a passport and allowed to travel to Paris to publicize his book, "Tazmamart: Cellule 10," describing his 18 years as a prisoner in the notorious prison (see Sections 1.c and 2.a).

On March 24, two Sahwari human rights activists from the FMVJ's Western Sahara section claimed that they were not allowed to leave Casablanca to attend a meeting of the U.N. Commission on Human Rights. The activists claimed that the Government wanted to prevent them from testifying on arbitrary detention in Morocco before the Commission. However, they claimed that they faxed their testimony to the International Federation of Human Rights (FIDH), which presented it before the Commission.

According to press reports in 2000, three former political prisoners (two identified as Abdellah El-Harrif and Mostapha Brahma) requested passports in 2000. The three had not been given passports, nor had they been advised why their passport requests were refused, by year's end.

Moroccans may not renounce their citizenship, but the King retains the power—rarely used—to revoke it. Many Moroccans hold more than one citizenship and travel on passports from two or more countries. While in Morocco, they are regarded as Moroccan citizens. Dual nationals have sometimes complained in the past of harassment by immigration inspectors.

The Government welcomed voluntary repatriation of Jews who have emigrated. Moroccan Jewish emigres, including those with Israeli citizenship, freely visit the country. The Government also encouraged the return of Sahrawis who have departed Morocco due to the conflict in the Western Sahara, provided that they recognize the Government's claim to the region. The Government did not permit Western Saharan nationalists who have been released from prison to live in the disputed territory.

The Government cooperated with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. While Morocco has from time to time provided political asylum to individuals, the issue of first asylum never has arisen. The law does not contain provisions implementing the 1951 U.N. Convention relating to the Status of Refugees and its 1967 Protocol. There were no reports of forced expulsion of persons with a valid claim to refugee status.

Section 3. Respect for Political Rights: The Right of Citizens to Change their Government

Constitutional provisions establishing periodic free elections notwithstanding, citizens do not have the full right to change their government. The King, as head of state, appoints the Prime Minister, who is the titular head of government. Constitutional changes in 1992, retained in the Constitution of 1996, authorize the Prime Minister to nominate all government ministers, but the King may nominate ministers himself and has the power to replace any minister at will. The Parliament has the theoretical ability to effect change in the system of government. However, the Constitution may not be changed without the King's approval. The Ministry of Interior appoints the provincial governors (walis) and local caids (district administrative officials). However, the King may nominate walis himself. Municipal and regional councils are elected.

The Government of Prime Minister Abderrahmane Yousseoufi is the first government formed from the political opposition since the late 1950's, and his 1998 appointment by then-King Hassan II marked a significant step toward increased democratization. With the support of the Monarchy, Yousseoufi, who was sentenced to death in absentia in the 1970's but subsequently received a royal pardon in 1980, declared upon taking office his intention to modernize the administrative and judicial structures and to liberalize the economic and political system. Of the 41 cabinet-level posts in the Government that Yousseoufi appointed in 1998, only 3 posts (Foreign Affairs, Justice, and Islamic Affairs) plus the Secretary General of the Government and the Minister-Delegate for Defense Administration remain filled by incumbents from the former government. The Interior Minister has been replaced twice since then, and the current Minister, Driss Jettou, has a background in business and finances, rather than in security. In order to develop reforms, the King has granted cabinet ministers a greater degree of responsibility for the management of their individual portfolios. The Government now consists of 33 cabinet-level posts, but still contains 6 "sovereign" ministerial posts traditionally appointed by the King himself (Interior, Foreign Affairs, Justice, Islamic Affairs, Defense Administration, and Secretary General of the Government).

Following the June 1997 elections for municipal councils and regional professional councils, there were widespread and credible accusations of manipulation and vote-buying by various political parties and the Government. The Election Commission examined numerous petitions during the course of the electoral season in 1997 and recommended the reversal of over 60 municipal election results, including in Tangier, Khoribga, and Oujda, noted irregularities in four parliamentary races in Casablanca, Chefchaouen, and Fez, and called for the results to be set aside, which they were.

In August 1997 at the urging of then-King Hassan II, Parliament created a 325-seat lower house, the Chamber of Representatives, to be filled by direct elections, and a 270-seat upper house, the Chamber of Deputies, whose members would be elected by various directly elected professional and regional councils. There were widespread, credible allegations of vote-buying and government manipulation in the November 1997 legislative elections. The fraud and government pressure tactics led most independent observers to conclude that the election results were heavily influenced, if not predetermined, by the Government. All opposition parties criticized the Government, and some called for a boycott of Parliament. Two winners renounced

their seats, alleging unsolicited government interference on their behalf. The Election Commission concurred that irregularities had occurred in two Casablanca cases and recommended that new elections be held in those districts. After a long appeals process initiated by the losers of the seats, new elections for the seats were held on August 31 of last year, as well as elections for four other seats throughout the country. The new elections followed the formal invalidation of the six 1997 election results throughout the year by the Constitutional Council.

Press reports indicate that the August 2000 by-elections overall proceeded more fairly than in 1997, despite allegations that two of the races involved some cases of vote-buying. Also in August 2000, the Constitutional Council invalidated an additional by-election held in the Casablanca-Mechouar district in June that allegedly involved vote-buying. Despite the invalidations by the Constitutional Council in 2000, the Council continued to attract criticism for the alleged slow pace of its deliberations.

On September 15, 2000, indirect elections were held to replace, for the first time since the body's inception, one third of the 270 seats in the Chamber of Counselors. After the polls had closed, Interior Minister Midaoui reported in a nationally televised press conference that various political parties had engaged in vote-buying and fraud. Criticizing the electoral corruption, Minister Midaoui claimed that his ministry had done everything it could to prevent fraudulent practices, including conducting investigations into 108 cases, at least 26 of which the Interior Ministry was certain involved fraud. The Interior Minister also reported that the Ministry had turned the cases over to the Justice Ministry for further action, and that the Government "is going to do its duty." However, by year's end, few of the cases involving electoral fraud had been presented before the courts and prosecuted. According to press reports, the Constitutional Council also had received several hundred grievances relating to the election from throughout the country.

Fourteen parties have members in Parliament and 7 are represented in the governing coalition. Several proposed parties were not allowed to form during the year. The JCO never has been granted legal status as a political party (see Section 2.b.).

The percentage of women in government and politics does not correspond with their percentage of the population. There is 1 female minister in the 33-member Cabinet. There are 3 women among the 600 members of the 2 chambers of Parliament. Women occupy only 85 out of 22,600 seats (or .34 percent) of local communal councils throughout the country. However, there are a few women in several key positions, including the first Royal Advisor, the Head of the National Office of Oil Research and Exploration, and the head of the National Office of Tourism.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There are three nationally organized and government-recognized nongovernmental human rights groups: The Moroccan Organization for Human Rights, the Moroccan League for the Defense of Human Rights (LMDDH), and the Moroccan Association for Human Rights. A fourth group, the Committee for the Defense of Human Rights (CDDH), was formed in 1992 by former AMDH members. There are also numerous regional human rights organizations. The Government maintains close relations with all of these groups and generally is responsive to them. The AMDH does not officially work with the Government, due to philosophical differences, but usually shares information with it.

Founded in 1979 and 1988, respectively, the AMDH and OMDH have spent years addressing human rights abuses, and at times were subjected to harassment and restrictions by the Government. However, some of their former leaders now occupy high posts in the Youssoufi Government, particularly in the human rights field. In 2000 the Government accorded AMDH and OMDH "public utility" status, which confers organizations financial benefits such as government subsidies as recognition of their serving the public interest.

Two new prominent national human rights NGO's, the Moroccan Forum for Truth and Justice and the National Moroccan Prison Observatory (ONPM), were formed in 1999. Created by victims of forced disappearance and surviving family members, the FMVJ's principal goal is to encourage the Government to address openly the issue of past forced disappearances and arbitrary detention. It also lobbies for reparations for former political prisoners that extend beyond financial compensation. Created by lawyers, doctors, journalists, former inmates, and entertainment personalities, the ONPM's main purpose is improving the treatment and living conditions of prisoners. ONPM also supports penal reform efforts. In addition, there is the Moroccan Prison Observatory (OMP), an NGO formed in 2000, which also supports the improvement of prison conditions. These groups maintained fairly regular contact with government authorities throughout the year.

During the weekend of December 9 to 11, 2000, security forces throughout the country used violent means to disperse human rights activists, members of the JCO, and unemployed graduates who separately gathered in Rabat and other large cities to demonstrate for different reasons. Between February 1 and March 4, a total of 36 AMDH members including the organization's president, were among those sentenced to prison terms ranging from 3 months to 1 year, plus fines (see Sections 1.e. and 2.b.). On November 21, the Rabat Court of Appeals overturned the case against the 36 AMDH members.

In January the Paris-based International Federation of Human Rights Leagues held its world congress in Morocco. Many speakers openly and strongly criticized the Government's human rights record, including the December 2000 banning of three publications and arrest of AMDH activists and JCO protesters in December 2000.

In April Amnesty International Secretary General Pierre Sane visited Morocco. During the visit, Amnesty International upgraded its Moroccan affiliates from "chapter" to "section" status. Sane and his delegation met with the Prime Minister, as well as media and NGO's. Sane praised "the progress recorded by Morocco in the field of human rights and the methods by which the issue of detainees and exiles was dealt with." However, Sane urged the Government to improve its record regarding cases of political prisoners and the disappeared; he claimed that the Government held 60 political prisoners and that there still were 450 disappearances unaccounted for. Sane also urged the Government to investigate and prosecute those responsible for past crimes and abuses. The agreement between Amnesty International and the Government for a 10-year human rights education program still was being negotiated with the Ministry of Human Rights at year's end. The Ministry of Human Rights and the Ministry of Education are providing human rights education for teachers, although the subject is not being taught yet in the classrooms.

On November 7, the new Minister of the Interior, Driss Jettou, met with a delegation from the AMDH. He also met with representatives of several other human rights NGO's. Previous Interior Ministers had never met with human rights NGO's. On December 9, to mark Human Rights Day, the King gave an audience to several human rights activists.

The Center for Human Rights Documentation, Training, and Information is now operational; it was inaugurated in 2000 by the U.N. High Commissioner for Human Rights, Mary Robinson.

Prime Minister Youssoufi chairs a human rights commission that reviews cases of past and present human rights problems. The commission is composed of members of the Government, including the Ministers of Justice, Human Rights, and Interior.

The Royal Consultative Council on Human Rights, an 11-year-old advisory body to the King, counsels the Palace on human rights issues, and was the organization charged by the King to resolve cases related to persons who had disappeared. The CCDH is composed of five working groups responsible for promoting the protection of human rights. They include groups on penal law; prison conditions; communications with human rights NGO's; inhuman conditions of refugees in Polisario-controlled camps in Tindouf, Algeria; and economic, social, and cultural rights. By Royal Decree in July, the Government initiated several reforms regarding the organization and working of the CCDH, to make it more efficient and more independent of the ministries. The decree also directed the CCDH to submit its own annual report regarding the human rights situation in the country, and created an annual human rights prize. The decree enhanced autonomy by changing the composition of the council to decrease the number of seats for political parties and unions from 18 to 9, and increase the number for economic, social and cultural associations. In addition, the number of votes required for decision-making was lowered from a unanimous vote to a two-thirds majority. The decree also changed the status of ministerial delegates from voting to advisory members, thus reducing the influence of the Ministry of the Interior and the Ministry of Justice. Human rights organizations favored these changes and helped argue for them, although some groups believe the changes did not go far enough.

Throughout the year, the Human Rights Ministry held human rights awareness training sessions with educators and some police personnel. The sessions were directed at school inspectors at both the primary and secondary school levels. Up to 75 additional training sessions are planned; the inspectors in turn are expected to transfer the training to teachers for integration into their teaching programs. Officials at the Human Rights Ministry state that some police officers and other enforcement officials also are being trained. The Government continued efforts to introduce human rights as a core subject of the national school curriculum.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for the equality of all citizens; however, non-Muslims and women face discrimination in the law and in traditional practice.

Women.—Spousal violence is common. Although a battered wife has the right to file a complaint with the police, as a practical matter she would do so only if prepared to bring criminal charges. While physical abuse legally is grounds for divorce, a court will grant a divorce only if the woman is able to provide two witnesses to the abuse. Medical certificates are not sufficient. If the court finds against the woman, she is returned to her husband's home. Thus, few women report abuses to the authorities.

The Criminal Code provides for severe punishment for men convicted of rape or sexual assault. The defendants in such cases bear the burden of proving their innocence. However, sexual assaults often go unreported because of the stigma attached to the loss of virginity. While not provided for by law, victims' families may offer rapists the opportunity to marry their victims in order to preserve the honor of the family. Spousal rape is not a crime.

The law is more lenient toward men with respect to crimes committed against their wives; for example, a light sentence may be accorded a man who murders his wife after catching her in the act of adultery. However, such "honor crimes," a euphemism that refers to violent assaults with intent to commit murder against a female for her perceived immodest or defiant behavior, remain extremely rare in Morocco.

Prostitution is prevalent, especially in urban centers. There are thousands of teenagers involved in prostitution. Although prostitution itself is against the law, the Government does not prosecute women who have been coerced into providing sexual services. Trafficking in persons, particularly in child maids, is a problem (see Section 6).

Women are subjected to various forms of legal and cultural discrimination. The civil law status of women is governed by the Code of Personal Status (known as the "Moudouwana"), which is based on the Maliki school of Islamic law. Although the Code of Personal Status was reformed in 1993, women's groups still complain of unequal treatment, particularly under the laws governing marriage, divorce, and inheritance. Women do not automatically lose child custody in divorce cases. However, the courts generally rule in favor of the parent who did not file for the divorce. Citizenship passes through the father. In order to marry, a woman generally is required to obtain the permission of her legal guardian, usually her father. It is much easier for a man to divorce his wife than for a woman to divorce her husband. Under Islamic law and tradition, rather than asking for a divorce, a man simply may repudiate his wife outside of court. Under the 1993 reforms to the Code of Personal Status, a woman's presence in court is required in order for her husband to divorce her, although women's groups report that this law frequently is ignored. However, human rights activists reported that in one NGO-sponsored test in the late 1990's, officials refused to order a divorce without the wife being present, despite offers of bribes. Nevertheless, women's groups complain that men resort to ruses to evade the legal restrictions. The divorce may be finalized even over the woman's objections, although in such cases the court grants her unspecified allowance rights.

A woman seeking a divorce has few practical alternatives. She may offer her husband money to agree to a divorce (known as a *khol'a* divorce under Islamic law). The husband must agree to the divorce and is allowed to specify the amount to be paid, without limit. According to women's groups, many men pressure their wives to pursue this type of divorce. A woman also may file for a judicial divorce if her husband takes a second wife, if he abandons her, or if he physically abuses her. However, divorce procedures in these cases are lengthy and complicated.

Under the Criminal Code, women generally are accorded the same treatment as men, but this is not the case for family and estate law, which is based on the Code of Personal Status. Under the Code of Personal Status, women inherit only half as much as male heirs. Moreover, even in cases in which the law provides for equal status, cultural norms often prevent a woman from exercising those rights. For example, when a woman inherits property, male relatives may pressure her to relinquish her interest.

While many well-educated women pursue careers in law, medicine, education, and government service, few make it to the top echelons of their professions. Women constitute approximately 35 percent of the work force, with the majority in the industrial, service, and teaching sectors. In 1998 (the last official statistics available) the Government reported that the illiteracy rate for women was 67 percent (83 percent in rural areas), compared with 41 percent for men (50 percent in rural areas). Women in rural areas are most affected by inequality. Rural women perform dif-

ficult physical labor. Girls are much less likely to be sent to school than are boys, especially in rural areas, where the quality of schooling is inferior to urban areas and demands on girls' time for household chores often prevent school attendance. Some families also keep girls at home because of the lack of facilities in rural schools. Improving and extending the network of rural schools to increase girls' school attendance has been a priority of the Youssoufi government. The 4.8 percent increase in primary school attendance this school year is attributable largely to the increased numbers of girls attending school. Women who earn secondary school diplomas have equal access to university education.

The Government and the King continued to promote their proposal to reform the Personal Status Code (Moudawana) in order to advance women's rights. Islamists and some other traditional segments of society firmly opposed the proposal, especially with respect to its more controversial elements, such as reform of women's legal status in marriage and family law issues.

On March 8, the King, Prime Minister, and several other ministers met with 40 representatives of women's organizations at the Royal Palace. In April the King created a Consultative Commission for the Moudawana. However, in September, the ADFM and nine other organizations, collectively named the Spring of Equality, issued a communique concerning the Moudawana. The communique expressed disappointment that changes to the Personal Status Code had not yet been approved, offered specific recommendations for such changes, and urged the Consultative Commission to expedite its work. On October 17, the AMDH issued a statement in support of these demands, but refused to present its case before the Consultative Commission. The Commission had not announced publicly any actions taken regarding reform of the Moudawana by year's end.

On May 7, in the newspaper *Liberation*, the Democratic League for Women's Rights criticized some imams for attacking female poet Hakima Chaoui in their sermons, and for harming Islam in general by giving less importance to women.

The European Union and the Government created a national center dealing with women's issues, which works with the Ministry in Charge of the Condition of Women, Protection of the Family, and Children, and Integration of the Handicapped.

The Moroccan Bar Association and the Government have opened 15 support centers to assist victims of violence.

On November 8, one feminist columnist, Nouzha Skalli, called for a quota system. She noted that only 3 of 600 members of Parliament were female, and only 85 of 22,600 municipal councilors. In her article, published after the Green March holiday, she noted that she was 1 of 35,000 females who actually took place in the Green March in 1975, when 10 percent of the 350,000 positions were reserved for women under a quota system in place for the event.

A total of 76 NGO's work to advance women's rights and to promote women's issues. Among these are the Democratic Association of Moroccan Women, the Union for Women's Action, and the Moroccan Association for Women's Rights, which advocate enhanced political and civil rights, as well as numerous NGO's that provide shelters for battered women, teach women basic hygiene, family planning, and child care, and promote literacy.

Women's groups also are concerned about the September 2002 elections. On October 13 in Casablanca, the Spring of Equality and other organizations held a conference regarding the role of women in the elections. The stated goal was increased numbers of women who vote and who run for office through a two-phase training process. The British Government helped subsidize an NGO pamphlet that urged rural women to exercise their right to vote.

Children.—The law provides for compulsory education for children between the ages of 7 and 13; however, not all children between these ages attend school due to family decisions and shortfalls in government resources, and the Government does not enforce the law. According to government statistics, the percentage of children attending primary school increased by 4.8 percent in the 2000–01 school year; the Government has set a goal of having all children in school by 2006.

The Government has had difficulty addressing the problem of child labor (see Section 6.d.). Young girls are exploited as domestic servants on a very large scale (see Section 6.f.). Teenage prostitution in urban centers has been estimated in the thousands by NGO activists. The clientele consists of both foreign tourists and citizens. More young girls than boys are involved; however, young boys also work as prostitutes.

The practice of adoptive servitude, in which urban families employ young rural girls and use them as domestic servants in their homes, is prevalent (see Sections 6.d. and 6.f.). Credible reports of physical and psychological abuse in such circumstances are widespread. Some orphanages have been charged as knowing ac-

complices in the practice. More often parents of rural girls “contract” their daughters to wealthy urban families and collect the salaries for their work as maids. Adoptive servitude is accepted socially, is unregulated by the Government, and has only in recent years begun to attract public criticism. However, at the end of 2000, the Moroccan UNICEF chapter and the National Observatory of Children’s Rights (ONDE), headed by Princess Lalla Meryem, the King’s sister, began a human rights awareness campaign regarding the plight of child maids. The ONDE continued to publish public service advertisements in leading publications. In addition, UNICEF and other donors in 2000 funded a pilot project in Casablanca, working through Moroccan NGO’s, to aid young girls by providing basic education, health care, and recreational opportunities for child maids at five drop-in centers.

The Government has had difficulty addressing the problem of child labor (see Section 6.d.). The number of children working illegally as domestic servants is high: 45.4 percent of household employees under the age of 18 are between the ages of 10 and 12, and 26.4 percent are under the age of 10, according to an April joint study by the Moroccan League for the Protection of Children and UNICEF. The legal minimum age of employment is 15 years. The report denounced the poor treatment a number of the children received, such as being forced to work all day with no breaks. The League demanded that the minimum age for employment be raised and that the Labor Code under consideration strengthen the protection of child workers.

Another problem facing abandoned children of both sexes is their lack of civil status. Civil status is necessary to obtain a birth certificate, passport, or marriage license. In general men are registered at local government offices; their wives and unmarried children are included in this registration, which confers civil status. If a father does not register his child, the child is without civil status and the benefits of citizenship. It is possible for an individual to self-register, but the process is long and cumbersome. While any child, regardless of parentage, may be registered within a month of birth, a court order is required if registration does not take place in that time. Abandoned children in some cases receive kafala (state-sponsored care).

Several NGO’s, including the Bayti Association and the Moroccan League for the Protection of Children, work to improve legal protection for children and to help at-risk children. There are several shelters in the major cities that provide food and lodging for street children, while other NGO’s work to reduce the exploitation of street children and to cure those street children with drug addictions.

During the week of April 16, Princess Lalla Meryem hosted the first Summit of African First Ladies on Childhood in Marrakech. The members adopted the “Marrakech Declaration,” pledging to “promote, protect, and consecrate girls in Africa.” On October 31, Princess Lalla Hasna presided at the official opening of the SOS Children’s Village south of Casablanca, the third one to open in Morocco.

Persons with Disabilities.—A high incidence of disabling disease, especially polio, has resulted in a correspondingly high number of persons with disabilities. The latest statistics from the Government estimate the number of persons with disabilities at 2.2 million, or 7 percent of the population. However, other estimates are as high as 3 million. While the Ministry of Social Affairs attempts to integrate persons with disabilities into society, in practice integration largely is left to private charities. The annual budget for the ministerial department in charge of affairs concerning persons with disabilities is only .01 percent of the overall annual budget. Even non-profit special-education programs are priced beyond the reach of most families. Typically, their families support persons with disabilities; some survive by begging. There are no laws assisting persons with disabilities in housing, transportation, access to government services, or access to buildings.

The Government continued a pilot training program for the visually impaired sponsored in part by a member of the royal family. In 2000, the Government created a special commission for the integration of persons with disabilities, presided over by Prime Minister Youssoufi. The commission is responsible for developing programs that facilitate their societal integration. Also in 2000, the Government instituted an annual “National Day of the Disabled,” which is aimed at increasing public awareness of issues affecting persons with disabilities. The King’s charity, the Mohammed V Solidarity Fund, makes several donations each year to institutions supporting persons with disabilities.

On October 31, Member of Parliament and President of the Moroccan Association of SOS Children’s Villages, Amine Demnati, announced that construction had begun south of Casablanca for a center for persons with disabilities adjacent to the Children’s Village.

On November 16, after the fourth annual “handisports” games for athletes with disabilities, the King hosted a reception in their honor at the royal palace in Rabat to increase awareness and acceptance of persons with disabilities.

On December 5, the International Day of Handicapped Persons, the Ministry for the Condition of Women, Protection of the Family and Children, and Integration of the Handicapped, sponsored a 2-day workshop with NGO's to promote self-employment of the handicapped. The program included micro-financing for persons with disabilities.

National/Racial/Ethnic Minorities.—The official language is Arabic. Both French and Arabic are used in the news media and educational institutions. Science and technical courses are taught in French, thereby preventing the large, monolingual-Arabic-speaking population from participation in such programs. Educational reforms in the past decade have emphasized the use of Arabic in secondary schools. However, failure to transform the university system similarly has led to the disqualification of many students from higher education in lucrative fields. This especially is true among the poor, for whom training in French to supplement the few hours a week that it is taught in public schools is not always affordable.

About 60 percent of the population claim Berber heritage, including the Royal Family. Berber cultural groups contend that Berber traditions and the Berber language (actually three dialects, Tamazight, Tachelhit and Tarifit) are being lost rapidly. A number of Berber associations claimed that the Government refuses to register births for children with traditional Berber names, discourages the public display of the Berber language, limits the activities of Berber associations, and continues to Arabize the names of towns, villages, and geographic landmarks. Nevertheless, a full page of a major national newspaper is devoted on a monthly basis to articles and poems on Berber culture, which are printed in the Berber language, although with Latin script. Official media broadcast in the Berber language for limited periods each day.

On October 17, the King issued a royal decree creating the Royal Institute for Amazigh (Berber) Culture (IRCAM), as he had promised to do in his July 30 Throne Day speech. According to the decree, the IRCAM was to receive funding from the Ministry of Finance to work in the areas of education, the media, culture, and local government administration. At year's end, funding had not been made available. The King said that the Berber culture was the property of all Moroccans, and warned against anyone trying to use it for political purposes. Press reports indicated that the rector of IRCAM would be Mohamed Chafik, the drafter of the Berber Manifesto.

On April 14, authorities in Fez banned a meeting scheduled to commemorate the anniversary of the cultural and political "Berber Manifesto." The Government also banned the Berber national conference scheduled for June 22 to 24, although it ultimately allowed the conference to be held in Rabat on November 9 to 11. The activists called on the Government to recognize and teach Berber languages; to provide more information about their culture in the press; and to end restrictions on registering Berber names for children. The conference plans a bigger meeting in late December. Attendees disagreed over the establishment and the composition of IRCAM.

Section 6. Worker Rights

a. The Right of Association.—Workers are free to establish and join trade unions, although the laws reportedly have not been implemented in some areas, and the unions themselves are not completely free from government interference. About half a million of the country's 9 million workers are unionized in 17 trade union federations. Three federations dominate the labor scene: The Union Marocaine du Travail (UMT), the Confederation Democratique du Travail (CDT), and the Union Generale des Travailleurs Marocains (UGTM). The UMT has no political party affiliation. The CDT is affiliated with the ruling Socialist Union of Popular Forces of Prime Minister Youssoufi and the UGTM with the Istiqlal party, the second partner in the ruling coalition. It is widely believed that the Ministry of Interior has informants within the unions who monitor union activities and the election of officers. Sometimes union officers are subject to government pressure. Union leadership does not always uphold the rights of members to select their own leaders. There has been no case of the rank and file voting out its current leadership and replacing it with another.

Workers have a right to strike and do so; however, the law requires compulsory arbitration of disputes. Work stoppages normally are intended to advertise grievances and last 24 to 72 hours or less. Unions organized 267 work stoppages during the year resulting in 338,000 lost workdays, according to Labor Ministry statistics.

The Government in a number of instances used security forces to break up demonstrating strikers, at times using excessive force in doing so (see Section 2.b.). Article 288 of the Penal Code, which the UMT wants repealed, permits employers to initiate criminal prosecutions of workers for stopping work if they strike. The Government has the authority to break up demonstrations in public areas that do not

have government authorization, or to prevent the unauthorized occupancy of private space such as a factory.

According to press reports (see Section 2.b.), on October 11, police used force to break up a sit-in on board a ship by dock workers, and arrested 60 union members.

On November 14, security forces using clubs broke up an attempted sit-in by striking teachers in front of the Ministry of Finances in Rabat. According to press reports, some of the strikers were injured seriously (see Section 2.b.).

In November 2000, security forces reportedly used violent means to break up a 5-day sit-in strike at a canning factory in the southern city of Agadir. The attack reportedly resulted in the death of one worker and injuries to eight others. Conflicting reports attributed the death to either police abuse or "natural causes." No charges were filed in connection with the death.

According to the International Confederation of Free Trade Unions, in November 2000, the management of a multinational textile factory in Sale responded to their employees' election of 8 members of a trade union committee by firing all 8 elected workers and posting a large banner at the factory entrance that read "NO UNION." The eight trade union leaders subsequently were harassed and assaulted by company security personnel. They were detained briefly at a police station. The Governor of Sale reportedly responded to the situation by commenting publicly, "I do not recognize nor want a trade union in my Prefecture." The eight workers later were allowed to return to their jobs, but it is not known if they were allowed to establish a union.

In August 2000, during labor unrest near Casablanca, the nephew of a private transportation company owner drove a bus into a crowd of striking workers, killing 3 persons and injuring 12, in an attempt to end the occupation and obstruction of the company's bus depot. The workers were demonstrating to have their salaries increased to the level of the new national minimum wage and to compel the company to make its contributions to the national social security administration, as required by law. Government security forces arrested the nephew and son of the owner, the owner himself, and local thugs the company allegedly hired to intimidate the strikers. The owner's daughter also was charged in the case. There were no further developments in the ongoing investigation by year's end.

During a February 2000 operation in the village of Tarmilet (48 miles from the capital), security forces used force, including rubber bullets, tear gas, and water cannons, to remove striking workers who had blockaded a water bottling factory for almost 3 months to protest layoffs of temporary workers. Dozens of strikers and members of the security forces were injured during the operation. Security forces also reportedly arrested worker sympathizers who were on-site, in addition to more than a dozen factory workers. An investigation into the incident remained open at year's end.

No charges were filed based on the accusations of trucker and regional UGTM bureau member Sadok El-Kihal. El-Kihal was arrested and jailed on charges of forming a criminal gang and setting a vehicle on fire during a national trucker's strike in June 1999. He contacted the AMDH after his May 2000 royal pardon release with accusations that he had been arrested, jailed, tortured, and falsely convicted by authorities (see Section 1.c.).

Unions may sue to have labor laws enforced, and employers may sue unions when they believe that unions have overstepped their authority.

Unions belong to regional labor organizations and maintain ties with international trade union secretariats. The UMT is a member of the International Confederation of Free Trade Unions.

b. The Right to Organize and Bargain Collectively.—The right to organize and bargain collectively is implied in the constitutional provisions on the right to strike and the right to join organizations; however, the laws governing collective bargaining are inadequate. Trade union federations compete among themselves to organize workers. Any group of eight workers may organize a union and a worker may change union affiliation easily. A work site may contain several independent locals or locals affiliated with more than one labor federation.

Collective bargaining has been a longstanding tradition in some parts of the economy, such as the industrial sector, and is becoming more prevalent in the service sector, including banking, health and the civil service. The wages and conditions of employment of unionized workers generally are set in discussions between employer and worker representatives. However, wages for the vast majority of workers are set unilaterally by employers. Labor disputes have arisen in some cases as the result of employers failing to implement collective bargaining agreements. The most serious example was the Government's failure to implement an agreement negotiated with the three major teachers' unions in December 2000. Following the Gov-

ernment's failure to include any needed adjustments in its 2002 budget, the major teachers' unions went on strike for 3 days in November.

Employers wishing to dismiss workers are required by law to notify the provincial governor through the labor inspector's office. In cases in which employers plan to replace dismissed workers, a government labor inspector provides replacements and mediates the cases of workers who protest their dismissal. Any worker who is dismissed for committing a serious infraction of work rules is entitled by law to a court hearing.

In general the Government ensures the observance of labor laws in larger companies and in the public sector. In the informal economy, such as in the family workshops-dominated handicrafts sector, employers routinely ignore labor laws and regulations, and government inspectors lack the resources to monitor violations effectively.

There is no law specifically prohibiting antiunion discrimination. Under the ostensible justification of "separation for cause," employers have dismissed workers for union activities that are regarded as threatening to employer interests. The courts have the authority to reinstate such workers, but are unable to enforce rulings that compel employers to pay damages and back pay. Ministry of Labor inspectors serve as investigators and conciliators in labor disputes, but they are few in number and do not have the resources to investigate all cases. Unions have resorted increasingly to litigation to resolve labor disputes.

Labor law reform is such a controversial issue that a draft revised Labor Code has remained under discussion among the social partners and in parliamentary committee for more than 20 years. According to employer groups, the law makes it extremely difficult to fire or lay off permanent employees. The standard for legally firing a permanent employee is "serious error" committed by the employee, and the courts set the burden of proof very high. Reductions in force due to economic hardship also become mired in politics and are extremely hard to implement.

Labor law applies equally to the small Tangier export zone. The proportion of unionized workers in the export zone is about the same as in the rest of the economy, roughly 5 percent.

c. Prohibition of Forced or Compulsory Labor.—Forced or compulsory labor is prohibited by royal decree, and when authorities become aware of instances of forced labor, courts enforce the decree; however, in practice the Government lacks the resources to inspect all places of employment to ensure that forced labor is not being used, and forced labor persists in the practice of adoptive servitude.

The Government prohibits forced and bonded labor by children, but does not enforce this prohibition effectively. The practice of adoptive servitude, in which families employ young girls and use them as domestic servants, is socially accepted, and the Government does not regulate it. Credible reports of physical and psychological abuse in such cases are widespread (see Sections 5 and 6.f.). Women and children being forced into prostitution is a problem, especially in cities with large numbers of tourists (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment.—The minimum employment age was raised from 12 to 15, to be effective January 6, 2002. The minimum age applies to all sectors and includes apprenticed children and those in family businesses. Various laws provide protective measures for children under 16 at work. The law prohibits children under 16 from being employed more than 10 hours per day, including a minimum of a 1-hour break. All employees are limited to a maximum 48-hour regularly scheduled workweek.

Abuse of child labor laws is common, particularly in the informal sector. In practice children often are apprenticed before age 12, particularly in the informal handicraft industry. The use of minors is common in the small family-run workshops that produce rugs, ceramics, woodwork, and leather goods. Children, particularly rural girls, also are employed informally as domestic servants and usually receive little or no payment. Safety and health conditions, as well as wages in businesses that employ children, often are substandard. The law prohibits forced or bonded labor by children; however, the Government does not enforce the law effectively (see Section 6.c.). The practice of adoptive servitude often is characterized by physical and psychological abuse (see Sections 5, 6.c., and 6.f.). There are thousands of teenage prostitutes in urban centers (see Section 6.f.). The Ministry of Education, in cooperation with the Ministry of Health and with the support of UNICEF, is pursuing a strategy to ensure basic education and health services for child workers.

Ministry of Labor inspectors are responsible for enforcing child labor regulations, which generally are well observed in the industrialized, unionized sector of the economy. However, the inspectors are not authorized to monitor the conditions of domestic servants. The Government maintains that the informal handicrafts sector is difficult to monitor.

The Government lacks the resources to enforce laws against child labor, and there is general acceptance of the presumption that, to properly learn traditional handicraft skills, it is necessary for children to start working at a young age. In addition many citizens claim that having children working to learn a craft is better than having them live on the streets, where they might turn to juvenile delinquency, prostitution, or substance abuse.

The Ministry of Planning and Economic Forecasting, with funding from UNICEF and through collaboration with domestic NGO's, conducted a survey from April to June 2000 of domestic employees in Casablanca. The study concluded that there are approximately 13,000 girls under age 15 employed as child maids in Casablanca. Another study estimated that 20,000 child maids are working in Morocco's other major cities. According to the survey, over 80 percent of the child maids are illiterate and over 80 percent are from rural areas. Their pay ranges from \$20 to \$50 a month (220 to 550 dirhams) plus room and board; however, in about half the cases, the girl's pay is given to a family member or not provided at all. The girls report working from early morning to late night, often without a break, under conditions of physical or psychological abuse. Four percent report having been sexually abused by a member of the employer's household. UNICEF and several domestic NGO's are working, with government support, to begin to provide the child maids with education and health care, as well as the opportunity to return to their families or to leave their employers and be trained for other jobs. The Moroccan League for the Protection of Children demanded that the minimum age for employment be raised and that the Labor Code be revised to strengthen the protection of child workers.

In September 2000, authorities in Fez announced plans to open four centers for the protection of children handicraft workers. Cosponsored by UNICEF, the centers are to provide children's rights education to child workers, their families, and employers. The centers are to take in street children and provide them with handicraft training and recreational opportunities. Health services for children also are planned for each center. One center opened in September 2000, and four more opened during the year.

e. Acceptable Conditions of Work.—In July 2000, the Government increased the minimum wage by 10 percent to approximately \$162 (1,800 dirhams) per month in the industrialized sector and to approximately \$8.10 (90 dirhams) per day for agricultural workers; however, businesses in the extensive informal sector often ignore the minimum wage requirements. Neither the minimum wage for the industrialized sector nor the wage for agricultural workers provides a decent standard of living for a worker and family, even with government subsidies for food, diesel fuel, and public transportation. Unions continue to appeal unsuccessfully for a minimum wage of approximately \$180 (2,000 dirhams) per month. In many cases, several family members combine their income to support the family. Most workers in the industrial sector earn more than the minimum wage. They generally are paid between 13 and 16 months' salary, including bonuses, each year.

The minimum wage is not enforced effectively in the informal and handicraft sectors. However, the Government no longer pays less than the minimum wage to workers at the lowest civil service grades. To increase employment opportunities for recent graduates, the Government allows firms to hire for a limited period through a subsidized internship program at less than the minimum wage.

The law provides for a 48-hour maximum workweek, with no more than 10 hours worked in any single day, premium pay for overtime, paid public and annual holidays, and minimum conditions for health and safety, including a prohibition on night work for women and minors. As with other labor regulations and laws, these are not observed universally and are not enforced effectively by the Government in all sectors.

Occupational health and safety standards are rudimentary, except for a prohibition on the employment of women in certain dangerous occupations. Labor inspectors attempt to monitor working conditions and investigate accidents, but lack sufficient resources. While workers in principle have the right to remove themselves from work situations that endanger health and safety without jeopardizing their continued employment, there were no reports of workers attempting to exercise this right.

f. Trafficking in Persons.—The law does not specifically prohibit trafficking in persons; under the Penal Code perpetrators are prosecuted either as scam artists, corrupters of minors, or persons who force others into prostitution. Trafficking in persons is a problem.

Prostitution is prevalent, particularly in cities with large numbers of tourists, as well as near towns with large military installations (see Section 5). NGO activists estimate that there are thousands of teenage prostitutes in urban centers. There

were reports that women and girls were forced into prostitution. On February 8, *L'Opinion* reported that 26 persons had been arrested for involvement in trafficking in minors. The persons arrested allegedly worked for a network that reportedly operated in Sale, Rabat, Casablanca, Marrakech, Tangier, Tetouan, and Agadir on a large scale. The preferred targets were girls aged under 14. According to the weekly newsmagazine *Maroc Hebdo International*, as of October 26, 155 persons had been prosecuted for the sexual exploitation of children. Of those, 128 were in prison. Their victims included 101 boys and 66 girls.

Moroccans also are trafficked abroad. Traffickers approach their victims by offering them money. In those cases where unwitting Moroccan women have been recruited to perform sexual services outside of the country, traffickers usually have deceived them into thinking that they will be filling secretarial or domestic servant jobs. In November the press reported the uncovering of a trafficking network in which young Moroccan women paid \$2,000 in return for fictional hotel work contracts and travel to Amman, Jordan, where they were forced into prostitution. This was similar to a scam reported in 1999 between Morocco and the Persian Gulf states. In October the press also reported the arrest of nine persons in Casablanca running a secret emigration network offering fraudulent work contracts and transport to Europe in return for payments of about \$4,000.

Internal trafficking is a problem, particularly of women for sexual exploitation or of young girls for domestic service. The practice of adoptive servitude, in which families employ young girls and use them as indentured servants, is a large scale problem that is accepted socially, and the Government does not regulate it (see Section 5). The Planning Ministry, in a 2001 study funded by UNICEF, concluded that some 13,000 girls under 15 are working as child maids in Casablanca alone (See Section 6d). Reports of physical and psychological abuse in such cases are widespread; four percent of the girls report sexual abuse by members of the employer's household. Some orphanages have been charged as knowing accomplices in providing these young child maids; however, more often, parents of rural girls "contract" their daughters as maids to wealthier urban families and collect their salaries (see Sections 5 and 6.d.).

The country is also a transit point for trafficking and alien smuggling. From January 1 to June 30, the Spanish Government arrested approximately 35,000 persons attempting to enter Europe illegally from Morocco, of whom 15,000 were from other African countries or Asia. Those potential victims of trafficking who were detained, jailed, or deported usually were third country nationals transiting the country en route to Europe.

In October, the Government hosted the Arab-African Forum against Sexual Exploitation of Children, under UNICEF auspices. The conference included frank discussion of a subject that is commonly taboo. The Government requested that the participants present their results at the World Congress against Sexual Exploitation of Children in Japan in December.

A national campaign against the employment of child maids and promoting schooling for all children was launched in October 2000 and continued throughout 2001. The campaign was organized by a domestic NGO with support from the Government, as well as UNICEF and other donors. The National Observatory for Child Welfare provided legal counsel to victims of abuse. Responses to cases of child maid abuse vary depending on the situation. The shared government and NGO goal is to return them to their families if possible; if not, they may be placed in a women's or girls' shelter.

Several domestic NGO's, as well as a branch of *Terre Des Hommes*, a Swiss-based international NGO, help victims of trafficking by assisting and rehabilitating street children, educating delinquents and runaways, assisting single mothers to become financially independent, educating youths and prostitutes about the dangers of unprotected sex, and advocating in favor of women's rights.

WESTERN SAHARA

The sovereignty of the Western Sahara remains the subject of a dispute between the Government of Morocco and the Polisario Front (Popular Front for the Liberation of the Saguia el Hamra and Rio de Oro), an organization seeking independence for the region. The Moroccan Government sent troops and settlers into the northern two-thirds of the Western Sahara after Spain withdrew from the area in 1975, and extended its administration over the southern province of Oued Ed-Dahab after Mauritania renounced its claim in 1979. The Moroccan Government has undertaken a sizable economic development program in the Western Sahara as part of its long-

term efforts to strengthen Moroccan claims to the territory, although incomes and standards of living are substantially below Moroccan levels. The population of the territory is an estimated 400,000.

Since 1973 the Polisario has challenged the claims of Spain, Mauritania, and Morocco to the territory. Moroccan and Polisario forces fought intermittently from 1975 until the 1991 ceasefire and deployment to the area of a U.N. peacekeeping contingent, known by its French initials, MINURSO.

In 1975 the International Court of Justice issued an advisory opinion on the status of the Western Sahara. The Court held that while some of the region's tribes had historical ties to Morocco, the ties were insufficient to establish "any tie of territorial sovereignty" between the Western Sahara and the Kingdom of Morocco. The Court added that it had not found "legal ties" that might affect the applicable U.N. General Assembly resolution regarding the decolonization of the territory, and, in particular, the principle of self-determination for its people. Most Sahrawis (as the majority of persons living in the territory are called) live in the area controlled by Morocco, but there is a sizable refugee population near the border with Morocco in Algeria, and, to a lesser extent, in Mauritania. The majority of the Sahrawi population lives within the area delineated by a Moroccan-constructed berm, which encloses most of the territory.

Efforts by the Organization of African Unity (OAU) to resolve the sovereignty question collapsed in 1984 when the OAU recognized the Saharan Arab Democratic Republic, the civilian arm of the Polisario. Morocco withdrew from the OAU in protest.

In 1988 Morocco and the Polisario accepted the U.N. plan for a referendum that would allow the Sahrawis to decide between integration with Morocco or independence for the territory. The referendum was scheduled for January 1992, but was postponed because the parties were unable to agree on a common list of eligible voters—despite both parties previous acceptance of an updated version of the Spanish census of 1974 as the base for voter eligibility. A complicated formula for determining voter eligibility ultimately was devised and, in August 1994, MINURSO personnel began to hold identification sessions for voter applicants.

The initial U.N. voter identification effort ended in December 1995 and, after several fruitless efforts to persuade the two parties to cooperate, the U.N. Security Council formally suspended the identification process in 1996. The United Nations and friendly governments continued to urge the two parties to seek a political solution to the conflict. In March 1997, U.N. Secretary General Kofi Annan appointed former U.S. Secretary of State James Baker as his personal envoy to examine possible approaches for a peaceful settlement. Baker visited the region, and negotiations between the Moroccan Government and the Polisario began in May 1997. In September 1997, representatives of Morocco and the Polisario met in Houston in the United States and consented to a series of compromise agreements on the 1991 U.N. settlement plan to hold a referendum under U.N. auspices. According to the Houston Accords, the identification of potential voters, the referendum campaign, and the vote were to take place by December 1998; however, operational considerations have continued to delay the scheduled referendum, and there is no longer a projected referendum date. The Secretary General issued a report in June that urged the parties to engage with Baker to seek a negotiated political settlement.

In August 1998, MINURSO completed identification of voters in all uncontested tribal groupings. In November 1998, the Secretary General visited the region to examine ways to achieve compromise on several contested elements of the settlement plan in order to move the referendum process forward. After his consultations, the Secretary General proposed a series of measures in December 1998 to both parties. The measures proposed were aimed at establishing procedures among the parties to allow MINURSO to begin the identification process of three "contested tribes." After agreement between the parties was reached regarding the contested tribes, MINURSO began the process of identifying an additional 65,000 potential voters. The identification process of the three contested tribes was completed in December 1999. Only 4 percent of the applicants in this phase of the identification process were deemed eligible to vote in the referendum. Roughly those who were deemed ineligible to vote after the first round of the identification process also have registered 80,000 appeals. Approximately 50,000 additional appeals were filed after the completion of the identification process for the 3 "contested tribes," bringing the total number of appeals to nearly 130,000. MINURSO has not yet begun to adjudicate appeals from the identification process, due to continuing differences between the parties over who should be eligible to appeal, on what grounds, and by what process.

As the end of MINURSO's mandate drew near in February 2000, the Secretary General urged a review of the situation. Annan requested Baker to consult the par-

ties to explore ways to achieve an “early, durable and peaceful” settlement to their dispute. Baker visited Algeria, Morocco, and the Western Sahara in April 2000 to consult with all of the interested parties. Baker sought to reconcile differences over the U.N. Settlement Plan or find other approaches that might resolve the dispute. He returned without a consensus and described the process as unchanged since 1997 and 1998. At the invitation of Annan, the Government of Morocco and the Polisario met in London in May 2000 and again in June 2000 in an attempt to resolve the parties’ longstanding differences over the settlement plan and to explore other avenues to resolve their dispute over the territory; however, little progress was made. In June 2000, Baker called on the parties to meet again, emphasizing that consideration should be given to finding a solution that reached a compromise between full independence for the territory and its full integration with Morocco. A technical meeting of the parties that was held in Geneva in July 2000 to discuss the appeals process, confidence-building measures in the territory, and the fate of Moroccan prisoners of war (POW’s) still held by the Polisario (more than 1,400 at year’s end) also failed to produce any breakthroughs. The Secretary General made clear in several reports to the Security Council in 2000 that disputes between the parties over various issues in the Settlement Plan likely would delay the holding of the referendum for the foreseeable future. In August Baker met with representatives of the Polisario to discuss a “third way” compromise, which would entail Western Saharan autonomy within the Kingdom of Morocco. The Polisario firmly rejected such a compromise. In November the United Nations extended MINURSO’s mandate to February 2002. Also in November, Baker met with Algerian President Abdelaziz Bouteflika, but no further progress on the territory was made.

Since 1977 the Saharan provinces of Laayoune, Smara, and Boujdour have participated in local elections that are organized and controlled by the Moroccan Government. The southern province of Oued Ed-Dahab has participated in Moroccan-controlled elections since 1983. Sahrawis whose political views are aligned with the Moroccan Government fill all the seats allotted to the Western Sahara in the Moroccan Parliament.

The civilian population living in the Western Sahara under Moroccan administration is subject to Moroccan law. U.N. observers and foreign human rights groups maintain that Sahrawis have difficulty obtaining Moroccan passports, that the Government monitors the political views of Sahrawis more closely than those of Moroccan citizens, and that the police and paramilitary authorities react especially harshly against those suspected of supporting independence and the Polisario. The Moroccan Government limits access to the territory, and international human rights organizations and impartial journalists sometimes have experienced difficulty in securing admission.

After years of denying that Sahrawis were imprisoned in Morocco for Polisario-related military or political activity, the Government of Morocco released more than 300 such prisoners in 1991. Entire families, and Sahrawis who had disappeared in the mid-1970’s, were among those released. The Government of Morocco has failed to conduct a public inquiry or to explain how and why those released spent up to 16 years of incommunicado detention without charge or trial. The former Sahrawi detainees have formed an informal association whose principal objective is to seek redress and compensation from the Government of Morocco for their detention. A delegation of this association continued to meet with various government officials, human rights organizations, members of the press, and diplomatic representatives in both Rabat and in Laayoune during the year. They reported that little progress has been made in gaining the Moroccan Government’s recognition of their grievances. However, in July 2000, the Government, through the Arbitration Commission of the Royal Advisory Council on Human Rights (CCDH), began distributing preliminary compensation payments to Sahrawis who had disappeared or been detained in the past, and their family members. The Government announced that it intended such initial payments to be provisional funds for Sahrawis with urgent medical or financial needs who had appealed for compensation by December 31, 1999, and that more compensation could be distributed pending the results of the Commission’s review of petitions by Sahrawi claimants. However, numerous cases remain pending. Despite reforms such as decreasing the number or seats on the CCDH for governmental ministries, while increasing them for economic, cultural, and social organizations, and changing the voting process to require only a two-thirds majority rather than unanimity, many still view the process as flawed administratively and favoring the Government. The principal criticisms of the process are that it lacks transparency, that the CCDH lacks independence, and that the appeals procedures are inadequate.

On May 3 in Laayoune, the Democratic Confederation of Labor (CDT) issued a statement claiming that security forces violently disrupted a sit-in by unemployed

university graduates outside the Employment Department headquarters. Five demonstrators reportedly were injured and several CDT members arrested. The statement called for the release of those arrested; they received a royal pardon in November.

In mid-October a sit-in by Sahrawi women protesting economic conditions and demanding additional assistance from the Moroccan Government, began near the city hall in Smarna. On November 17, police intervened to end the ongoing sit-in. Some Sahrawi youths reportedly joined the women and threw stones at police. The police reacted by beating dozens of protestors and arresting 17. On December 21, six of those arrested received sentences ranging from 12 to 18 months in prison. The Polisario later claimed that many other persons were detained during follow-up sweeps after November 17. The Polisario also claims that 131 of those arrested were holding a hunger strike in Laayoune Prison at year's end.

In December 1999, Moroccan security forces that reportedly were dispatched from Rabat detained one Sahrawi in the Western Saharan city of Laayoune and two Sahrawis in the southern Moroccan cities of Tan-Tan and Agadir. The Government alleged that the three were spies for the Polisario. They reportedly were held for 8 days before their appearance in an Agadir court and before their families were informed of their detention. Family members and the Moroccan Association for Human Rights (AMDH) claimed that the arrests were a violation of human rights and due process, and proof that forced disappearances still occur in Morocco. A public trial was convened abruptly in May 2000, in Agadir's court of first instance, and the three Sahrawis were convicted of threatening the internal security of the State and sentenced to 3 to 4 years in prison. According to a lawyer who represented the Sahrawis, during the trial the three defendants denied any relations with the Polisario Front, contradicting government allegations that the three confessed during their post-arrest detention. During an appellate hearing in July 2000, at the request of the public prosecutor all three were given 4-year sentences. In September 2000, security forces in civilian dress detained a fourth Sahrawi at the Laayoune airport as he was about to board a flight to the Canary Islands. According to the Sahrawi's daughter, who witnessed the incident, two members of the security forces drove away with her father in a car with Casablanca license plates. Almost 10 days later, the Sahrawi reappeared in Agadir and was charged before the court of first instance for spying for the Polisario. Two days later, the fourth Sahrawi was sentenced to 4 years in prison for threatening the internal security of the State. All four received a royal pardon in November.

In April 2000, a Moroccan civil court in the Western Sahara city of Laayoune sentenced five Sahrawi youth to prison terms of between 5 and 10 years for the "formation of a criminal association" after their alleged participation in a March 2000 stone-throwing incident in Laayoune. Reliable sources said that the incident was spontaneous, unorganized, and lasted only 5 minutes.

The stone-throwing incident followed similar protests by Sahrawi students in several southern Moroccan and Western Sahara cities at the end of February and in early March 2000, which security forces brutally dispersed in violent clashes. The February and March demonstrations came in response to the December 1999 incarceration of three Sahrawis accused of spying for the Polisario. Attendees at the trial, human rights activists, and an attorney for the five defendants criticized the handling of the trial process, particularly the court's refusal to hear witnesses for the defense who allegedly could corroborate claims by at least two of the defendants that they were not present at the demonstrations. The court allegedly based its judgment on police reports and the testimony of two witnesses, one of whom reportedly could not identify positively the accused. An attorney for the youths also alleged that the judicial police investigating the affair committed several illegal acts by unlawfully entering homes of the accused and detaining them, torturing them during their detention, and forcing them under duress to sign police reports, which they were not allowed to read and which contained falsehoods. The decision was appealed before the court of appeals in Laayoune, which reportedly sent it to the Supreme Court in Rabat. A hearing on the appeal never was held, but all five youths received a royal pardon in November.

During the year, there were no new developments related to the investigation of police abuses committed in the Western Sahara city of Laayoune in September and October 1999, during which police authorities used force to break up demonstrations organized by students, unemployed graduates, miners, and former Sahrawi political prisoners, who were protesting a variety of social grievances. However, in November as part of his Green March speech, the King pardoned all of those arrested during the September 1999 protests and also pardoned Mohamed Daddach, whom the Polisario had sought to portray as a political prisoner. A total of 56 prisoners were released. There was no progress during the year on local elections to choose mem-

bers to the proposed new Royal Advisory Council on the Western Sahara that the King had announced in October 1999.

A number of other Sahrawis remained imprisoned for peaceful protests supporting Saharan independence. Youths released in previous years reported that the Moroccan police continued to monitor them closely.

The Polisario claims that the Moroccan Government continues to hold several hundred Sahrawis as political prisoners and approximately 300 as POW's. However, the Government of Morocco formally denies that any Sahrawi former combatants remain in detention. Representatives of the International Committee of the Red Cross (ICRC) have stated that Morocco indeed has released all Polisario former combatants. A committee that represents former Sahrawi prisoners also believes that the Government of Morocco no longer holds any of those Sahrawis who were detained illegally during the 1970's and 1980's. The committee based this determination on interviews with family members of individuals who had been detained during that period.

The Government of Morocco claims that the Polisario detains 30,000 Sahrawi refugees against their will in camps around Tindouf, Algeria. The Polisario denies this charge. According to credible reports, the number of refugees in Tindouf far exceeds 30,000, but the allegation that they wish to leave remains unsubstantiated.

The U.N. settlement plan calls for the release of all POW's after the voter identification process is complete. The ICRC reported in May that the Polisario now holds 1,479 Moroccan POW's. A group of 185 POW's was repatriated to Morocco in a humanitarian airlift conducted under ICRC auspices in November 1995. In April 1997, Polisario leaders offered to release 85 Moroccan POW's as a good will gesture during U.N. envoy Baker's first meetings in Tindouf, but Morocco and the Polisario could not agree on the conditions of their release. In February 2000, the Polisario released 186 Moroccan POW's, many of whom had been in detention for more than 20 years. Another 201 were released to the ICRC and repatriated to Morocco in December 2000. The U.N. settlement plan calls for the release of all POW's after the voter identification process is complete. Foreign diplomats and representatives of international organizations continued to urge the Polisario throughout the year to release the remaining Moroccan POW's, and emphasized that their continued detention 10 years after the cessation of hostilities was a human rights violation. There also were credible reports that the Polisario authority used the POW's for forced labor. The Polisario leadership continues to refuse to comply with repeated requests that all of the POW's be released on humanitarian grounds, despite the fact that most of the POW's have been in detention for more than 20 years and that their health was deteriorating seriously due to the poor conditions under which they are held. An ICRC delegation, which included a medical doctor, an ophthalmologist, and a dentist, visited the Moroccan prisoners from May 11 to 25. The ICRC reported that the POW's health remained extremely poor.

There were no new cases of disappearance for the fifth consecutive year in that part of the Western Sahara under Moroccan administration. While the forced disappearance of individuals who opposed the Government of Morocco and its policies occurred over several decades, the Government in 1998 pledged to ensure that such policies do not recur, and to disclose as much information as possible on past cases. Many of those who disappeared were Sahrawis or Moroccans who challenged the Government's claim to the Western Sahara, or other government policies. Many of those who disappeared were held in secret detention camps. Although the Government released more than 300 such detainees in June 1991 and in October 1998 issued an announcement on those who had disappeared, hundreds of Sahrawi and Moroccan families still do not have any information regarding their missing relatives, many of whom disappeared over 20 years ago (see Section 2.b. of the Morocco report). In 2000 the Paris-based International Federation of Human Rights Leagues (FIDH) claimed that disappearances of Sahrawis in the Western Sahara could number up to 1,500, although conditions in the territory prevent confirmation of this figure.

Freedom of expression and freedom of peaceful assembly and association remain very restricted in the Western Sahara. According to Amnesty International, Moroccan authorities continue to deny the registration of the independent newspaper Sawt Al-Janoub.

Freedom of movement within the Western Sahara is limited in militarily sensitive areas, both within the area controlled by the Government of Morocco and the area controlled by the Polisario. Both Moroccan and Polisario security forces at times subject travelers to arbitrary questioning. There were no reports of prolonged detention during the year.

The Polisario reportedly restricts freedom of expression, peaceful assembly, association, and movement in its camps near Tindouf in southwestern Algeria.

There is little organized labor activity in the Western Sahara. The same labor laws that apply in Morocco are applied in the Moroccan-controlled areas of the Western Sahara. Moroccan unions are present in the Moroccan-controlled Western Sahara but are not active. The 15 percent of the territory outside Moroccan control do not have any major population centers or economic activity beyond nomadic herding. The Polisario-sponsored labor union, the Sario Federation of Labor, is not active in the Western Sahara.

There were no strikes, other job actions, or collective bargaining agreements during the year. Most union members are employees of the Moroccan Government or state-owned organizations. They are paid 85 percent more than their counterparts outside the Western Sahara as an inducement to Moroccan citizens to live there. Workers in the Western Sahara were exempt from income and value-added taxes and received subsidies on such commodities as flour, oil, sugar, fuel, and utilities.

Moroccan law prohibits forced labor, and it does not appear to occur in the Western Sahara.

Regulations on the minimum age of employment are the same as in Morocco. Child labor appears to be less common than in Morocco, primarily because of the absence of industries most likely to employ children, such as rug-knotting and other traditional handicrafts. A government work program for adults, the Promotion Nationale, provides families with enough income to obviate the need for children to be hired out as domestic servants. Children in the few remaining nomadic groups presumably work as shepherds along with other group members.

The minimum wage and maximum hours of work are the same as in Morocco. However, in practice workers in some fish processing plants may work as many as 12 hours per day, 6 days per week, well beyond the 10-hour day, 48-hour week maximum stipulated in Moroccan law. Occupational health and safety standards are the same as those enforced in Morocco. They are rudimentary, except for a prohibition on the employment of women in dangerous occupations.

OMAN

The Sultanate of Oman is a monarchy that has been ruled by the Al Bu Sa'id family since the middle of the 18th century. It has no political parties, but does have one representative institution, whose members are elected directly by voters selected by the Government. The Sultan, Qaboos Bin Sa'id Al Sa'id, acceded to the throne in 1970. Although the Sultan retains firm control over all important policy issues, he has brought tribal leaders and other notable persons into the Government. In accordance with tradition and cultural norms, much decisionmaking is by consensus among these leaders. In 1991 the Sultan established a Consultative Council, or Majlis Al-Shura, which replaced an older advisory body. The Consultative Council was expanded to 83 seats for the September 2000 elections, and members were chosen directly by the vote of 175,000 government-selected electors. The Council has no formal legislative powers but may question government ministers and recommend changes to new laws regarding economic and social policy, which on occasion leads to amendments to proposed decrees. In January the Sultan appointed 53 members, including 5 women, as members of a new Council of State (Majlis Al-Dawla), which, with the Consultative Council, forms the bicameral body known as the Majlis Oman (Council of Oman). In late 1996, the Sultan promulgated by decree the country's "Basic Charter" (also known as the Basic Law), which provides for citizens' basic rights in writing. The judiciary is not independent, and courts are subject to the Sultan's influence.

The internal and external security apparatus falls under the authority of the Royal Office, which coordinates all intelligence and security policies. The Internal Security Service investigates all matters related to internal security. The Royal Oman Police (ROP), whose head also has cabinet status, perform regular police duties, provide security at airports, serve as the country's immigration agency, and maintain a small coast guard. The security forces reportedly committed some abuses during the year.

The country has a population of approximately 2.3 million, including approximately 600,000 foreigners. Since 1970 the country has used its modest oil revenue to make impressive economic progress and improve public access to health care, education, and social services for its citizens. The average per capita gross domestic product (GDP) was approximately \$8,000. The economy is mixed, with significant government participation in industry, transportation, and communications. The Government seeks to diversify the economy, whose GDP is \$21.1 billion, and stimulate private investment.

The Government generally respected its citizens' human rights in some areas; however, its record was poor in other areas, particularly with respect to citizens' right to criticize the Government. Citizens do not have the right to change their government. Police do not always follow procedures regarding arrest and detention, and in some instances police handling of arrest and detention constituted incommunicado detention. There are no publicly available codified procedures or legal provisions regarding conduct of a public trial. Due process was denied to persons tried in state security courts. Citizens must obtain permission from the Government to marry foreigners. The Government interferes with citizens' privacy rights. The Government restricted freedom of expression and association. The Government must approve the establishment of all associations, and human rights organizations are prohibited. The Government does not ensure full rights for women. The Government severely restricts workers rights. Foreign workers at times are placed in situations amounting to forced labor, and abuse of foreign domestic servants is a problem.

The 1996 Basic Charter, issued as a decree by the Sultan, proposed many basic human rights, such as an independent judiciary, and the freedoms of association, speech, and the press. The Basic Charter states that the Government was to strive to issue all enabling laws within 2 years of November 1996; however, this has not occurred. Only certain laws pertaining to the legal code for family and interpersonal relationships, to judicial reform, and to aspects of the Finance Ministry, have been enacted. There has been no public statement made by the Government noting the end of the 2-year period since issuance of the Basic Charter, nor has a new target date for implementation been proposed.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life.—There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

b. Disappearance.—There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—The law does not specifically prohibit torture; however, there were no reports of torture during the year.

Judges have the right to order investigations of allegations of mistreatment. The 1996 Basic Charter, which has not yet been implemented in this area, specifically prohibits "physical or moral torture" and stipulates that all confessions obtained by such methods are to be considered null and void.

On one or two occasions in 2000, the police used tear gas and physical force to control demonstrations, and made some arrests (see Section 2.b).

Prison conditions are Spartan, but appear to meet international standards. Access to some prisoners was restricted severely. There are separate facilities for men and women, as well as separate facilities for juveniles and adults. Security prisoners are held separately and in different conditions from regular prisoners. Pretrial detainees also are held separately.

The Government does not permit independent monitoring of prisons.

d. Arbitrary Arrest, Detention, or Exile.—The police may obtain warrants prior to making arrests but are not required by law to do so. However, within 24 hours of arrest, the authorities must obtain court orders to hold suspects in pretrial detention, and the police are required to file charges or request a magistrate judge to order continued detention. However, in practice the police do not always follow these procedures. Judges may order detentions for 14 days to allow investigation and may grant extensions if necessary. There is a functioning system of bail. The 1996 Basic Charter provides for certain legal and procedural rights for detainees; however, these provisions have yet to be implemented.

Police handling of arrests and detentions constitutes incommunicado detention in some instances. The police do not always notify a detainee's family or, in the case of a foreign worker, the worker's sponsor of the detention. At times notification is made only just prior to the detainee's release. The authorities post the previous week's trial results (including the date of the trial, the name of the accused, the claim, and the sentence) near the magistrate court building in Muscat. The police do not always permit attorneys and family members to visit detainees. Judges occasionally intercede to ensure that security officials allow such visits.

The Government does not use forced exile. The 1996 Basic Charter prohibits exile; however, the provisions concerning exile have yet to be implemented.

e. Denial of Fair Public Trial.—The 1996 Basic Charter affirms the independence of the judiciary; however, the various courts are subordinate to the Sultan and subject to his influence in practice. All judges are appointed by the Sultan and serve at his pleasure. The Sultan acts as a court of final appeal and intercedes in cases

of particular interest, such as those concerning national security. However, there have been no reported instances in which the Sultan has overturned a decision of the magistrate courts or the commercial courts.

All courts are administered by the Ministry of Justice. The judiciary comprises the magistrate courts, which adjudicate misdemeanors and criminal matters; the Shari'a (Islamic law) courts, which adjudicate personal status cases such as divorce and inheritance; and the commercial courts. The Labor Welfare Board attempts to mediate disputes between employers and employees. If a settlement cannot be reached, the parties may seek recourse in the appropriate courts. The Rent Dispute Committee has been abolished; the courts of general jurisdiction may hear cases involving rent disputes.

The magistrate court system was established by royal decree in 1984 to take over all criminal cases from the Shari'a courts; it is not independent, and its president reports directly to the Sultan. Regional courts of first instance handle misdemeanor cases, which are heard by individual judges. All felonies are adjudicated at the Central Magistrate Court in Muscat by a panel made up of the President of the Magistrate Court and two judges. All rulings of the felony panel are final except for those in which the defendant is sentenced to death. The death penalty rarely is used, except in serious felonies such as murder, and the Sultan must approve death sentences. There is no provision for amputation.

The Criminal Appeals Panel also is presided over by the President of the Magistrate Court in Muscat and includes the court's vice president and two judges. This panel hears appeals of rulings made by all courts of first instance. In the past, specially trained prosecutors from the Royal Oman Police (ROP), all of whom are trained as policemen as well as prosecutors, carried out the role of public prosecutor in criminal cases; however, as a step toward implementing a November 1999 Royal decree designed to increase the independence of the judiciary, prosecutors were made independent of the ROP.

The Criminal Code does not specify the rights of the accused. There are no written rules of evidence, codified procedures for entering cases into the criminal system, or any legal provision for a public trial. Criminal procedures have developed by tradition and precedents in the magistrate courts. In criminal cases, the police provide defendants with the written charges against them; defendants are presumed innocent and have the right to present evidence and confront witnesses. The prosecution and the defense direct questions to witnesses through the judge, who is usually the only person to question witnesses in court. A detainee may hire an attorney, but has no explicit right to be represented by counsel.

The 1996 Basic Charter affirms both the right to counsel and government-funded legal representation for indigents; however, these provisions have yet to be implemented, and the Government does not pay for the legal representation of indigents. Judges often pronounce the verdict and sentence within 1 day of the completion of a trial. Those convicted may appeal jail sentences longer than 3 months and fines over the equivalent of \$1,250 (480 rials) to a three-judge panel. Defendants accused of national security offenses and serious felonies do not have the right of appeal.

The State Security Court tries cases involving national security and criminal cases that the Government decides require expeditious or especially sensitive handling. Magistrate court judges have presided over trials in the State Security Court. Defendants tried by the Security Court are not permitted to have legal representation present. The timing and the location of the Court's proceedings are not disclosed publicly. The Court does not follow legal procedures as strictly as the magistrate courts, although prominent civilian jurists form the panel. The Sultan has exercised his powers of extending leniency, including in political cases.

The Shari'a courts are administered by the Ministry of Justice and apply Shari'a law as interpreted under the Ibadhi school of Islamic jurisprudence. Courts of first instance are located in each of the 59 wilayats, or governorates, and are presided over by a single judge, or qadi. Appeals of the rulings of the courts of first instance involving prison sentences of 2 weeks or more or fines greater than \$260 (100 rials) must be brought within 1 month before the Shari'a Court of Appeals in Muscat. Panels of three judges hear appeals cases. Court of Appeals rulings themselves may be appealed, within a 1-month period, to the Supreme Committee for Complaints, which is composed of four members, including the Minister of Justice and the Grand Mufti of the Sultanate.

In 1997 the Government promulgated into law the provisions of the 1996 Basic Charter pertaining to family law, that is, law that falls under the purview of the Shari'a courts. The effect of the new law has been to regularize the nature of the cases and the range of corresponding judgments within the Shari'a court system that only deals with family law.

The Authority for the Settlement of Commercial Disputes (ASCD), better known as the commercial courts system, was established by royal decree in 1981 to decide all cases related to commercial matters. Subsequent decrees have empowered the commercial courts to decide labor disputes referred to it by government departments, commercial disputes to which the Government is a party, and arbitration cases involving private parties. After the June reform, the ASCD falls under the jurisdiction of the Ministry of Justice, rather than the Minister of Commerce and Industry. The ASCD is made up of the Chairman, Deputy Chairman, a number of judges appointed by royal decree, and members of the Oman Chamber of Commerce and Industry. Cases are heard in regional courts for suits involving not more than \$26,000 (10,000 rials).

In November 1999, the Sultan issued several royal decrees to establish a law on judicial authority and to affirm the independence of the judiciary as called for in the 1996 Basic Charter. The decrees formally established the judiciary as an independent, hierarchical system composed of a Supreme Court, an appeals court, primary courts (one located in each region), and, within the primary courts, divisional courts. Within each of the courts there are to be divisions to consider commercial, civil, penal, labor, taxation, general, and personal status cases (the latter under Shari'a). The General Prosecutor's Office, which before the June reform was under the jurisdiction of the Royal Omani Police Chief Inspector, has become an independent legal entity within the Ministry of Justice.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—The police are not required by law to obtain search warrants. There is a widely held view that the Government eavesdrops on both oral and written communications, and citizens are guarded in both areas. Citizens must obtain permission from the Ministry of Interior to marry foreigners, except nationals of the Gulf Cooperation Council countries. Such permission is not granted automatically. Delays or denial of permission have resulted in secret marriages within the country. Marriages in foreign countries may lead to denial of entry of the foreign spouse into the country and prevent a legitimate child from claiming citizenship rights.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The law does not provide for freedom of speech or of the press, and the Government restricts these rights in practice. The law prohibits criticism of the Sultan in any form or medium. The authorities tolerate criticism of government officials and agencies, but such criticism rarely receives media coverage. The announced 1996 Basic Charter provides for freedom of opinion expressed in words, writing, and all other media, within the limits of the law; however, the charter provisions have yet to be implemented.

The 1984 Press and Publication Law authorizes the Government to censor all domestic and imported publications. Ministry of Information censors may act against any material regarded as politically, culturally, or sexually offensive. Journalists and writers generally exercise self-censorship to avoid government harassment. Editorials generally are consistent with the Government's views, although the authorities tolerate some criticism regarding foreign affairs issues. The Government discourages in-depth reporting on controversial domestic issues and seeks to influence privately owned dailies and periodicals by subsidizing their operating costs. There are five daily newspapers, three in Arabic and two in English. Al-Watan has a circulation of 40,000 and is the only privately owned newspaper.

In late 1997, the Government began to permit the entry into the market of foreign newspapers and magazines containing reports or statements deemed critical of Oman, including articles critical of the Sultan. The lifting of the boycott against Israel in December 1994 eliminated prohibitions on publications from or about Israel that otherwise meet censorship standards. However, in August 1999 the Ministry of Information stopped distribution of a London-based, Arabic-language magazine that contained an interview with a representative of the Israeli trade mission in Oman. Customs officials at times confiscate videocassette tapes and erase offensive material, despite the lack of published guidelines regarding what is considered offensive. Such tapes may or may not be returned to their owners. Government censorship decisions are changed periodically without apparent reason. There is a general perception that the confiscation of books and tapes at the border from private individuals and restrictions on popular novels have eased somewhat; however, it reportedly has become more difficult to obtain permission to distribute books in the local market that censors decide have factual errors regarding the country (including outdated maps).

The Government controls the only local radio and the two television stations. They do not air any politically controversial material. The Government does not

allow the establishment of privately owned radio and television companies. However, the availability of satellite dishes has made foreign broadcast information accessible to the public.

The Government, through its national telecommunications company, provides Internet access to citizens and foreign residents. However, it blocks certain Web sites that it considers pornographic or politically sensitive. As use of the Internet to express views normally not permitted in other media has grown, the Government has taken additional measures to monitor and control its use. The Government has placed warnings on Web sites that criticism of the Sultan or personal criticism of government officials is likely to be censored; however, some such Web sites apparently have operated without interference.

The appropriate government authority, such as Sultan Qaboos University, the police, or the relevant ministry must approve public cultural events, including plays, concerts, lectures, and seminars. Most organizations avoid controversial issues because of fears that the authorities may cancel their events.

Academic freedom is restricted, particularly regarding publishing or discussing controversial matters, such as politics. Professors may be dismissed for going beyond acceptable boundaries.

b. Freedom of Peaceful Assembly and Association.—The law does not provide for freedom of assembly; all public gatherings require government approval. The authorities with rare exceptions enforce this requirement. Over the course of 8 days in October 2000, rare, unauthorized public demonstrations in support of the Palestinians and against Israeli and United States policies took place at Sultan Qaboos University and other venues. Most demonstrators were young men, and most demonstrations were peaceful. Rock throwing and vandalism of private vehicles occurred at some locations. On one or two occasions, police used tear gas and physical force to control demonstrations and arrested some persons. After the demonstrations, the Government took action to prevent further demonstrations. The 1996 Basic Charter provides for limited freedom of assembly, but these provisions had not been implemented by year's end.

The Government restricts freedom of association. The law states that the Ministry of Social Affairs, Labor, and Vocational Training must approve the establishment of all organizations and their by-laws; however, some groups are allowed to function without formal registration. The Government uses the power to license organizations to control the political environment. It does not license groups regarded as a threat to the predominant social and political views or the interests of the Sultanate. Formal registration of foreign associations is limited to a maximum of one association for any nationality. The 1996 Basic Charter's provisions in this area—not yet in effect—regulate the formation of associations.

A February 2000 royal decree allowed for the formation of nongovernmental organizations (NGO's) providing services to women, children, and the elderly. Four NGO's, all related to persons with disabilities, have been registered; government-sponsored women's associations perform some associative functions, but are completely dependent on government funding.

c. Freedom of Religion.—The law does not provide for freedom of religion, and the Government restricts this right in practice. Non-Muslim religious organizations must be registered with the Government, and the Government restricts some of their activities.

The 1996 Basic Charter provides that Islam is the state religion and that Shari'a is the basis for legislation; it preserves the freedom to practice religious rites, in accordance with tradition, provided that such freedom does not breach public order. Discrimination against individuals on the basis of religion is prohibited; however, implementing decrees for the 1996 Basic Charter in this area have not yet been passed.

Most citizens are Ibadhi or Sunni Muslims, but there is also a minority of Shi'a Muslims. Non-Muslims are free to worship at churches and temples built on land donated by the Sultan. There are many Christian denominations, which utilize two plots of donated land, on which two Catholic and two Protestant churches have been built. Hindu temples also exist on government-provided land. Land has been made available to Catholic and Protestant missions to provide places of worship and ministry to resident Christians in Sohar and Salalah.

In June 2000, the departure from the country of a foreign Baha'i due to termination of his employment may have been hastened by the proselytizing activities of his wife. The authorities requested members of the Baha'i community to sign statements that they will not proselytize, in accordance with the country's law and custom.

The Government prohibits non-Muslims from proselytizing. It also prohibits non-Muslim groups from publishing religious material, although religious material print-

ed abroad may be brought into the country. Certain medical and educational activity by missionaries is permitted as long as missionaries do not proselytize. Members of all religions and religious groups are free to maintain links with coreligionists abroad and undertake foreign travel for religious purposes.

The police monitor mosque sermons to ensure that imams do not discuss political topics and stay within the state-approved orthodoxy of Islam. The Government expects all imams to preach sermons within the parameters of standardized texts distributed monthly by the Ministry of Awqaf and Religious Affairs.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The law does not provide for these rights, and the Government partially restricts these rights in practice. The Government does not restrict travel by citizens within the country except to military areas. Foreigners other than diplomats must obtain a government pass to cross border points. To obtain a passport and depart the country, a woman must have authorization from her husband, father, or nearest male relative. However, a woman having a national identity card (which also must be authorized by a male relative) may travel to certain Gulf Cooperation Council countries without a passport.

Until the promulgation of the Basic Charter, the Government did not have a policy on refugees or a tradition of harboring stateless or undocumented aliens. The 1996 Basic Charter prohibits the extradition of political refugees; however, this provision has not yet been implemented. There were no reports of the forced return of persons to a country where they feared persecution. The issue of the provision of first asylum did not arise during the year. Tight control over the entry of foreigners into the country effectively has limited refugees and prospective asylum seekers from entering. There is no government policy of cooperation with the U.N. High Commissioner for Refugees and other humanitarian organizations in assisting refugees.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to peacefully change their government. The Government is an autocracy in which the Sultan retains ultimate authority on all important foreign and domestic issues.

The Sultan promulgated by decree the country's first defacto written constitution, known as the Basic Charter, in November 1996. Although it has immediate force of law, most laws and regulations to implement its provisions have not yet been enacted. There has been no public statement made by the Government noting the end of the 2-year period since issuance of the Basic Charter, nor has a new target date for implementation been proposed.

The law does not provide for political parties or direct elections. Citizens have indirect access to senior officials through the traditional practice of petitioning their patrons, usually the local governor, for redress of grievances. The Sultan appoints the governors. Successful redress depends on the effectiveness of a patron's access to appropriate decisionmakers. The Sultan makes an annual 3-week tour of the country, accompanied by his ministers. The tour allows the Sultan to listen directly to his subjects' concerns.

In 1991 Sultan Qaboos established a Consultative Council, or Majlis Al-Shura. The number of seats in the Council was expanded to 83 for the September 2000 elections. Beginning with the September 2000 elections, the Government established a new system under which council members, male and female, are elected directly by receiving the most votes from eligible voters in their districts. In the September 2000 elections, the Government selected more than 175,000 men and women, about 25 percent of adult citizens, to register to vote, of whom 114,000 registered and 100,000 voted. The Government's selection criteria reportedly was based on tribal and social status; educational background; personal and professional connections; and loyalty to the Government. The number of eligible female voters increased from 5,000 to 52,000. In August 2000, a royal decree abolished the prior procedure under which voters (or electors) had volunteered as candidates for Council seats, had their police records checked by the Government, and relied on government approval of their decision to run. The nominees with the most votes did not win appointment to the Council if the Sultan decided not to appoint them. Under the new procedures, candidates are not subject to government scrutiny, and the Sultan no longer ratifies winning candidates. However, the Sultan controls the process, and at least two sitting members of the Council were excluded from the outset from standing for reelection in September 2000 because of their criticism of ministers during previous council sessions.

The Council has no formal legislative powers, which remain concentrated in the Sultan's hands; however, it serves as a conduit of information between the citizens

and the government ministries. No serving government official is eligible to be a Council member. The Council may question government ministers in public or in private, review all draft laws on social and economic policy, and recommend legislative changes to the Sultan, who makes the final decision. During the year, the membership of the Majlis Al-Dawla, or Council of State, was increased from 48 to 53 members, including 5 female members. The precise responsibilities of the Council of State and its relationship to the existing Consultative Council have yet to be clarified. The Council of State and the Consultative Council together form the Majlis Oman, or Council of Oman. A royal directive issued in April 2000 prohibited members of the Council of Oman from serving more than two 3-year terms.

The percentage of women in government and politics does not correspond to their percentage of the population. However, the Sultan publicly has advocated a greater role for women in both the public and private sectors. Women constituted 30 percent of eligible voters in the 2000 elections.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government prohibits the establishment of human rights NGO's, and there are no government-controlled or autonomous human rights entities in the country. The existing restrictions on the freedom of speech and association do not permit any activity or speech critical of the Government.

There were no known requests by U.N. or international human rights organizations to visit.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The 1996 Basic Charter prohibits discrimination on the basis of sex, ethnic origin, race, religion, language, sect, place of residence, and social class; however, decrees to implement its provisions have not been promulgated. Effective government enforcement is insufficient in some areas, and societal and cultural discrimination based on gender, race, religion, social class, and disability exists.

Women.—The law does not specifically address domestic violence against women, but, according to Shari'a, all forms of physical abuse are illegal. There is no evidence of a pattern of spousal abuse, although observers claim that allegations of such abuse in the Shari'a courts are not uncommon. Doctors do not have a legal responsibility to report either spouse or child abuse to the courts. Battered women may file a complaint with the police but more often seek family intervention to protect them from violent domestic situations. Likewise, families seek to intervene to keep such problems from public view. In the past, there have been reports that employers or male coworkers have sexually harassed foreign women employed in positions such as domestic servants and hospital nurses. There were reports of employers physically and sexually abusing domestic servants; employers are not always held accountable for such actions (see Section 6.d.). There are no government programs for abused women.

The law prohibits rape. Shari'a provides no punishment for spousal rape.

Prostitution is illegal, and is not a widespread problem.

Female genital mutilation (FGM) is widely condemned by international health experts as damaging to both physical and psychological health. A few communities in the interior and in the Dhofar region still practice FGM. Experts believe that the number of such cases is small and declining annually.

Many women live within the confines of their homes. While progress has been made in changing laws and attitudes, women continue to face many forms of discrimination. Illiteracy among older women hampers their ability to own property, participate in the modern sector of the economy, or inform themselves of their rights. Government officials frequently deny women land grants or housing loans and prefer to conduct business with a woman's husband or other male relative. Women may own property. Women require permission from a male relative to leave the country (see Section 2.b.).

Some aspects of Islamic law and tradition as interpreted in the country also discriminate against women. Shari'a favors male heirs in adjudicating inheritance claims. Many women are reluctant to take an inheritance dispute to court for fear of alienating the family.

Since 1970 conditions for women have improved markedly in several areas. Whereas in 1970 no schools existed for girls, the most recent figures available from the Ministry of Education in 1999 report an enrollment rate of nearly 90 percent for all girls eligible for elementary school. In the 1997-98 school year, female students constituted approximately 50 percent of the total number of students attending public schools. Women constitute roughly half of the 5,000 students at Sultan

Qaboos University. In November 731 women and 566 men received bachelor's degrees as members of the 11th graduating class, while 2 women and 40 men received master's degrees. The university has a quota system with the apparent goal of increasing the number of men studying certain specialties. For example, women reportedly are being limited to 50 percent of the seats in the medical department. The quota system is expected to allow women to constitute a majority in some other departments.

Women also have made gains in the work force. Some educated women have attained positions of authority in government, business, and the media. Approximately 30 percent of all civil servants are women; of these, 59 percent are citizens. In both the public and private sectors, women are entitled to maternity leave and equal pay for equal work. The government bureaucracy, the country's largest employer of women, observes such regulations, as do many private sector employers. However, many educated women still face job discrimination because prospective employers fear that they might resign to marry or raise families. Female employees in the Government have sought administrative redress for alleged denial of promotion in favor of less capable men. Government grants for study abroad generally are divided evenly between men and women. According to unconfirmed reports, the Government provided grants to 40 men and 20 women during the year.

Within the Government, women's affairs are the responsibility of the Ministry of Social Affairs, Labor, and Vocational Training. The Ministry provides support for women's affairs through support for and funding of the Oman Women's Association (OWA) and local community development centers (LCDC's). The OWA consists of 25 chapters, with an active membership of more than 3,000 women. Typical OWA activities include sponsoring health or sociological lectures, kindergarten services, and handicraft-training programs. The OWA also provides an informal counseling and support role for women with divorce-related difficulties, girls forced to marry against their will, and women and girls suffering from domestic abuse. The main purpose of the 50 LCDC's located throughout the country is to encourage women to improve the quality of life for their families and to improve their contributions to the community. LCDC activities focus on health and sociology lectures, childcare issues, and agricultural and traditional handicraft training programs.

Children.—The Government has made the education, health, and general welfare of children a budgetary priority. Primary school education for children, including noncitizen children, is free and universal, but not compulsory. Most children attend school through secondary school, until age 18. The infant mortality rate continues to decline, and comprehensive immunization rates have risen. The Government provides free health care for children to age 6. There is no pattern of familial or other child abuse, but government officials have publicly called for greater awareness and prevention of child abuse.

Child prostitution is not known to occur.

FGM is performed mainly on young girls (see Section 5, Women).

Persons with Disabilities.—There are no laws prohibiting discrimination against persons with disabilities. The Government has mandated parking spaces and some ramps for wheelchair access in private and government office buildings and shopping centers. Compliance is voluntary, yet widely observed. Students in wheelchairs have easy access to Sultan Qaboos University. The Government has established several rehabilitation centers for children with disabilities. Persons with disabilities, including blind persons, work in government offices. While the Government may charge a small fee to citizens seeking government health care, persons with disabilities generally are not charged for physical therapy and prosthetics support.

Religious Minorities.—There are no laws prohibiting discrimination against religious minorities. Some members of the Shi'a Muslim minority claim that they face discrimination in employment and educational opportunities. However, some Shi'a occupy prominent positions in both the private and public sectors.

National/Racial/Ethnic Minorities.—There are no laws prohibiting discrimination based on racial or ethnic characteristics. In the past, citizens of East African origin claimed that they frequently faced job discrimination in both the public and private sectors. Some public institutions reportedly favor hiring members of one or another regional, tribal, or religious group.

Section 6. Worker Rights

a. The Right of Association.—Workers do not have the right to form or to join unions.

The law stipulates that "it is absolutely forbidden to provoke a strike for any reason." Labor unrest is rare. There has been only one job action within the last 7 years.

b. The Right to Organize and Bargain Collectively.—The law does not provide for the right to collective bargaining; however, it requires that employers of more than 50 workers form a joint labor-management committee as a communication forum between the two groups. The implementation of this provision is uneven, and the effectiveness of the committees is questionable. In general the committees discuss such matters as the living conditions at company-provided housing. They are not authorized to discuss wages, hours, or conditions of employment. Such issues are specified in the work contracts signed individually by workers and employers and must be consistent with the guidelines of the Ministry of Social Affairs and Labor.

The law defines conditions of employment for some citizens and foreign workers. It covers domestic servants and construction workers but not temporary workers or those with work contracts that expire within 3 months.

Work rules must be approved by the Ministry of Social Affairs and Labor and posted conspicuously in the workplace by employers of 10 or more workers. Similarly any employer with 50 or more workers must establish a grievance procedure. Regardless of the size of the company, any employee, including foreign workers, may file a grievance with the Labor Welfare Board. In some cases, worker representatives file collective grievances, but most grievances are filed by individual workers. Lower-paid workers use the procedure regularly. Legal counsel may represent plaintiffs and defendants in such cases.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor.—The law prohibits forced or bonded labor. Although the enabling laws have not yet been implemented, the 1996 Basic Charter prohibits forced or bonded labor for any person; however, the Government does not investigate or enforce the law effectively. Foreign workers at times are placed in situations amounting to forced labor. Employers have withheld letters of release (documents that release workers from employment contracts), which allow workers to change employers. Without such a letter, a foreign worker must continue to work for his current employer or become technically unemployed, which are sufficient grounds for deportation. Many foreign workers are not aware of their right to take such disputes before the Labor Welfare Board. Others are reluctant to file complaints for fear of retribution from unscrupulous employers. In most cases brought before it, the Board releases the worker from service without deportation and awards compensation for time worked under compulsion; however, employers face no penalty other than to reimburse the worker's back wages.

The law prohibits forced or bonded labor by children, and instances of forced or bonded child labor are unknown.

d. Status of Child Labor Practices and Minimum Age for Employment.—The law prohibits children under the age of 13 from working. Children between 13 and 16 years of age may be employed, but must obtain the Ministry's permission to work overtime, at night, on weekends or holidays, or to perform strenuous labor. The Ministry of Social Affairs and Labor generally enforces the law; however, in practice enforcement often does not extend to some small family businesses that employ underage children, particularly in the agricultural and fisheries sectors. Child labor does not exist in any industry.

The law specifically prohibits forced or bonded labor by children, and it is not known to occur (see Section 6.c.). The Government has not ratified International Labor Organization Convention 182 on the Worst Forms of Child Labor.

e. Acceptable Conditions of Work.—The Ministry of Social Affairs and Labor issues minimum wage guidelines for various categories of workers. In July 1998, the Government raised the minimum wage for most citizens to about \$260 (100 rials) per month, plus \$52 (20 rials) for transportation and housing. Minimum wage guidelines do not apply to a variety of occupational categories, including small businesses that employ fewer than five persons, the self-employed, domestic servants, dependent family members working for a family firm, and some categories of manual labor. Many foreigners work in occupations that are exempt from the minimum wage law, and the Government is lax in enforcing minimum wage guidelines, where applicable, for foreign workers employed in menial jobs. However, highly skilled foreign workers are well-paid.

The minimum wage is sufficient to provide a decent standard of living for a worker and family. The compensation for foreign manual laborers and clerks is sufficient to cover living expenses and to permit savings to be sent home.

The private sector workweek is 40 to 45 hours and includes a rest period from Thursday afternoon through Friday. Government workers have a 35-hour workweek. While the law does not designate the number of days in a workweek, it requires at least one 24-hour rest period per week and mandates overtime pay for hours in excess of 48 per week. Government regulations regarding hours of employment are not always enforced. Employees who have worked extra hours without

compensation may file a complaint before the Labor Welfare Board, but the Board's rulings are not binding.

Every worker has the right to 15 days of annual leave during the first 3 years of employment and 30 days per year thereafter. Employers provide many foreign nationals, including domestic servants, with annual or biannual round-trip tickets to their countries of origin.

All employers are required by law to provide first aid facilities. Work sites with over 100 employees must have a nurse. Employees covered under the Labor Law may recover compensation for injury or illness sustained on the job through employer-provided medical insurance. The health and safety standard codes are enforced by inspectors from the Department of Health and Safety of the Directorate of Labor. As required by law, they make regular onsite inspections.

The law states that employers must not place their employees in situations involving dangerous work; however, the law does not specifically grant a worker the right to remove himself from dangerous work without jeopardy to his continued employment.

Foreign workers constitute at least 50 percent of the work force and as much as 80 percent of the private sector work force. In the past, there have been reports that employers or male coworkers have sexually harassed and abused foreign females employed in such positions as domestic servants and hospital nurses. Foreign women employed as domestic servants and garment workers have claimed that their employers have withheld their salaries and that government officials have been unresponsive to their grievances, due to investigative procedures that disadvantage the victim. There were reports of employers physically and sexually abusing foreign domestic servants, and employers are not always held accountable for such actions. Foreign women at times have had to ask their Governments' embassies for shelter to escape abuse (see Section 5).

Foreign workers at times find themselves in situations amounting to forced labor (see Section 6.c.).

f. Trafficking in Persons.—The law does not prohibit trafficking in persons; however, there were no reports that persons were trafficked to, from, or within the country.

QATAR

Qatar, an Arab state on the Persian Gulf, is a monarchy with no constitution or political parties. It is governed by the ruling Al-Thani family through its head, the Amir. The current Amir, Sheikh Hamad bin Khalifa Al-Thani, took power from his father in June 1995 with the support of leading branches of the Al-Thani family, and in consultation with other leading Qatari families. This transition of authority did not represent a change in the basic governing order. The Amir holds absolute power, the exercise of which is influenced by religious law, consultation with leading citizens, rule by consensus, and the right of any citizen to gain access to the Amir to appeal government decisions. The Amir generally legislates after consultation with leading citizens, an arrangement institutionalized in an appointed advisory council that assists the Amir in formulating policy. In 1999 the Amir convened a constitutional committee to draft a permanent constitution that would provide for parliamentary elections. The committee has met regularly and is projected to complete its recommendations by 2002. In March 1999, citizens participated in the free and fair election of a national body, the Central Municipal Council, for the first time. The judiciary is nominally independent, but judges hold their positions at the Government's pleasure.

The country has efficient police and security services. The civilian security force, controlled by the Interior Ministry, consists of two sections: The police and the General Administration of Public Security. An independent state security investigative unit (Mubahith) which reports directly to the Amiri Diwan (the office of the Amir), performs internal security investigations, gathers intelligence, and is responsible for sedition and espionage cases. There also is an independent civilian intelligence service (Mukhabarat), which also reports directly to the Amiri Diwan.

The population of the country is approximately 650,000, of whom 170,000 are believed to be citizens. The State owns most basic industries and services, but the retail and construction industries are in private hands. Oil is the principal natural resource, but the country's extensive natural gas resources play an increasingly important role. The per capita gross domestic product of citizens is \$28,792. Rapid development in the 1970's and 1980's created an economy in which foreign workers, mostly South Asian and Arab, outnumber citizens by a ratio of 3 to 1. The Govern-

ment has embarked on a program of "Qatarization," which is aimed at reducing the number of foreign workers. Many government jobs are offered only to citizens and private sector businesses are encouraged to recruit citizens as well.

The Government generally respected the human rights of its citizens; however, its record was poor in some areas, particularly regarding citizens' right to change their government and the treatment of foreign workers. Citizens do not have the right to change their government peacefully. The Government severely limits the rights of assembly and association. The Government restricts freedom of religion although it continued to take some steps to ease restrictions on the practice of non-Muslim religions. Women's rights are restricted by law and social customs. Women have the right to vote. The Government severely restricts workers' rights. Domestic servants are mistreated and at times abused. Noncitizens, who make up more than 75 percent of the residents of the country, face discrimination in the workplace. The country also is a destination for trafficked persons.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life.—There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

b. Disappearance.—There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—The law prohibits torture, and unlike in the previous year, there were no allegations of torture by security forces. There were unconfirmed allegations in previous years that some of the defendants in the trial of the 1996 coup plotters (see Sections 1.d. and 1.e.) had been tortured while in police custody; government officials have denied the allegations. The Government administers most corporal punishment prescribed by Islamic law but does not allow amputation. Punishments are not administered publicly.

The International Committee of the Red Cross visited prisons in 2000; no other organization has requested to visit the prisons. Prison conditions generally meet international standards. Women are held separately from men, and juveniles are held separately from adults. Pretrial detainees are held separately from convicted prisoners.

d. Arbitrary Arrest, Detention, or Exile.—The law prohibits arbitrary arrest and detention; however, the police have the discretion to arrest persons based on minimal suspicion. There were no reports of arbitrary detention in security cases, as had been the case in the past. The authorities generally charge suspects within 48 hours. Suspects usually are presented to the Attorney General within 24 hours of arrest. The Attorney General decides whether to hold the suspect up to a maximum of 4 days, after which time the suspect is presented before a judge, who may order the suspect released or remanded to custody to await trial. Judges may extend pretrial detention for 1 week at a time to allow the authorities to conduct investigations or order the release of the suspect through bail. Lengthy pretrial detention is not known to occur. The accused is entitled to legal representation throughout the process. There are no provisions for making legal counsel available to indigents at state expense. Suspects who are detained in security cases are generally afforded access to counsel; however, they may be detained indefinitely while under investigation. There were no cases of incommunicado detention during the year.

In March former Ministry of Education official Abdulrahman Al Nuaimi, who had been imprisoned since 1998 after publicly criticizing the Amir for purportedly anti-Islamic actions, was pardoned by the Amir and released.

In May the Appeals Court upheld the guilty verdicts and sentenced to death 19 of those convicted of involvement in a February 1996 coup attempt, including prime suspect Sheikh Hamad Bin Jassim Bin Hamad Al-Thani. The final decision to carry out or commute the executions rests with the Amir. The Amir had not made a decision by year's end, and the 19 remain in prison. The remaining 14 suspects' sentences of life imprisonment were upheld.

The law does not address forced exile and in the past the Government has used forced exile; however, there were no reported cases of forced exile during the year.

e. Denial of Fair Public Trial.—The judiciary is nominally independent; however, most judges are foreign nationals who hold residence permits granted by the civil authorities, and thus hold their positions at the Government's pleasure. The number of citizen judges is increasing. The Amir appoints all judges for renewable 3-year terms.

Responsibility for the judiciary is shared among the bureaucracies of three ministries. Adlea (Civil Law) Courts are subordinate to the Ministry of Justice, Shari'a

(Islamic law) courts fall under the Ministry of Endowments and Islamic Affairs, and Prosecutors fall under the Ministry of Interior.

There are two types of courts. The Adlea courts have jurisdiction in commercial, national security, all forms of trafficking (including drugs, contraband, and persons), and criminal matters. The Shari'a courts have jurisdiction in family, inheritance, deportation, wrongful injury, and most other civil cases. The law provides for the establishment of ad hoc state security courts. Although there have been no cases before these courts since the current Amir assumed power, they have not been abolished formally by law and remain an option. Defendants tried by all courts have the right to appeal. The Appeals Court is the highest in the country.

The Shari'a courts apply most principles contained in the draft Family Status Law, which covers marriage, inheritance, and juvenile matters, to cases currently under adjudication. Some provisions of the legislation continue to be debated. Shari'a trials usually are brief. Shari'a family law trials often are held without counsel; however, an increasing number of litigants, especially women, use lawyers to present their cases. After both parties have stated their cases and examined witnesses, judges usually deliver a verdict after a short deliberation.

Criminal cases normally are tried within 2 to 3 months after suspects are detained. Suspects are entitled to bail, except in cases of violent crime. Citizens or noncitizens may provide bail. Foreigners who are charged with minor crimes may be released to a citizen sponsor. They are prohibited from departing the country until the case is resolved. Defendants in the civil courts have the right to be represented by defense attorneys.

Both Muslim and non-Muslim litigants may request the Shari'a courts to assume jurisdiction in family, commercial, and civil cases. Trials in both the Adlea and the Shari'a courts are public, but the presiding judge can close the courtroom to the public if the case is deemed sensitive. Lawyers in the past did not play a formal role except to prepare litigants for their cases; however, an increasing number of litigants avail themselves of a lawyer to present their cases, particularly in divorce cases. In such cases, lawyers prepare the litigants and speak for them during the hearing. Non-Arabic speakers are provided with interpreters. Defendants are entitled to legal representation throughout the trial and pretrial process.

Foreigners are disadvantaged, especially in cases involving the performance of contracts. However, provided that the foreign defendant's sponsor or embassy agrees, the defendant is entitled to legal representation throughout the trial and pretrial process.

Defendants appear before a judge for a preliminary hearing within 4 days of their arrest. Judges may extend pretrial detention for 1 week at a time to allow the authorities to conduct investigations. Lengthy pretrial detention is not known to occur.

After a public trial of persons arrested for involvement in the 1996 coup attempt, trial judges sentenced 33 defendants to life imprisonment in 2000. Nine of them were tried in absentia. Another 85 defendants were acquitted on all charges. In May the Appeals Court upheld the guilty verdicts and sentenced to death 19 of the 33 convicted; the Amir had not made a decision by year's end whether to carry out or commute the death sentences (see Section 1.d.).

There were no known political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—The law prohibits such actions, and the Government generally respects these prohibitions in practice. Traditional attitudes of respect for the sanctity of the home and the privacy of women provide a great deal of protection against arbitrary intrusion for citizens and residents; there is no distinction between citizens and noncitizens. A warrant must be obtained before police may search a residence or business, except in cases involving national security or emergencies. Judicial authorities issue search warrants. There were no reports of unauthorized searches of homes during the year. The police and security forces are believed to monitor the telephone calls of suspected criminals, of those considered to be security risks, and of selected foreigners.

Citizens must obtain government permission to marry foreigners and to apply for residence permits or citizenship for their spouses; such permission generally is granted.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The law does not provide for freedom of speech and of the press, and the Government imposes some restrictions on these rights in practice. The Government in 1995 lifted formal censorship of the media, although some restrictions still remain.

Citizens express many of their views freely and in public. Although sensitive political and religious questions are off-limits, for many citizens there is little fear of government monitoring of their speech; however, the larger noncitizen population

does not enjoy the same latitude and does not express itself freely and publicly. Louay Abdulla, a noncitizen employee of the Ministry of Foreign Affairs, was sentenced in March to 2 years in prison for insulting the Amir by creating a Web site the Government considered offensive. An appeals court upheld the sentence in June. He was pardoned in December.

There are five daily newspapers, three in Arabic and two in English; none are state-owned, but the owners or board members of newspapers generally are either high-level government officials or have ties to government officials. Copies of foreign newspapers and magazines are censored for explicit sexual content. The law provides for criminal penalties and jail sentences for libel. All cases involving the media fall under the jurisdiction of the criminal courts. Journalists continue to practice self-censorship due to social and political pressures when reporting on government policies, the ruling family, and relations with neighboring states. The Government in 2000 reportedly subjected some journalists to pressure after they published articles critical of the Government.

Although personal criticism of government officials is rare, the performance of ministries is the subject of extensive reporting. The Ministry of Education was criticized for poor management of school facilities and for not following through with needed reforms. Members of the elected Municipal Council also have publicly criticized the Ministry of Municipal Affairs for bureaucratic inefficiencies. During the year, the Ministry of Education sued one Arabic-language newspaper for a critical report regarding poor maintenance at public schools. The case was pending at year's end.

The Ministry of Information was abolished in 1996, and the Censorship Office was moved to the Qatar Radio and Television Corporation. The Office reviews materials for pornography, sexually explicit material, and material deemed hostile to Islam. There were no reports of political censorship of foreign news media or foreign programs. Customs officials screen imported print media, videocassettes, and similar items for pornography, but no longer block the personal importation of non-Islamic religious items (see section 2.c.).

State-owned television and radio reflect government views, but the private satellite television network, Al-Jazeera Satellite Channel (JSC), operates freely. Although it is privately owned, since its inception, some of Al-Jazeera's operating costs have been paid by the Government. Al-Jazeera's programs are internationally oriented and generally do not cover local news. Callers to a popular morning radio show frequently discuss topics such as government inefficiency and the lack of responsiveness by various ministries to citizens' needs, for example, poor schools, weak infrastructure, problems at the university, and road repairs. A growing number of citizens and residents have access to the Internet, which is provided through the privatized telecommunications monopoly. During the year, its rates were lowered by approximately 30 percent, encouraging greater use of the Internet. Internet service is censored for pornographic content through a proxy server, which blocks Web sites containing certain key words and phrases. A user who believes that a site is censored mistakenly may submit the web address to have the site reviewed for suitability. The Government is responsive to such submissions. Web sites are monitored for political or religious content. Material considered insulting to Islam (including pornography) is censored.

There is no legal provision or tradition of academic freedom, and instructors at the University of Qatar exercise self-censorship.

b. Freedom of Peaceful Assembly and Association.—The law does not provide for the freedom of assembly, and the Government severely limits it in practice. The Government generally does not allow political demonstrations; however, it permitted a peaceful demonstration of about 1,500 participants in August under the aegis of the Central Municipal Council to protest the Israeli Government's actions against Palestinians in Israel, the West Bank, and Gaza. Another anti-Israeli demonstration of about 3,000 was authorized in October 2000. The Government also permitted peaceful demonstration against the World Trade Organization in November.

The law does not provide for freedom of association, and the Government severely limits it in practice. The Government does not allow political parties or membership in international professional organizations critical of the Government or of any other Arab government. Private social, sports, trade, professional, and cultural societies must be registered with the Government; registration of such groups is routinely granted. Security forces monitor the activities of such groups.

c. Freedom of Religion.—There is no legal protection for freedom of religion, and the Government officially prohibits public worship by non-Muslims; however, it permits and protects private religious services that have received prior authorization. The state religion is Islam, as interpreted by the conservative Wahhabi order of the Sunni branch. While Shi'a Muslims practice most aspects of their faith freely, they

do not organize traditional Shi'a ceremonies or perform rites such as self-flagellation.

The Government and ruling family are linked inextricably to Islam. The Minister of Islamic Affairs controls the construction of mosques, the administration of clerical affairs, and Islamic education. The Amir participates in public prayers during both Eid holiday periods, and personally finances the Hajj journeys of poor pilgrims who cannot afford to travel to Mecca.

The Catholic, Anglican, and Orthodox churches received de facto official recognition in the latter part of 1999, when the Government made a verbal commitment to allow the churches to operate without interference. The Government has respected this commitment in practice, but it had not granted these churches formal recognition by year's end. The Government does not recognize any other religions, officially or unofficially. It does not maintain an official approved register of religious congregations.

The Orthodox, Catholic, and Anglican churches operate openly, and the Anglican Church, with its ties to preindependence British influence, has bank accounts in its name. However, the lack of formal government recognition limits their ability to obtain trade licenses, sponsor clergy, or, for Catholic and Orthodox churches, to open bank accounts in the name of the church.

During the year, the Catholic Church developed plans and raised funds to begin construction of a church. The church building is to be located on a portion of the site reserved by the Government for the Catholic, Anglican, and Orthodox communities. However, fundraising problems have delayed the other congregations in completing their plans. The Government has voiced concerns that a rapid pace of progress may provoke opposition among more conservative citizens.

Non-Muslims may not proselytize, and the Government officially prohibits public worship by non-Muslims. However, it does permit and protect private services. Converting from Islam is considered apostasy, and is technically a capital offense; however, there is no record of an execution for such a crime since 1971.

Non-Muslim religious services must be authorized in advance by the Government. Although traffic police may direct cars at these services, the congregations may not publicly advertise them in advance or use visible religious symbols such as outdoor crosses. Some services, particularly those on Easter and Christmas, can draw more than 1,300 worshippers.

The Government does not permit Hindus, Buddhists, or other polytheistic religions to operate as freely as Christian congregations. (The Koran does not specifically enjoin toleration for such religions.) However, there is no official effort to harass or hamper adherents of these faiths in the private practice or their religion. There are no reliable estimates of the number of non-Muslims in the country.

The Government formally prohibits the publication, importation, and distribution of non-Islamic religious literature; however, in practice individuals generally are not prevented from importing Bibles and other religious items for personal use. In previous years, there were sporadic reports of confiscation of such materials by customs officials; however, during the year, Christian worship groups reported having no trouble importing religious instructional materials (for example, Sunday school materials and devotionals) for their use. In addition, religious materials for use at Christmas and Easter are available readily in local shops. However, such materials are not available in Arabic.

Islamic instruction is compulsory in public schools. While there are no restrictions on non-Muslims providing private religious instruction for children, most foreign children attend secular private schools.

Both Muslim and non-Muslim litigants may request the Shari'a courts to assume jurisdiction in commercial or civil cases.

The legal system follows Shari'a law in matters of inheritance and child custody. Muslims have the automatic right to inherit from their spouses; however non-Muslim spouses (invariably wives, since Muslim women cannot legally marry non-Muslims) do not inherit unless their spouse formally wills them a portion (up to one third of the total) of their estates. In cases of divorce, young children usually remain with the mother, whatever her religion. However, the Government will not allow noncitizen parents, even if they have custody of their children, to take them out of the country without the permission of the citizen parent, which effectively discriminates against non-Muslim parents.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation.—The law provides for these rights, and the Government generally respects them in practice, with some notable exceptions. There are no restrictions on internal travel, except around sensitive military and oil installations. In general, women do not require permission from male guardians to travel. However, men may prevent female relatives and children from leaving the country by providing their

names to immigration officers at ports of departure. Technically, women employed by the Government must obtain official permission to travel abroad when requesting leave, but the extent to which this regulation is enforced is not known. Citizens critical of the Government sometimes face restrictions on their right to travel abroad.

All citizens have the right to return. Foreigners are subject to immigration restrictions designed to control the size of the local labor force. Foreign workers must have the permission of their sponsor employer to enter and depart the country (see Sections 6.c. and 6.d.), but their dependents may leave the country without restriction. Foreign women who are married to citizens are granted residence permits and may apply for citizenship; however, they are expected to relinquish their foreign citizenship.

The Government has not formulated a formal policy regarding refugees, asylees, or first asylum. Those attempting to enter the country illegally, including persons seeking asylum from nearby countries, are refused entry. Asylum seekers who are able to obtain local sponsorship or employment are allowed to enter and may remain as long as they are employed.

The issue of the provision of first asylum did not arise during the year. There were no reports of the forced return of persons to a country where they feared persecution.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government or the political system peacefully. The political institutions combine the characteristics of a traditional Bedouin tribal state and a modern bureaucracy. Under the amended Provisional Constitution, the Amir must be chosen from and by the adult males of the Al-Thani family. The Government does not permit political parties or organized opposition groups.

The Amir exercises most executive and legislative powers, including appointment of cabinet members. In 1999 citizens elected a 29-member Central Municipal Council. For the first time, men and women age 18 and older were permitted both to vote and to run as candidates in free and fair elections. The Council is a nonpartisan body that addresses local issues such as street repair, green space, trash collection, and public works projects. Its role is to advise the Minister of Municipal Affairs and Agriculture. The Council does not have the authority to change policy.

In November 1998, the Amir announced the formation of a committee to draft a permanent constitution that would provide for parliamentary elections. The constitutional committee was inaugurated in July 1999 and includes 36 government officials, academics, and prominent business leaders. In addition to subcommittees on the legislature, executive, and judiciary, it includes a subcommittee on human rights. The committee has met regularly and is expected to complete a draft constitution by mid-2002.

The percentage of women in government or politics does not correspond to their percentage of the population. Impediments that prevent or hinder women from participating in politics include lack of experience and role models, and the traditional society, in which women are expected to be mothers and caretakers.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government does not permit local human rights organizations to exist.

No international human rights organizations are known to have requested to investigate conditions in the country. However, Amnesty International and foreign embassies were invited to send observers to sessions of the public trial of those accused in the 1996 coup attempt. Foreign observers attended the trial sessions held during the year.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The law prohibits discrimination in the workplace; however, institutional, cultural, and legal discrimination based on gender, race, religion, social status, and disability exists.

Women.—According to a local nongovernmental organization (NGO) on family issues, domestic violence against women occurs, but is not widespread. According to Shari'a, all forms of physical abuse are illegal. The maximum penalty for rape is death. Shari'a provides for no punishment for spousal rape. The police investigate reports of violence against women. In the past few years, the Government has demonstrated an increased willingness to make arrests in cases of domestic violence, whether against citizens or foreigners. However, offenders who are citizens usually

received lighter punishments than do foreigners. There were no arrests or convictions for domestic violence during the year.

Employers mistreated some foreign domestic servants, especially those from South Asia and the Philippines. In most cases, the mistreatment involved nonpayment or late payment of wages, but also included rape and physical abuse (see Section 6.e.). Foreign embassies provide shelter for maids who have left their employers as a result of abuse or disputes. Abused domestic servants usually do not press charges for fear of losing their jobs.

The legal system allows leniency for a man found guilty of committing a "crime of honor," a euphemism that refers to a violent assault against a woman for perceived immodesty or defiant behavior; however, such honor killings are rare.

The activities of women are restricted closely both by law and tradition. For example, a woman is prohibited from applying for a driver's license unless she has permission from a male guardian. This restriction does not apply to noncitizen women. The Government adheres to Shari'a as practiced in the country in matters of inheritance and child custody. Muslim wives have the right to inherit from their husbands. However, they inherit only one-half as much as male relatives. Non-Muslim wives inherit nothing, unless a special exception is arranged. In cases of divorce, Shari'a is followed; younger children remain with the mother and older children with the father. Both parents retain permanent rights of visitation. However, local authorities do not allow a noncitizen parent to take his or her child out of the country without permission of the citizen parent. Women may attend court proceedings but generally are represented by a male relative; however, women may represent themselves. According to Shari'a, the testimony of two women equals that of one man, but the courts routinely interpret this on a case-by-case basis. A non-Muslim woman is not required to convert to Islam upon marriage to a Muslim; however, many make a personal decision to do so. A noncitizen woman is not required to become a citizen upon marriage to a citizen. Children born to a Muslim father are considered to be Muslim.

Women largely are relegated to the roles of mother and homemaker, but some women are now finding jobs in education, medicine, and the news media. Professional opportunities for women are increasing. Many serve as senior professionals in government service, education, health, and private business. Women make up almost 40 percent of the workforce. The Government has publicly encouraged women to work and is a leading employer of women, who constitute approximately 45 percent of the government workforce, and include university professors, public school teachers, and police. Women appear to receive equal pay for equal work; however, they often do not receive equal allowances. These allowances generally cover transportation and housing costs. During the year, a nongovernmental working committee was established to make recommendations on how the Government could provide housing allowances for female government employees, in particular single women, who currently do not receive any housing benefits.

Although women legally are able to travel abroad alone (see Section 2.d.), tradition and social pressures cause most to travel with male escorts. There also have been complaints that citizen husbands take their foreign spouses' passports and, without prior approval, turn them in for Qatari citizenship documents. The husbands then inform their wives that the wives have lost their former citizenship. In other cases, foreign wives report being forbidden by their husbands or in-laws to visit or to contact foreign embassies.

The Government actively supports women's education. Females constitute approximately two-thirds of the student body at Qatar University. Increasingly women receive government scholarships to pursue degrees at foreign universities.

A draft Family Status Law covering marriage, inheritance, divorce, and child custody is under review by the Ministry of Justice, after which it will be submitted to the Advisory Council and the Cabinet. Women have actively participated in drafting the law by forming committees, organizing and chairing public meetings and discussions, actively provoking debates on the issues, and publicizing the draft law.

There is no independent women's rights organization, nor has the Government permitted the establishment of one. One NGO seeks to improve the status of women and the family under both civil and Islamic law. This NGO is run entirely by women, and focuses on the health and education of, and provision of assistance to, women and children, particularly the poor.

Children.—The Government demonstrates its commitment to citizens' children's rights through a well-funded, free public education system (elementary through university) and a complete medical protection program. Education is compulsory for citizens (both boys and girls) through the age of 18. On October 29, the Amir issued a decree making education through primary school (the equivalent of 9th grade)

compulsory and free for all noncitizen resident children. Medical coverage for noncitizen children is limited.

Very young children, usually of African or South Asian origin, are used as jockeys in camel races (see Sections 6.d. and 6.f.).

There is no societal pattern of abuse of children.

The Supreme Council for Family Affairs, in collaboration with the Ministry of Interior, set up a hotline called the Friendly Line for use by children. The system allows both citizen and noncitizen children to call in with questions and concerns ranging from school, health, and psychological problems to concerns about sexual harassment.

Persons with Disabilities.—The law does not address the question of discrimination against persons with disabilities. The Government has not enacted legislation or otherwise mandated provision of accessibility for persons with disabilities, who also face societal discrimination. The Government maintains a hospital and schools that provide high-quality, free services to persons, including noncitizens, with mental and physical disabilities.

Religious Minorities.—Shi'a Muslims fill many positions in the bureaucracy and are prominent in business. However, they experience discrimination in employment in some sensitive areas, such as security. Non-Muslims are not known to face governmental or societal discrimination or violence.

National/Racial/Ethnic Minorities.—The Government discriminates based on nationality in the areas of employment, education, housing, and health services. Noncitizens do not receive the same benefits as citizens. They must pay for health care, electricity, water, and education (services that are provided free of charge to citizens) and are not permitted to own property. The largest nationality groups among noncitizens are Indian, Pakistani, and Iranian nationals, and Arab nationals of other countries. In the private sector, many citizens of Iranian origin occupy some of the highest positions.

Section 6. Worker Rights

a. The Right of Association.—The right of association is limited strictly. The law prohibits all workers, including foreigners, from forming labor unions. The law provides for the establishment of joint consultative committees composed of representatives of the employer and workers. The committees do not discuss wages but consider issues such as organization, productivity, conditions of employment, training of workers, and safety measures and their implementation.

The law provides most workers with the right to strike, but only after their particular grievance has been ruled on by the Labor Department of the Ministry of Civil Service. Employers may close a place of work or dismiss employees once the Department has heard a complaint. The Department widely is perceived to be objective, particularly with regard to the most common complaints of foreign workers—the nonpayment of wages and poor living conditions.

The right to strike does not exist for government employees, domestic servants, or members of the employer's family. No worker in a public utility, health, or security service may strike if it would harm the public or lead to property damage.

The press actively reports on the increasing number of labor actions and grievances by foreign workers. The frequency of such strikes is steadily increasing. There was an average of two to three strikes per month during the year, usually in front of the Labor Department. Most strikes are held in protest of the nonpayment of wages and poor living conditions.

Since 1995 the country has been suspended from the U.S. Overseas Private Investment Corporation (OPIC) insurance programs because of the Government's lack of compliance with internationally recognized worker rights standards.

b. The Right to Organize and Bargain Collectively.—Workers are prohibited from engaging in collective bargaining. Wages are set unilaterally by employers without government involvement. Local courts handle disputes between workers and employers; however, foreign workers tend to avoid drawing attention to their problems with their employers for fear of being repatriated at the request of their employer.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor.—The law prohibits forced or compulsory labor; however, foreign workers in some cases were employed under circumstances that constituted forced labor. Three-quarters of the workforce are foreign workers who are dependent on a single employer for residency rights. This leaves them vulnerable to abuse. For example, employers must give consent before exit permits are issued to any foreign employee seeking to leave the country. Some employers temporarily withhold this consent to force foreign employees to work for longer periods than they wish. In extreme cases, employers have deported employees at the end of their contract in order to avoid paying them the lawfully mandated

end-of-service bonus. Unskilled workers and domestic servants are particularly vulnerable to nonpayment or late payment of wages. Although it is government policy to assist laborers seeking payment of late salaries due (usually through the Labor Department), small groups of laborers (10 to 20) resorted to illegal work stoppages to force payment of arrears. In one case, 1,500 employees of a local construction company went on strike to force payment of their wages.

The country is a destination for trafficked women and children (see Section 6.f.). The Government prohibits forced and bonded labor by children; however, very young boys work as jockeys in camel races (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment.—The law provides that minors between the ages of 15 and 18 may be employed with the approval of their parents or guardians, and some children work in small, family-owned businesses. Minors may not work more than 6 hours a day or more than 36 hours a week. Employers must provide the Labor Department with the names and occupations of their minor employees. Employers also must obtain permission from the Ministry of Education to hire a minor. The Department may prohibit the employment of minors in jobs that are judged dangerous to the health, safety, or morals of minors. Child labor occurs. Very young children, usually of African or South Asian background, have been employed as jockeys in camel races (see Section 6.f.).

The law prohibits forced and bonded labor by children and generally enforces this prohibition effectively with respect to citizen children (see Section 6.c.).

e. Acceptable Conditions of Work.—There is no minimum wage, although the law provides the Amir with authority to set one. The average wage provides a decent standard of living for a worker and family. The law prescribes a 48-hour workweek with a 24-hour rest period, although most government offices follow a 36-hours-per-week work schedule. Employees who work more than 48 hours per week, or 36 hours per week during the Muslim month of Ramadan, are entitled to overtime pay. This law is adhered to in government offices and major private sector companies. It is not observed with respect to unskilled laborers and domestic and personal employees, all of whom, with scant exception, are foreigners. Many such workers frequently work 7 days per week, and more than 12 hours per day with few or no holidays, no overtime pay, and no effective way to redress grievances.

The Government has enacted regulations regarding worker safety, but enforcement, which is the responsibility of the Ministry of Energy and Industry, is lax. The Department of Public Safety oversees safety training and conditions, and the state-run petroleum company has its own safety standards and procedures. The law lists partial and permanent disabilities for which compensation may be awarded, some connected with handling chemicals and petroleum products or construction injuries. The law does not specifically set rates of payment and compensation. Workers who suffer work-related sickness or injuries receive free medical treatment provided by the Government. The law does not provide workers specifically the right to remove themselves from hazardous work conditions, and workers often hesitate to remove themselves from hazardous work conditions because of fear of dismissal.

Foreign workers may enter the country on a visitor's visa, but a sponsor then is needed to convert the visitor's visa to a work visa and the worker must have his sponsor's permission to depart the country. The Government also penalizes citizen employers who severely violate residence and sponsorship laws by prohibiting them from importing labor until they rectify the situation. The law provides any worker with the right to seek legal relief from onerous work conditions; however, domestic servants generally do not pursue such relief in order to avoid repatriation. Employers mistreated some foreign domestic servants. Such mistreatment generally involves the nonpayment or late payment of wages; in some cases it involves rape and physical abuse (see Section 5).

f. Trafficking in Persons.—The law prohibits prostitution and trafficking in persons; however, there were reports that both children and women were trafficked to the country.

Children age 4–15, mostly of African, Pakistani, and Bangladeshi origin, are used as jockeys in camel races. Guardians and handlers, who often pose as parents, bring the children into the country and supervise their training. They live in difficult conditions and train on a daily basis to become riders.

The country also is a destination for trafficked women and girls. Women from East Asia, South Asia, and Africa travel to the country to work as domestic servants and some have reported being forced into domestic servitude and sexual exploitation.

The Government does not investigate or prosecute traffickers actively. The Government repatriates victims of trafficking upon discovering their presence and does not provide assistance to victims. It does not support public awareness campaigns regarding the problem of trafficking of women and girls. A national campaign to set

the minimum age of 15 and minimum weight of 100 pounds for camel jockeys was undertaken in April. The Supreme Council for Family Affairs claims that it is a top priority, and it is the subject of an ongoing media and public awareness campaign.

SAUDI ARABIA

Saudi Arabia is a monarchy without elected representative institutions or political parties. It is ruled by King Fahd bin Abd Al-Aziz Al Saud, a son of King Abd Al-Aziz Al Saud, who unified the country in the early 20th century. Since the death of King Abd Al-Aziz, the King and Crown Prince have been chosen from among his sons, who themselves have had preponderant influence in the choice. A 1992 royal decree reserves for the King exclusive power to name the Crown Prince. Crown Prince Abdullah has played an increasing role in governance since King Fahd suffered a stroke in 1995. The Government has declared the Islamic holy book the Koran and the Sunna (tradition) of the Prophet Muhammad to be the country's Constitution. The Government bases its legitimacy on governance according to the precepts of a rigorously conservative form of Islam. Neither the Government nor the society in general accepts the concept of separation of religion and state. The Government prohibits the establishment of political parties and suppresses opposition views. In 1992 King Fahd appointed a Consultative Council, or Majlis Ash-Shura, and similar provincial assemblies. The Majlis, a strictly advisory body, began holding sessions in 1993 and was expanded first in 1997 and again in May. The judiciary is subject to influence by the executive branch and members of the royal family.

The Government maintains control of the various security forces. Police and border forces under the Ministry of Interior are responsible for internal security. Also subordinate to the Ministry of Interior are the Mubahith, or internal security force, and the elite special forces. The Committee to Prevent Vice and Promote Virtue, whose agents commonly are known as Mutawwa'in, or religious police, is a semi-autonomous agency that enforces adherence to Islamic norms by monitoring public behavior. The Crown Prince controls the National Guard. The Deputy Prime Minister and Minister of Defense and Aviation, Prince Sultan, is responsible for all the military forces. Members of the security forces committed serious human rights abuses.

The population is approximately 22.1 million with a per capita gross domestic product (GDP) of \$7,564. The oil industry has been the basis of the transformation of Saudi Arabia from a pastoral, agricultural, and trading society to a rapidly urbanizing one, characterized by large-scale infrastructure projects, an extensive social welfare system, and a labor market comprised largely of foreign workers. Oil revenues account for approximately 55 percent of the GDP and 80 percent of government income. Agriculture accounts for only about 6 percent of GDP. Government spending, including spending on the national airline, power, water, telephone, education, and health services, accounts for 24 percent of GDP. About 40 percent of the economy is nominally private, and the Government is promoting further privatization of the economy. In 1995 the Government began an aggressive campaign to increase the number of Saudi nationals represented in the public and private work forces.

The Government's human rights record remained poor. Citizens have neither the right nor the legal means to change their government. Security forces continued to abuse detainees and prisoners, arbitrarily arrest and detain persons, and hold them in incommunicado detention. In addition there were allegations that security forces committed torture. On October 1, the Council of Ministers approved a new law regarding punitive measures that would forbid harming detainees and to allow those accused of crimes to hire a lawyer or legal agent. The law became effective in November; however, at year's end, there were no reports of its implementation. Prolonged detention without charge is a problem. Security forces committed such abuses, in contradiction to the law, but with the acquiescence of the Government. The Mutawwa'in continued to intimidate, abuse, and detain citizens and foreigners. Most trials are closed, and defendants usually appear before judges without legal counsel. The Government infringes on citizens' privacy rights. The Government prohibits or restricts freedom of speech, the press, assembly, association, religion, and movement. However, during the year, the Government continued to tolerate a wider range of debate and criticism in the press concerning domestic issues. Other continuing problems included discrimination and violence against women, discrimination against ethnic and religious minorities, and strict limitations on worker rights.

The Government views its interpretation of Islamic law as its sole source of guidance on human rights and disagrees with internationally accepted definitions of

human rights. However, in 2000 and during the year, the Government initiated limited measures to participate in international human rights mechanisms, such as its approval of the October legislation, which the Government claimed would address some of its obligations under the Convention Against Torture or Other Cruel, Inhuman, or Degrading Treatment or Punishment.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life.—There were no reports of political or other extrajudicial killings during the year.

The Government executed persons for criminal offenses after closed trials in which forced confessions are common and few procedural safeguards are provided (see Sections 1.c. and 1.e.).

The investigation of the 1996 Al-Khobar bombing, which killed 19 U.S. servicemen, continued. The Government has not yet issued a report of its findings.

b. Disappearance.—There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—Shari'a (Islamic law) prohibits any judge from accepting a confession obtained under duress; however, there were credible reports that the authorities abused detainees, both citizens and foreigners. Ministry of Interior officials are responsible for most incidents of abuse of prisoners, including beatings, whippings, sleep deprivation, and at least three cases of drugging of foreign prisoners. In addition there were allegations of torture, including allegations of beatings with sticks, suspension from bars by handcuffs, and threats against family members. Torture and abuse are used to obtain required confessions from prisoners (see Section 1.e.). There were reports that in detention centers some boys and young men were flogged, forced constantly to lie on hard floors, deprived of sleep, and threatened with whipping and other abuse.

The Government has refused to recognize the mandate of the U.N. Committee Against Torture to investigate alleged abuses, although it has invited the committee to visit the country. However, the Government has pledged to cooperate with U.N. human rights mechanisms and announced in 2000 the establishment of a committee to investigate allegations of torture pursuant to its obligations under the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (see Section 4).

Although the Government asks for details of reports of torture and other human rights abuses made by international human rights groups, it does not permit international observers to investigate such reports; however, it has invited observers from international human rights groups to visit the country. The Government's reluctance to grant members of diplomatic missions access to the Ministry of Interior detention facilities or allow members of international human rights groups into the country hinders efforts to confirm or discount reports of abuses. The Government's past failure to criticize human rights abuses has contributed to the public perception that security forces may commit abuses with impunity.

The Mutawwa'in continued to intimidate, harass, abuse, and detain citizens and foreigners of both sexes. They also bring citizens to police for detention. Throughout the year, both citizens and foreigners reported incidents of intimidation, harassment, and detention by the Mutawwa'in (see Sections 1.d. and 1.f.).

The Government punishes criminals according to its interpretation of Shari'a. Punishments include flogging, amputation, and execution by beheading, stoning, or firing squad. The authorities acknowledged 81 executions during the year. Executions were for murder, narcotics-related offenses, rape, and armed robbery. In accordance with Shari'a, the authorities may punish repeated thievery and other repeated offenses by amputation of the right hand and left foot. Persons convicted of political or religious crimes reportedly were flogged with a leather strap. Persons convicted of less serious offenses, such as alcohol related offenses or being alone in the company of an unrelated person of the opposite sex, sometimes were punished by caning.

Prison and jail conditions vary throughout the Kingdom. Prisons reportedly generally meet internationally accepted standards and allegedly provide air-conditioned cells, good nutrition, regular exercise, and careful patrolling by prison guards. Some police stations, deportation centers, and jails, nonetheless, are overcrowded, unsanitary, and not air-conditioned. Authorities generally allowed family members access to detainees, but in some cases only after holding detainees for a significant period of time.

Boards of Investigation and Public Prosecution, organized on a regional basis, were established by King Fahd in 1993. The members of these boards have the right

to inspect prisons, review prisoners' files, and hear their complaints. However, the Government does not permit human rights monitors to visit prisons or jails. The Government does not allow impartial observers of any type access to specialized Ministry of Interior prisons, where persons accused of political subversion are detained.

Representatives of the United Nations High Commissioner for Refugees (UNHCR) are present at the Rafha refugee camp, which houses former Iraqi prisoners of war and civilians who fled Iraq following the Gulf War. According to UNHCR officials, there was no systematic abuse of refugees by camp guards. When isolated instances of abuse surfaced in the past, the authorities were responsive and willing to investigate allegations and reprimand or remove offending guards. The camp receives a high level of material assistance and is generally comfortable and well run. The Government previously confined refugees to the camp, except in the event of approved emigration (see Section 2.d.); however, during the year, refugees were permitted to visit the town of Rafha to shop.

d. Arbitrary Arrest, Detention, or Exile.—The law prohibits arbitrary arrest; however, the authorities at times make arrests and detain persons without following explicit legal guidelines. The Mutawwa'in generally are free to intimidate and bring to police stations persons whom they accuse of committing "crimes of vice" based on their own religious interpretations. There are few procedures to safeguard against abuse, although the Government claims that it punishes individual officers who violate regulations. There have been few publicized cases of citizens successfully obtaining judicial redress for abuse of the Government's power of arrest and detention; none were reported during the year.

According to regulation, authorities may not detain suspects for longer than 3 days before charging them. However, serious exceptions have been reported. In practice persons are held weeks or months and sometimes longer. The regulations also provide for bail for less serious crimes, although authorities at times release detainees on the recognizance of a patron or sponsoring employer without the payment of bail. If they are not released, authorities typically detain accused persons for an average of 2 months before sending the case to trial or, in the case of some foreigners, summarily deporting them. There is no established procedure providing detainees the right to inform their family of their arrest.

The Mutawwa'in have the authority to detain persons for no more than 24 hours for violations of the strict standards of proper dress and behavior. In the past, they sometimes exceeded this limit before delivering detainees to the police (see Section 1.f.). During the year, Mutawwa'in reportedly in practice handed over detainees to police within the 24-hour period; however, in some cases prisoners were held by police for longer periods, depending on the offense. Current procedures require a police officer to accompany the Mutawwa'in at the time of an arrest. Mutawwa'in generally complied with this requirement. During the year, in the more conservative Riyadh district, reports continued of Mutawwa'in accosting, abusing, arresting, and detaining persons alleged to have violated dress and behavior standards.

The Mutawwa'in reportedly detained young men for offenses that included eating in restaurants with young women, making lewd remarks to women in the shopping malls, or walking in groups through family-only sections of shopping centers. Women of many nationalities were detained for actions such as riding in a taxi with a man who was not their relative, appearing with their heads uncovered in shopping malls, and eating in restaurants with males who were not their relatives. Many such prisoners were held for days, sometimes weeks, without officials notifying their families or, in the case of foreigners, their embassies.

The Government continued to detain Christians, at times for holding services and at times apparently arbitrarily (see Section 2.c.).

According to various reports, a number of Shi'a sheikhs (religious leaders) were arrested and detained in 2000 and during the year (see Section 2.c.).

Political detainees who are arrested by the General Directorate of Investigation (GDI), the Ministry of Interior's security service (Mubahith), commonly are held incommunicado in special prisons during the initial phase of an investigation, which may last weeks or months. The GDI allows the detainees only limited contact with their families or lawyers. During the year, foreigners detained by the GDI and under investigation were held without legal counsel or family visitation.

The authorities may detain without charge persons who publicly criticize the Government, or may charge them with attempting to destabilize the Government (see Sections 2.a. and 3). On December 10 on the occasion of Eid al-Fitr, the Government released by royal pardon 12,000 prisoners serving time for minor offenses.

The Government continued to commit abuses against members of the Shi'a minority. Since beginning the investigation of the 1996 bombing of the U.S. military installation at Al-Khobar, in which a number of eastern province Shi'a were arrested,

authorities have detained, interrogated, and confiscated the passports of a number of Shi'a Muslims. The Government reportedly continued to detain an unknown number of Shi'a who were arrested in the aftermath of the Al-Khobar bombing. Government security forces reportedly arrest Shi'a based on the smallest suspicion, hold them in custody for lengthy periods, and then release them without explanation.

There is no reliable information about the total number of political detainees.

The Government did not use forced exile; however, it previously has revoked the citizenship of opponents of the Government who reside outside the country (see Section 3).

e. Denial of Fair Public Trial.—The independence of the judiciary is prescribed by law and usually is respected in practice; however, judges occasionally accede to the influence of the executive branch, high-ranking members of the royal family and their associates, who are not required to appear before the courts. Judges are appointed by the Justice Ministry and confirmed by the Royal Diwan (Royal Court). The Ministry exercises judicial, financial, and administrative control of the courts. The Supreme Judicial Council, whose members appointed by the King, may discipline or remove judges.

The legal system is based on Shari'a. Shari'a courts exercise jurisdiction over common criminal cases and civil suits regarding marriage, divorce, child custody, and inheritance. Such jurisdiction extends to non-Muslims for crimes committed in the country. Shari'a courts base judgments largely on their interpretation of the Koran and the Sunna. Cases involving relatively small penalties are tried in Shari'a summary courts. More serious crimes are adjudicated in Shari'a courts of common pleas. Appeals from Shari'a courts are made to the courts of appeal.

Other civil proceedings, including those involving claims against the Government and enforcement of foreign judgments, are held before specialized administrative tribunals, such as the Commission for the Settlement of Labor Disputes and the Board of Grievances.

The Government permits Shi'a Muslims to use their own legal tradition to adjudicate noncriminal cases within their community. There is no comparable right for non-Muslims or foreigners, whose cases are handled in regular Shari'a courts.

The military justice system has jurisdiction over uniformed personnel and civil servants that are charged with violations of military regulations. The Minister of Defense and Aviation and the King review the decisions of courts-martial.

The Supreme Judicial Council is not a court and may not reverse decisions made by a court of appeals. However, the Council may review lower court decisions and refer them back to the lower court for reconsideration.

The Council of Senior Religious Scholars is an autonomous body of 20 senior religious jurists, including the Minister of Justice. It establishes the legal principles to guide lower-court judges in deciding cases.

In November a law became effective that provided persons under investigation with the right to a lawyer during investigation and trial; however, the new law has not yet been observed in practice. Previous law did not provide the defendant with the right to have a lawyer present in court. Defendants in most cases continue to appear without an attorney before a judge, who determines guilt or innocence in accordance with Shari'a standards. The law does not provide defendants with the right to a translator. The courts generally do not provide foreign defendants with translators. Defense lawyers may offer their clients advice before trial or may attend the trial as interpreters for those unfamiliar with Arabic. Public defenders are not provided. Individuals may choose any person to represent them by a power of attorney filed with the court and the Ministry of Justice. Most trials are closed.

There were reports during the year that the authorities tortured detainees and pressured them to confess by isolation, blindfolding, and drugging over a period of weeks.

A woman's testimony does not carry the same weight as that of a man. In a Shari'a court, the testimony of one man equals that of two women.

Female parties to court proceedings such as divorce and family law cases generally must deputize male relatives to speak on their behalf. In the absence of two witnesses, or four witnesses in the case of adultery, confessions before a judge almost always are required for criminal conviction—a situation that repeatedly has led prosecuting authorities to coerce confessions from suspects by threats and abuse (see Section 1.c.).

Sentencing is not uniform. Laws and regulations state that defendants should be treated equally; however, under Shari'a as interpreted and applied in Saudi Arabia, crimes against Muslims receive harsher penalties than those against non-Muslims. In the case of wrongful death, the amount of indemnity or "blood money" awarded to relatives varies with the nationality, religion, age, and sex of the victim. A sen-

tence may be changed at any stage of review, except for punishments stipulated by the Koran.

Provincial governors have the authority to exercise leniency and reduce a judge's sentence. In general members of the royal family and other powerful families are not subject to the same rule of law as ordinary citizens. For example, judges do not have the power to issue a warrant summoning any member of the royal family.

The King and his advisors review cases involving capital punishment. The King has the authority to commute death sentences and grant pardons, except for capital crimes committed against individuals. In such cases, he may request the victim's next of kin to pardon the murderer—usually in return for compensation from the family or the King.

There is insufficient information to determine the number of political prisoners. The Government does not provide information regarding such persons or respond to inquiries about them. It does not allow access to political prisoners by international humanitarian organizations. Moreover, the Government conducts closed trials for persons who may be political prisoners and in other cases has detained persons incommunicado for long periods while under investigation. Amnesty International (AI) estimates the number of political prisoners to be between 100 and 200.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—The Government infringes on these rights. The sanctity of family life and the inviolability of the home are among the most fundamental of Islamic precepts. Royal decrees include provisions calling for the Government to defend the home from unlawful intrusions, while laws and regulations prohibit officials from intercepting mail and electronic communication except when necessary during criminal investigations. Nonetheless, there are few procedural safeguards against government interference with privacy, family, home, or correspondence.

The police generally must demonstrate reasonable cause and obtain permission from the provincial governor before searching a private home; however, warrants are not required by law.

Customs officials routinely open mail and shipments to search for contraband, including material deemed pornographic and non-Muslim religious material. Customs officials confiscated or censored materials considered offensive, including Christian Bibles and religious videotapes (see Section 2.c.). The authorities also open mail and use informants and wiretaps in internal security and criminal matters. Security forces used wiretaps against foreigners suspected of alcohol-related offenses. Informants (known as "mukhbir") and ward bosses (known as "umdas") report "seditious ideas" or antigovernment activity in their neighborhoods to the Ministry of the Interior.

The Government enforces most social and Islamic religious norms, the Government's interpretation of which are matters of law (see Section 5). Women may not marry noncitizens without government permission; men must obtain government permission to marry noncitizen women outside the six states of the Gulf Cooperation Council. In accordance with Shari'a, women are prohibited from marrying non-Muslims; men may marry Christians and Jews, as well as Muslims. Marriages between Sunni and Shi'a citizens are discouraged, and any such marriages generally are made formal officiated in ceremonies in the neighboring country of Bahrain.

Mutawwa'in practices and incidents of abuse varied widely in different regions of the country, but they were most numerous in the central Nejd region. In certain areas, both the Mutawwa'in and religious vigilantes acting on their own harassed, abused, arrested, and detained citizens and foreigners (see Section 1.d.). The Government requires the Mutawwa'in to follow established procedures and to offer instruction in a polite manner; however, Mutawwa'in did not always comply with the requirements. During the year, the Government neither criticized publicly abuses by Mutawwa'in and religious vigilantes nor sought to curtail such abuses.

Mutawwa'in enforcement of strict standards of social behavior included the closing of commercial establishments during the five daily prayer observances, insisting upon compliance with strict norms of public dress, and dispersing gatherings of women in public places designated for men, as well as preventing men from entering public places designated for families. Mutawwa'in frequently reproached citizen and foreign women for failure to observe strict dress codes and arrested men and women found together who were not married or closely related.

Some professors believe that informers monitor comments made in university classrooms and make reports to government authorities (see Section 2.a.).

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Government severely limits freedom of speech and the press; however, the Government continued to relax restrictions somewhat during the year.

The authorities do not permit criticism of Islam or the ruling family, and criticism of the Government is rare. The authorities allow the press some freedom to criticize governmental bodies and social policies through editorial comments and cartoons. During the year, both Arabic and English newspapers reported on domestic problems, such as abuse of women, servants, and children, previously not addressed by the media. Persons whose criticisms align them with an organized political opposition are subject to arrest and detention until they confess to a crime or sign a statement promising not to resume such criticisms, which is tantamount to a confession. For example, writer Zuheir Kutbi claims that he has been imprisoned six times for his writings. Due to his past imprisonment, Kutbi has been deprived of employment and his passport, and lives under government surveillance.

On occasion the Government provides direction to mosque orators and imams regarding the content of their messages; in some instances the Government has banned imams from speaking for political comments that they made (see Section 2.c.).

The print media are privately owned but publicly subsidized. A media policy statement and a national security law prohibit the dissemination of criticism of the Government. The media policy statement urges journalists to uphold Islam, oppose atheism, promote Arab interests, and preserve the cultural heritage of the country. The Ministry of Information appoints, and may remove, all editors in chief. It also provides guidelines to newspapers regarding controversial issues. The Government owns the Saudi Press Agency (SPA), which expresses official government views.

In 2000 the Government approved a wide-ranging press law that would permit the creation of professional journalism societies and permit the publication of foreign newspapers in the country. The law states that local publications will be subject to censorship only in emergencies and pledges to protect free expression of opinion; however, the law obliges the authorities to censor foreign publications that defame Islam and harm the interests of the state or the "ethics of the people." Implementation of the law has not significantly changed current practices regarding freedom of expression.

In July the Council of Ministers approved a new press law establishing a journalists' association to address wages, benefits, and relations with management. It will issue membership cards permitting journalists to work in the country and oversee introduction of a minimum wage, job security, and other benefits for journalists. Membership will be restricted to citizens. The Government announced in December that the association would be formed in early 2002.

Newspapers typically publish news on sensitive subjects, such as crime or terrorism, only after the information has been released by the SPA or when it has been authorized by a senior government official. Two Saudi-owned, London-based dailies, *Ash-Sharq Al-Awsat* and *Al-Hayat*, are distributed widely and read in the country. Both newspapers tend to practice self-censorship in order to comply with government restrictions on sensitive issues.

The April 28 edition of *Arreyand*, an eastern province-based sports daily, was seized by the Information Ministry to prevent criticism of the Saudi Sports Federation; the Government directed another newspaper not to publish anything on the event.

The authorities dictate to domestic newspapers when they are allowed to release stories about the country that are based on stories in the foreign press. The authorities also continued on occasion to censor stories about the country in foreign publications. Censors on occasion also remove or blacken offending articles imported into the country, glue pages together, or prevent certain issues of foreign publications from entering the market. However, while this occurs, it is not consistent and frequently controversial articles about the country appear in foreign publications that are distributed. During the year, the Ministry of Information continued to relax its blackout policy regarding politically sensitive news concerning the country reported in the international media, although press restrictions regarding reporting of domestic news remained very stringent. The Government's policy in this regard appears to be motivated in part by pragmatic considerations: Access by citizens to outside sources of information, such as Arabic and Western satellite television channels and the Internet, is increasingly widespread.

The Government tightly restricts the entry of foreign journalists. However, during the year, a relatively higher number of foreign journalists received visas to enter and report in the country than in the previous year.

The Government owns and operates the television and radio companies. Government censors remove any reference to politics, religions other than Islam, pork or pigs, alcohol, and sex from foreign programs and songs. There are several million satellite-receiving dishes in the country, which provide citizens with foreign broadcasts. The legal status of these devices is ambiguous. The Government ordered a

halt to their importation in 1992 at the request of religious leaders who objected to foreign programming being made available on satellite channels. In 1994 the Government banned the sale, installation, and maintenance of dishes and supporting devices; however, the number of dishes continues to increase and residents legally may subscribe to satellite decoding services that require a dish.

The Government bans all books, magazines, and other materials that it considers sexual or pornographic in nature. The Ministry of Information compiles and updates a list of publications that are prohibited from being sold in the country.

Access to the Internet is available legally only through Saudi servers, which are monitored heavily by the Government. There are as many as a million Internet subscribers. Some citizens attempt to circumvent this control by accessing the Internet through servers in other countries. The Government attempts to block all web sites that it deems sexual, pornographic, politically offensive, or "un-Islamic." However, such web sites are accessible from within the country. During the year, the Government closed a number of Internet cafes, especially those established for women, after complaints that the cafes were being used for "immoral purposes."

The Government censors all forms of public artistic expression and prohibits cinemas and public musical or theatrical performances, except those that are considered folkloric.

Academic freedom is restricted. The authorities prohibit the study of evolution, Freud, Marx, Western music, and Western philosophy. Some professors believe that informers monitor their classroom comments and report to government and religious authorities.

b. Freedom of Peaceful Assembly and Association.—Shari'a does not address freedom of assembly, and the Government strictly limits freedom of assembly in practice. It prohibits public demonstrations as a means of political expression. Public meetings are segregated by sex. Unless sponsored by diplomatic missions or approved by the appropriate governor, foreign residents who seek to hold unsegregated meetings risk arrest and deportation. The authorities monitor any large gatherings of persons, especially of women. The Mutawwa'in dispersed groups of women found in public places, such as restaurants. Government policy permits women to attend cultural and social events at diplomatic chanceries and residences only if they are accompanied by a father, brother, or husband. However, in practice police often implement the policy in an arbitrary manner. On some occasions during the year, authorities actively prohibited women from entering diplomatic chanceries or residences to attend cultural events and lectures.

Shari'a does not address freedom of association, and the Government strictly limits freedom of association in practice. The Government prohibits the establishment of political parties or any type of opposition group (see Section 3). By its power to license associations, the Government ensures that groups conform to public policy. The Government licenses a large number of humanitarian organizations and tribal and professional societies, such as the Saudi Chemists Society and the Saudi Pharmacists Society. The Government claims that such groups operate without government interference because they are not detrimental to public security.

c. Freedom of Religion.—Freedom of religion does not exist. Islam is the official religion, and all citizens must be Muslims. The Government prohibits non-Islamic public worship but permits nondefined private worship. Conversion by a Muslim to another religion is considered apostasy. Public apostasy is a crime under Shari'a and punishable by death. There were no executions for apostasy during the year, and no reports of any such executions for the past several years.

Islamic practice generally is limited to that of the Wahhabi order, which adheres to the Hanbali school of the Sunni branch of Islam as interpreted by Muhammad Ibn Al-Wahab, a puritanical 18th century religious reformer. Practices contrary to this interpretation, such as visits to the tombs of renowned Muslims or the celebration of the Prophet Mohammed's birthday, are discouraged. However, there are significant numbers of Sufis in the western province who engage in technically illegal practices, such as celebrating the Mawlid, or Prophet's birthday, more or less openly without government interference. The practice of other schools of Sunni Islam is discouraged, and there is institutionalized discrimination against adherents of the Shi'a branch of Islam.

The Ministry of Islamic Affairs directly supervises, and is a major source of funds for, the construction and maintenance of most mosques in the country. The Ministry pays the salaries of imams (prayer leaders) and others who work in the mosques. On occasion the Government provides direction to mosque orators and imams regarding the content of their messages; in some instances, imams have been banned from speaking. A governmental committee is responsible for defining the qualifications of imams. The Mutawwa'in receive their funding from the Government and are government employees. The General President of the Mutawwa'in holds the rank of

cabinet minister. Mutawwa'in and imams are trained at the Imam Mohammed University outside of Riyadh and also at the Umm Al-Qura University in Mecca.

Foreign imams are barred from leading worship during the most heavily attended prayer times and prohibited from delivering sermons during Friday congregational prayers. The Government states that its actions are part of its "Saudiization" plan to replace foreign workers with citizens. The spreading of Muslim teachings not in conformance with the officially accepted interpretation of Islam is prohibited. Writers and other individuals who publicly criticize this interpretation, including both those who advocate a stricter interpretation and those who favor a more moderate interpretation than the Government's, reportedly have been imprisoned and faced other reprisals.

The Shi'a Muslim minority (roughly 900,000 of nearly 14 million citizens) lives mostly in the Eastern Province, although a significant number also reside in Madina in the western province. Its members are the objects of officially sanctioned political, social, and economic discrimination (see Section 5). Since beginning the investigation of the 1996 bombing of the U.S. military installation at Al-Khobar, in which a number of eastern province Shi'a were arrested, authorities have detained, interrogated, and confiscated the passports of a number of Shi'a Muslims (see Section 1.d.).

The authorities permit the celebration of the Shi'a holiday of Ashura in the eastern province city of Qatif, provided that the celebrants do not undertake large, public marches or engage in self-flagellation (a traditional Shi'a practice). The celebrations are monitored by the police; however, police presence at the April Ashura celebrations reportedly was much less prominent than the previous year. No other Ashura celebrations are permitted in the country, and many Shi'a travel to Qatif or to Bahrain to participate in Ashura celebrations. The Government continued to enforce other restrictions on the Shi'a community, such as banning Shi'a books.

According to various reports, the Government arrested and detained a number of Shi'a sheikhs (religious leaders) in 2000 and during the year. Early in 2000, a Shi'a sheikh was taken into custody, and three other sheikhs were arrested for unknown reasons near the border with Jordan. Human Rights Watch (HRW) reported that at least seven additional Shi'a religious leaders reportedly remained in detention for violating restrictions on Shi'a religious practices. According to AI, Hashim Al-Sayyid Al-Sada, a Shi'a cleric suspected of political or religious dissent, was arrested in his home in April 2000 and reportedly remained in incommunicado detention at year's end (see Section 1.d.). AI reported that Sheikh Aliban Ali al-Ghanim was arrested in August 2000 at the border with Jordan and held by the Mabuhith, the national investigative bureau that is part of the Ministry of the Interior. In March Mabuhith officers reportedly arrested and detained Sheikh Mohammed Al Amri in Medina.

The Government seldom permits private construction of Shi'a mosques. The Shi'a have declined Government offers to build state-supported mosques because the Government would prohibit the incorporation and display of Shi'a motifs in any such mosques.

In April 2000, in the city of Najran, in the southwest region bordering Yemen, rioting by members of the Makarama Ismaili Shi'a eventually led to an attack by an armed group of Shi'a on a hotel that contained an office of the regional governor. Security forces responded, leading to extended gun battles between the two sides. Some press reports indicated that the rioting followed the arrest of a Makarama Ismaili Shi'a imam and some of his followers on charges of "sorcery." Various other reports attributed the unrest to the closure of two Ismaili Shi'a mosques and the provincial governor's refusal to permit Ismailis to hold public observances of the Shi'a holiday of Ashura. Still other reports attributed the unrest to a local crackdown on smuggling and resultant tribal discontent. Officials at the highest level of the Government stated that the unrest in Najran was not the result of Shi'a-Sunni tension or religious discrimination. After the unrest ended the Government stated that 5 members of the security forces were killed, and Ismaili leaders claimed that as many as 40 Ismaili tribesmen were killed. There was no independent confirmation of these claims.

In October 2000, AI reported that two Ismaili Shi'a teachers, who were arrested in April 2000 following the unrest, were convicted on charges of sorcery and each sentenced to 1,500 lashes; however, the report could not be confirmed.

Magic is widely believed in and sometimes practiced, often in the form of fortune-telling and swindles. However, under Shari'a the practice of magic is regarded as the worst form of polytheism, an offense for which no repentance is accepted, and which is punishable by death. There are an unknown number of detainees held in prison on the charge of "sorcery," or the practice of "black magic" or "witchcraft." In a few cases, self-proclaimed "miracle workers" have been executed for sorcery involving physical harm or apostasy.

The Government prohibits public non-Muslim religious activities. Non-Muslim worshippers risk arrest, lashing, and deportation for engaging in overt religious activity that attracts official attention, although there were no reports of lashings during the year. The Government has stated publicly, including before the U.N. Committee on Human Rights in Geneva, that its policy is to protect the right of non-Muslims to worship privately. During the year, senior officials in the Government reaffirmed the right of non-Muslims to engage in private religious worship to a visiting religious delegation. However, it does not provide explicit guidelines—such as the number of persons permitted to attend and acceptable locations—for determining what constitutes private worship, which makes distinctions between public and private worship unclear. Such lack of clarity, as well as instances of arbitrary enforcement by the authorities, force most non-Muslims to worship in such a manner as to avoid discovery by the Government or others. Other high-level officials have confirmed that the Government does not sanction investigation or harassment of such private worship services. These officials ascribed any residual harassment of private worship services or seizure of personal religious materials, such as Bibles or icons, to individuals and organizations acting on their own authority and in contradiction of Government policy.

In May and June, the Government detained between 12 and 14 Christians, apparently in connection with two large farewell parties held by members of the local evangelical Christian community in which religious activities occurred. The parties were held in a public hall, which the organizers had rented. Government officials maintained that so many persons attended the event that it could not be considered private. The detainees were still being held in a prison in Jeddah without charge at year's end. Reports indicated that government officials suspected the group may have succeeded in converting one or more citizens, a crime that (in the case of the Saudi converts) is punishable by death. In October one of the detainees reported that he was beaten; two others reportedly were abused during interrogation.

On November 30, 2000, police broke up a gathering of 60 Christians worshipping in a rented building and detained 5 of the worshipers for approximately an hour for questioning. In December 2000, authorities broke up a private Christian worship service of 12 Filipino citizens, arrested 6 of the Filipinos, and detained 3 of those arrested for nearly 2 months. All six were deported early in the year. On April 20, a Filipino Christian man reportedly was stopped at a routine police checkpoint while driving a woman from a Christian service. After discovering religious materials in the car, the police detained the man for 2 days.

The Government does not permit non-Muslim clergy to enter the country for the purpose of conducting religious services, although some come under other auspices. Such restrictions make it very difficult for most non-Muslims to maintain contact with clergymen and attend services. Catholics and Orthodox Christians, who require a priest on a regular basis to receive the sacraments required by their faith, particularly are affected.

Proselytizing by non-Muslims, including the distribution of non-Muslim religious materials such as Bibles, is illegal. There were no reports during the year of arrests for proselytizing. Muslims or non-Muslims wearing religious symbols of any kind in public risk confrontation with the Mutawwa'in. Under the auspices of the Ministry of Islamic Affairs, approximately 50 so-called "Call and Guidance" centers employing approximately 500 persons work to convert foreigners to Islam. Some non-Muslim foreigners convert to Islam during their stay in the country, including more than 200 persons in Jeddah each year. The press often carries articles about such conversions, including testimonials.

There were reports during the year that authorities interrogated members of the Baha'i community, although they reportedly did not take additional action against them.

Under the Hanbali interpretation of Shari'a law, judges may discount the testimony of people who are not practicing Muslims or who do not adhere to the correct doctrine. Legal sources report that testimony by Shi'a is often ignored in courts of law or is deemed to have less weight than testimony by Sunnis. For example, in May a judge in the eastern province asked two witnesses to an automobile accident if they were Shi'a. When they so confirmed, the judge announced to the court that their testimony was inadmissible. Sentencing under the legal system is not uniform. Laws and regulations state that defendants should be treated equally; however, under Shari'a as interpreted and applied in the country, crimes against Muslims may result in harsher penalties than those against non-Muslims.

Islamic religious education is mandatory in public schools at all levels. All children receive religious instruction, which generally is limited to that of the Hanbali school of Islam.

In accordance with Shari'a, Saudi women are prohibited from marrying non-Muslims, but Saudi men may marry Christians and Jews, as well as Muslims.

The Government requires noncitizens to carry Iqamas, or legal resident identity cards, which contain a religious designation for "Muslim" or "non-Muslim."

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The Government restricts these rights. The Government restricts the travel of Saudi women. They are not allowed to drive inside the country and are dependent upon males for any transportation. Likewise, they must obtain written permission from their closest male relative before the authorities allow them to travel inside the country or to travel abroad (see Section 5). In November the Government announced that women could obtain their own identity cards; however, it required that they obtain permission to receive a card from their nearest male relatives. Moreover, the identity cards have not been made mandatory for women (see Section 5).

Since the 1979 Iranian revolution some Shi'a suspected of subversion have been subjected periodically to surveillance and limitations on travel abroad. In previous years, the Government actively discouraged Shi'a travel to Iran to visit pilgrimage sites due to security concerns. Shi'a who traveled to Iran without government permission, or who were suspected of such travel, normally had their passports confiscated upon their return for periods of up to 2 years. However, according to press reports, early in the year, the Government lifted the requirement that citizens intending to travel to Iran seek permission in advance from authorities, and the new policy reportedly was observed in practice. The change corresponds with improving relations between Saudi Arabia and Iran. Advance permission for travel to Iraq, whether for business or religious pilgrimage, has been necessary for some time due to security concerns, but such travel remains possible. Travel to Iraq still requires specific permission.

Foreigners typically are allowed to reside or work in the country only under the sponsorship of a Saudi national or business. By law the sponsors or employers of foreign residents must hold their passports until they are prepared to depart the country. The Government requires foreign residents to carry identification cards. It does not permit foreigners to travel outside the city of their employment or change their workplace without their sponsor's permission. Previously, foreign residents who traveled within the country could be asked by the authorities to show that they possessed letters of permission from their employer or sponsor. However, this regulation was rescinded late in the year, and only Iqamas (residency identification) now were required, although by year's end, there was no information regarding whether the authorities were observing the new policy in practice.

Sponsors generally retain possession of foreign workers' passports, although some classes of foreign workers are now allowed to keep their passports. Foreign workers must obtain permission from their sponsors to travel abroad. If sponsors are involved in a commercial or labor dispute with foreign employees, they may ask the authorities to prohibit the employees from departing the country until the dispute is resolved. Some sponsors use this as a pressure tactic to resolve disputes in their favor or to have foreign employees deported. There were numerous reports of the Government prohibiting foreign employees involved in labor disputes from departing the country until the dispute was resolved (see Sections 5 and 6.c.).

The Government seizes the passports of all potential suspects and witnesses in criminal cases and suspends the issuance of exit visas to them until the case is tried or otherwise concluded. As a result, some foreign nationals are forced to remain in the country for lengthy periods against their will. The authorities sometimes confiscate the passports of suspected oppositionists and their families.

Citizens may emigrate. The Government prohibits dual citizenship; however, children who holding other citizenship by virtue of birth abroad increasingly are permitted to leave the country using non-Saudi passports. Apart from marriage to a Saudi national, there are no provisions for foreign residents to acquire citizenship. Foreigners are granted citizenship in rare cases, generally through the advocacy of an influential patron.

The law does not provide for the granting of asylum and refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol.

The Basic Law provides that "the state will grant political asylum if the public interest militates in favor of it." The law does not specify clear rules for adjudicating asylum cases, and does not provide for first asylum. In general the authorities regard refugees and displaced persons similarly as they do foreign workers: They must have sponsors for employment or risk expulsion. Of the 33,000 Iraqi civilians and former prisoners of war allowed refuge in the country at the end of the Gulf War, none has been granted permanent asylum. Nevertheless, the Government cooper-

ates with the UNHCR. It has underwritten the entire cost of providing safe haven to the Iraqi refugees and continues to provide logistical and administrative support to the UNHCR and other resettlement agencies. At year's end, approximately 27,000 of the original 33,000 Iraqi refugees had been resettled in other countries or voluntarily repatriated to Iraq. Most of the approximately 5,200 remaining refugees are restricted to the Rafha Refugee Camp. At year's end, plans prior to September 11 to repatriate Afghan and Iraqi refugees were deferred. Efforts continue to encourage the Iraqi refugees to return to their country; in July there were brief demonstrations concerning the resettlement program, and five refugees held a hunger strike. The UNHCR has monitored over 3,000 persons voluntarily returning to Iraq from Rafha since December 1991 and found no evidence of forcible repatriation (see Section 1.c.).

The Government has allowed some foreigners to remain temporarily in the country in cases in which their safety would be jeopardized if they were deported to their home countries.

There were no reports of the forced return of persons to a country where they feared persecution.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their Government. There are no formal democratic institutions, and only a few members of the ruling family have a voice in the choice of leaders or in changing the political system. The King rules on civil and religious matters within certain limitations established by religious law, tradition, and the need to maintain consensus among the ruling family and religious leaders.

The King is also the Prime Minister, and the Crown Prince serves as Deputy Prime Minister. The King appoints all other ministers, who in turn appoint subordinate officials with cabinet concurrence. In 1992 the King appointed 60 members to a Consultative Council, or Majlis Ash-Shura. This strictly advisory body began to hold sessions in 1993. In 1997 and again in May the King expanded the membership of the Council; it has 120 members plus its chairman. There are plans to expand the Majlis Ash-Shura again in 2005. There are two Shi'as on the Council. The Council engages in debates that, while closed to the general public, provide advice and views occasionally contrary to the Government's proposed policy or recommended course of action. The Government usually incorporates the Majlis' advice into its final policy announcements or tries to convince it why the Government's policy is correct.

The Council of Senior Islamic Scholars (ulema) is another advisory body to the King and the Cabinet. It reviews the Government's public policies for compliance with Shari'a. The Government views the Council as an important source of religious legitimacy and takes the Council's opinions into account when promulgating legislation.

Communication between citizens and the Government usually is expressed through client-patron relationships and by affinity groups such as tribes, families, and professional hierarchies. In theory any male citizen or foreign national may express an opinion or a grievance at a majlis, an open-door meeting held by the King, a prince, or an important national or local official. However, as governmental functions have become more complex, time-consuming, and centralized, public access to senior officials has become more restricted. Since the assassination of King Faisal in 1975, Saudi kings have reduced the frequency of their personal contacts with the public. However, during the year, Crown Prince Abdullah held a variety of meetings with citizens throughout the country. Ministers and district governors more readily grant audiences at a majlis.

Typical topics raised in a majlis include complaints about bureaucratic delay or insensitivity, requests for personal redress or assistance, and criticism of particular acts of government affecting family welfare. Broader "political" concerns—social, economic, or foreign policy—rarely are raised. Complaints about royal abuses of power are not entertained. In general journalists, academics, and businessmen believe that institutionalized avenues of domestic criticism of the regime are closed. Feedback is filtered through private personal channels and has affected various policy issues, including the Middle East peace process, unemployment of young Saudi men, and the construction of new infrastructure.

The Committee for the Defense of Legitimate Rights (CDLR), an opposition group, was established in 1993. The Government acted almost immediately to repress it. In 1994 one of its founding members, Mohammed Al-Masari, fled to the United Kingdom, where he sought political asylum and established an overseas branch of the CDLR. In 1996 internal divisions within the CDLR led to the creation of the

rival Islamic Reform Movement (IRM), headed by Sa'ad Al-Faqih. Al-Masari expressed the CDLR's "understanding" of two fatal terrorist bombings of U.S. military facilities in 1995 and 1996 and sympathy for the perpetrators. The IRM implicitly condoned the two terrorist attacks as well, arguing that they were a natural outgrowth of a political system that does not tolerate peaceful dissent. Both groups continue to criticize the Government, using computers and fax transmissions to send newsletters to Saudi Arabia.

Women play no formal role in Government and politics and are actively discouraged from doing so. Participation by women in a majlis is restricted, although some women seek redress through female members of the royal family. On rare occasions, women have been called to advise members of the Majlis Ash-Shura in private, closed-door sessions.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There are no publicly active human rights groups, and the Government has made it clear that none critical of government policies would be permitted.

The Government generally does not permit visits by international human rights groups or independent monitors; however, on several occasions, the Government has announced publicly, through the press, that it would welcome visits from AI, HRW, and other human rights organizations.

The Government disagrees with internationally accepted definitions of human rights and views its interpretation of Islamic law as the only necessary guide to protect human rights. The Government generally ignored citations of government human rights abuses by international monitors or foreign governments and, in the past, has criticized such citations as attacks on Islam.

The Government announced on October 1 that the Council of Ministers' approved a new law regarding punitive measures that address its obligations under the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment; however, by year's end, there were no reports of its implementation.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

There is legal and systemic discrimination based on sex and religion. The law forbids discrimination based on race, but not nationality, although such discrimination occurs. The Government and private organizations cooperate in providing services for persons with disabilities; however, there is no legislation mandating public access. The Shi'a religious minority suffers social, legal, economic, political, and sectarian discrimination.

Women.—Shari'a prohibits abuse and violence against all innocent persons, including women. The Government does not keep statistics on spousal abuse or other forms of violence against women. However, based on the information available regarding physical spousal abuse and violence against women, such violence and abuse appear to be common problems. Hospital workers report that many women are admitted for treatment of injuries that apparently result from spousal violence; hospitals now are required to report any suspicious injuries to authorities. A Saudi man may prevent his wife and any child or unmarried adult daughter from obtaining an exit visa to depart the country (see Section 2.d.).

Foreign embassies continued to receive many reports that employers abuse foreign women working as domestic servants. Some embassies of countries with large domestic servant populations maintain safehouses to which their citizens may flee to escape work situations that include forced confinement, withholding of food, beating and other physical abuse, and rape. Often the reported abuse is at the hands of female citizens. During the year, the media reported more frequently on cases involving domestic abuse of women, servants, and children. However, in general the Government considers such cases to be family matters and does not intervene unless charges of abuse are brought to its attention. It is almost impossible for foreign women to obtain redress in the courts due to the courts' strict evidentiary rules and the women's and servants' own fears of reprisals. There were increasing reports during the year of employers being punished for abuse of domestic servants. There are no private support groups or religious associations to assist such women.

By religious law and social custom, women have the right to own property and are entitled to financial support from their husbands or male relatives. However, women have few political or social rights and are not treated as equal members of society. There are no active women's rights groups. Women legally may not drive motor vehicles and are restricted in their use of public facilities when men are present. Women must enter city buses by separate rear entrances and sit in specially designated sections. Women risk arrest by the Mutawwa'in for riding in a ve-

hicle driven by a male who is not an employee or a close male relative. Women are not admitted to a hospital for medical treatment without the consent of a male relative. By law and custom, women may not undertake domestic or foreign travel alone (see Section 2.d.). In November the Government announced that women could obtain their own identity cards; however, it required that they obtain permission to receive a card from their nearest male relatives. In addition the identity cards were not made mandatory for women, although some women applied for and obtained the cards. In 1999 the Ministry of Interior announced that preparations were underway to issue identity cards to women, which would represent a step toward allowing women to establish independent legal identities from men.

In public a woman is expected to wear an abaya (a black garment that covers the entire body) and also to cover her head and hair. The Mutawwa'in generally expect women from Arab countries, and other countries in Asia and Africa to comply more fully with Saudi customs of dress than they do Western women; nonetheless, in recent years they have instructed Western women to wear the abaya and cover their hair and face. During the year, Mutawwa'in continued to admonish and harass women to wear their abayas and cover their hair.

There were no reports during the year of government officials and ministries barring accredited female diplomats in the country from official meetings or placing other restrictions on them, as had occurred in the past.

Prostitution is illegal and does not appear to be a widespread problem.

Women also are subject to discrimination under Shari'a as interpreted in the country, which stipulates that daughters receive half the inheritance awarded to their brothers. While Shari'a provides women with a basis to own and dispose of property independently, women often are constrained from asserting such rights because of various legal and societal barriers, especially regarding employment and freedom of movement. In a Shari'a court, the testimony of one man equals that of two women (see Section 1.e.). Although Islamic law permits polygyny, with up to four wives, it is becoming less common due to demographic and economic changes. Islamic law enjoins a man to treat each wife equally. In practice such equality is left to the discretion of the husband. Some women participate in Al-Mesyar (or "short daytime visit") marriages, or what are described as "weekend marriages," in which the women relinquish their legal rights to financial support and nighttime cohabitation. Additionally, the husband is not required to inform his other wives of the marriage, and any children resulting from such a marriage have no inheritance rights. The Government places greater restrictions on women than on men regarding marriage to noncitizens and non-Muslims (see Section 1.f.).

Women must demonstrate legally specified grounds for divorce, but men may divorce without giving cause. In doing so, men are required to pay immediately an amount of money agreed upon at the time of the marriage, which serves as a one-time alimony payment. Women who demonstrate legal grounds for divorce still are entitled to this alimony. If divorced or widowed, a Muslim woman normally may keep her children until they attain a specified age: 7 years for boys; 9 years for girls. Children over these ages are awarded to the divorced husband or the deceased husband's family. Numerous divorced foreign women continued to be prevented by their former husbands from visiting their children after divorce.

Women have access to free but segregated education through the university level. They constitute over 58 percent of all university students, but are excluded from studying such subjects as engineering, journalism, and architecture. Men may study overseas; women may do so only if accompanied by a spouse or an immediate male relative.

Women make up approximately 5 percent of the formal work force and own about 20 percent of the businesses, although they must deputize a male relative to represent them in financial transactions. Most employment opportunities for women are in education and health care, with fewer opportunities in business, philanthropy, banking, retail sales, and the media. Despite limited educational opportunities in many professional fields, some female citizens are able to study abroad and return to work in professions such as architecture and journalism. Many foreign women work as domestic servants and nurses.

In 1997 the Government authorized women to work in a limited capacity in the hotel industry. Women who wish to enter nontraditional fields are subject to discrimination. Women may not accept jobs in rural areas if there are no adult male kin present with whom they may reside and who agree to take responsibility for them. Most workplaces in which women are present are segregated by gender. Frequently, contact with male supervisors or clients is allowed only by telephone or fax machine. In 1995 the Ministry of Commerce announced that women would no longer be issued business licenses for work in fields that might require them to supervise foreign workers, interact with male clients, or deal on a regular basis with govern-

ment officials. However, in hospital settings and in the oil industry, women and men work together, and, in some instances, women supervise male employees.

Female genital mutilation (FGM), which is condemned widely by international health experts as damaging to both physical and psychological health, is practiced among some foreign workers from East Africa and the Nile Valley. It is not always clear whether the procedure occurred in Saudi Arabia or the workers' home countries. There is no law specifically prohibiting FGM.

Children.—The Government provides all children with free education and medical care. Children are not subject to the strict social segregation faced by women although they are segregated by sex in schools, beginning at the age of 7; however, schools were integrated through the fourth grade in some areas. By age 9, most children are segregated by sex in school. In more general social situations, boys are segregated at the age of 12 and girls at the onset of puberty.

It is difficult to gauge the prevalence of child abuse, since the Government currently keeps no national statistics on such cases. Although in general Saudi culture greatly prizes children, new studies by Saudi female doctors indicate that severe abuse and neglect of children appears to be more widespread than previously reported. One major hospital has begun a program to detect, report, and prevent child abuse. There are several widely publicized programs to uncover and address child abuse.

In general children play a minimal role in the workforce; however, there have been numerous reports that young boys of Saudi, Sudanese, and South Asian origin are used as jockeys in camel races.

Trafficking in children for forced begging persists (see Sections 6.c. and 6.f.).

Persons with Disabilities.—The provision of government social services increasingly has brought persons with disabilities into the public mainstream. The media carry features highlighting the accomplishments of persons with disabilities and sharply criticizing parents who neglect children with disabilities. The Government and private charitable organizations cooperate in education, employment, and other services for persons with disabilities. The law provides hiring quotas for persons with disabilities. There is no legislation that mandates public accessibility; however, newer commercial buildings often include such access, as do some newer government buildings.

Foreign criminal rings reportedly bought and imported children with disabilities for the purpose of forced begging (see Sections 6.c. and 6.f.).

Police generally transport mentally ill persons found wandering alone in public to their families or a hospital. However, there were reports that police pick up mentally ill persons for minor violations, detain them for a few weeks, and then release them, only to detain them again later for similar violations. Police officials recognize the problem, but they claim that according to Islam, family members should be taking care of such individuals.

Religious Minorities.—Shi'a citizens are discriminated against in government and employment, especially in national security jobs. Shi'a are subjected to employment restrictions in the oil and petrochemical industries. Since the 1979 Iranian revolution, some Shi'a who are suspected of subversion have been subjected periodically to surveillance and limitations on travel abroad. Since beginning the investigation of the 1996 bombing of a U.S. military installation, authorities have detained, interrogated, and confiscated the passports of a number of Shi'a Muslims, including Shi'a returning to the country following travel to Iran (see Sections 1.d. and 2.d.). Additionally, the courts will not accept a member of the Shi'a faith as a witness in a trial (see Section 2.c.).

In April 2000, in the city of Najran, in the southwest region bordering Yemen, rioting by members of the Makarama Ismaili Shi'a eventually led to an attack by an armed group of Shi'a on a hotel that contained an office of the regional governor. Security forces responded, leading to extended gun battles between the two sides (see Section 2.c.).

It commonly is believed that the Government accepted Abdullah al-Khoneizi as new leader for the religious community in Qatif to replace his brother, Al-Khuti, after his death in April.

Under the law, children of Saudi fathers are considered Muslim, regardless of the country or the religious tradition in which they may have been raised. In some cases, children raised in other countries and in other religious traditions later taken by their Saudi fathers back to the country reportedly were coerced to conform to their fathers' interpretation of Islamic norms and practices. No such cases were reported during the year.

National/Racial/Ethnic Minorities.—Although racial discrimination is illegal, there is substantial societal prejudice based on ethnic or national origin. Foreign workers from Africa and Asia are subject to various forms of formal and informal

discrimination and have the most difficulty in obtaining justice for their grievances. For example, pay scales for identical or similar labor or professional services are set by nationality such that two similarly qualified and experienced foreign nationals performing the same employment duties receive varied compensation based on their nationalities.

Section 6. Worker Rights

a. The Right of Association.—The Government prohibits the establishment of labor unions; however, in May the Government announced that beginning in December, workers in companies employing more than 100 citizens could form “labor committees.”

The labor committees are to consist of three to nine members, who would serve 3-year terms. The Government has no role in selecting the committee members; both management and workers will be represented. The committee may make recommendations to company management to improve work conditions, increase productivity, improve health and safety, and recommend training programs. The Ministry of Labor and Social Affairs may send a representative to attend committee meetings. A committee must provide a written report of its meetings to company management, which also will be transmitted to the Ministry. The Ministry may dissolve a labor committee if it violates regulations or threatens public security. Foreign workers may not form or become members of labor committees. No committees were formed by year’s end.

Strikes are prohibited, but several work stoppages were staged in Jeddah in 2000 by foreign hospital, food processing, and construction workers who had not been paid. There were no strikes reported during the year.

In 1995 the U.S. Overseas Private Investment Corporation suspended coverage for Saudi Arabia because of the Government’s lack of compliance with internationally recognized worker rights standards.

b. The Right to Organize and Bargain Collectively.—Collective bargaining is forbidden. Foreign workers comprise about two-thirds of the work force. There is no minimum wage; wages are set by employers and vary according to the type of work performed and the nationality of the worker (see Section 5).

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor.—The Government prohibits forced or compulsory labor pursuant to a royal decree that abolished slavery. Ratification of the International Labor Organization (ILO) Conventions 29 and 105, which prohibit forced labor, gives them the force of law. However, employers have significant control over the movements of foreign employees, which gives rise to situations that sometimes involve forced labor, especially in remote areas where workers are unable to leave their place of work.

Some sponsors prevented foreign workers from obtaining exit visas to pressure them to sign a new work contract or to drop claims against their employers for unpaid salary (see Section 2.d.). Additionally, some sponsors refused to provide foreign workers with a “letter of no objection” that would allow them to be employed by another sponsor. The authorities in some cases forced maids fleeing abusive employment circumstances to return to their employers.

There have been many reports of workers whose employers refused to pay several months, or even years, of accumulated salary or other promised benefits. Foreign workers with such grievances, except foreign domestic servants, have the right to complain before the labor courts, but few do so because of fear of deportation. The labor system is conducive to the exploitation of foreign workers because enforcement of work contracts is difficult and generally favors employers. Labor courts, while generally fair, may take many months to reach a final appellate ruling, during which time the employer may prevent the foreign laborer from leaving the country. An employer also may delay a case until a worker’s funds are exhausted, and the worker is forced to return to his home country.

The law does not specifically prohibit forced or bonded labor by children. Nonetheless, with the rare exception of criminal begging rings, and the possible exceptions of family businesses, forced or bonded child labor does not occur (see Section 6.d.). In 1997 the Government attempted to eradicate forced child begging. Nevertheless, criminal rings consisting almost exclusively of foreigners have continued to buy and import South Asian and African children for the purpose of forced begging (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment.—The minimum age for employment is 13 years, which may be waived by the Ministry of Labor with the consent of the juvenile’s guardian. There is no minimum age for workers employed in family-oriented businesses or in other areas that are construed as extensions of the household, such as farming, herding, and domestic service.

Children under the age of 18 may not be employed in hazardous or harmful industries, such as mining or industries employing power-operated machinery. While there is no formal government entity responsible for enforcing the minimum age for employment of children, the Ministry of Justice has jurisdiction and has acted as plaintiff in the few cases that have arisen against alleged violators. However, in general children play a minimal role in the work force.

The law does not prohibit specifically forced or bonded labor by children, but it is not a problem, with the rare exception of forced child begging rings, and possibly family businesses (see Section 6.c.). Reportedly, young boys of Saudi, Sudanese, and South Asian origin are used as jockeys in camel races.

The Government has not ratified ILO Convention 182 on the worst forms of child labor.

e. Acceptable Conditions of Work.—There is no legal minimum wage. Labor regulations establish a 48-hour workweek at regular pay and allow employers to require up to 12 additional hours of overtime at time-and-a-half pay. Labor law provides for a 24-hour rest period, normally on Fridays, although the employer may grant it on another day. The average wage generally provides a decent standard of living for a worker and family.

The ILO has stated that the Government has not formulated legislation implementing the ILO Convention 100 on Equal Remuneration and that regulations that segregate work places by sex, or limit vocational programs for women, violate ILO Convention 111 on Discrimination in Employment and Occupation.

Workers risk losing employment if they remove themselves from hazardous work conditions.

Labor regulations require employers to protect most workers from job-related hazards and disease. However, foreign nationals report frequent failures to enforce health and safety standards. Farmers, herdsmen, domestic servants, and workers in family-operated businesses are not covered by these regulations.

Some foreign nationals who have been recruited abroad have claimed that after their arrival in the country, they were presented with work contracts that specified lower wages and fewer benefits than originally promised. Other foreign workers reportedly have signed contracts in their home countries and later were pressured to sign less favorable contracts upon arrival. Some employees report that at the end of their contract service, their employers refuse to grant permission to allow them to return home. Foreign employees involved in disputes with their employers may find their freedom of movement restricted (see Section 2.d.). The labor laws, including those designed to limit working hours and regulate working conditions, do not apply to foreign domestic servants, and such domestic servants may not seek the protection of the labor courts. There were credible reports that female domestic servants sometimes were forced to work 16 to 20 hours per day 7 days per week. There were numerous confirmed reports of maids fleeing employers and seeking refuge in their embassies (see Section 5). Foreign embassies continued to receive reports of employers abusing domestic servants. Such abuse included withholding of food, beatings and other physical abuse, and rape (see Section 5). The Government's figures for 1999 stated that 7,000 maids fled their place of employment, and the actual number presumably was higher. During the year, the media reported additional stories of such incidents. The authorities in some cases forced such maids to return to their places of employment.

The ongoing campaign to remove illegal immigrants from the country has done little to Saudiize the economy because illegal immigrants largely work in low-income positions, which most citizens consider unsuitable. The Government is carrying out the campaign by widely publicizing its enforcement of existing laws against illegal immigrants and citizens employing or sponsoring illegal immigrants. In addition to deportation for illegal workers and jail terms and fines for Saudis hiring illegal workers, the Government announced in 1998 that houses rented to illegal aliens would be ordered closed.

In 1997 the Government offered an amnesty to allow illegal immigrants and their employers or sponsors to avoid the possibility of prosecution by voluntarily seeking expeditious repatriation. As of September 1999, as many as 1.1 million persons departed the country under terms of the amnesty or were deported for violating residence and labor laws. During this process, the Government bowed to domestic pressure and granted grace periods and exemptions to certain categories of illegal immigrants (such as servants, drivers, and shepherds), thereby allowing many illegal immigrants to legalize their status without leaving the country.

The effect of the expeditious repatriation of some illegal immigrants and the legalization of others has been to improve overall working conditions for legally employed foreigners. Illegal immigrants generally are willing to accept lower salaries and fewer benefits than legally employed immigrants. The departure or legalization of

illegal workers reduced the competition for certain jobs and, thereby, reduced the incentive for legal immigrants to accept lower wages and fewer benefits as a means of competing with illegal immigrants. Furthermore, their departure or legalization removed a large portion of the class of workers most vulnerable to abuse and exploitation because of their illegal status.

f. Trafficking in Persons.—The law does not prohibit specifically trafficking in persons; however, the law prohibits slavery and the smuggling of persons into the country.

Criminal rings consisting almost exclusively of foreigners have bought and imported South Asian children, including children with disabilities, and women for the purpose of organized begging, particularly in the vicinity of the Grand Mosque in Mecca during Islamic holidays.

There were unconfirmed reports that women were trafficked into the country to work as prostitutes.

Among the millions of foreign workers in the country, some persons, particularly domestic workers, are defrauded by employment agencies or exploited by employers; some workers overstay their contracts and are exploited as they have few legal protections. Many foreign domestic servants flee work situations that include forced confinement, beating and other physical abuse, withholding of food, and rape. The authorities often forced domestic servants to return to their places of employment (see Sections 5 and 6.c.). The Government states that it does not believe that trafficking in persons is a problem because foreign workers come to the country voluntarily. It primarily focused on identifying and deporting illegal workers, and did not devote significant effort or resources to antitrafficking activity.

SYRIA

Despite the existence of some institutions of democratic government, the political system places virtually absolute authority in the hands of the President. Former President Hafiz Al-Asad died on June 10, 2000, after 30 years in power. Immediately following Al-Asad's death, the Parliament amended the Constitution, reducing the mandatory minimum age of the President from 40 to 34 years old, which allowed his son Bashar Al-Asad legally to be eligible for nomination by the ruling Ba'th party. On July 10, 2000, Bashar was elected by referendum in which he ran unopposed and received 97.29 percent of the vote. Key decisions regarding foreign policy, national security, internal politics, and the economy are made by the President, with counsel from his ministers, high-ranking members of the ruling Ba'th Party, and a relatively small circle of security advisers. Although the Parliament is elected every 4 years, the Ba'th Party is ensured a majority. The Parliament may not initiate laws but only assesses and at times modifies those proposed by the executive branch. In general all three branches of government are influenced to varying degrees by leaders of the Ba'th Party, whose primacy in state institutions is mandated by the Constitution. The Constitution provides for an independent judiciary, but security courts are subject to political influence. The regular courts generally display independence, although political connections and bribery may influence verdicts.

The powerful role of the security services in government, which extends beyond strictly security matters, stems in part from the state of emergency that has been in place almost continuously since 1963. The Government justifies martial law because of the state of war with Israel and past threats from terrorist groups. Syrian Military Intelligence and Air Force Intelligence are military agencies, while General Security, State Security, and Political Security come under the purview of the Ministry of Interior. The branches of the security services operate independently of each other and outside the legal system. Their members commit serious human rights abuses.

The population of the country is approximately 17 million. The economy is based on commerce, agriculture, oil production, and government services. There is a generally inefficient public sector, a private sector, and a mixed public/private sector. The still-dominant state role in the economy, a complex bureaucracy, overarching security concerns, endemic corruption, currency restrictions, a lack of modern financial services and communications, and a weak legal system hamper economic growth. The Government has sought to promote the private sector through investment incentives, exchange rate consolidation, and deregulation, especially with regard to financial transactions governing imports and exports. However, in recent years, diminished foreign aid, drought, fluctuating prices for oil and agricultural commodities, and regional recession have hurt the economy. Uncertainty about the

Middle East peace process and sporadic tension over Iraq has diminished investor confidence in the region. After 4 years of negative economic growth, Syria's economy is estimated to have grown by 1.5 to 2 percent during the year. A high population growth rate of nearly 3 percent continued to erode economic gains. Wage and benefits increases generally have not kept pace with cost of living increases, although inflation has been minimal in recent years. The gap between the rich and poor remained significant, with many public sector workers relying on second jobs to make ends meet.

The human rights situation remained poor, and the Government continues to restrict or deny fundamental rights, although there were improvements in a few areas. The Ba'th Party dominates the political system, as provided for by the Constitution, and citizens do not have the right to change their government. The Government uses its vast powers so effectively that there is no organized political opposition, and there have been very few antigovernment manifestations. Although the Government released prominent political prisoner Nizar Nayyuf in May after 10 years in prison, it immediately placed him under house arrest. The Government subsequently allowed him to travel overseas for medical treatment but issued an arrest warrant against him in September while he was still abroad. Beginning in August, the Government also arrested 10 prominent human rights leaders, including two independent Members of Parliament and former longtime political prisoner Riad al-Turk. The Jordanian press reported in January the release from Syrian jail of six Jordanian prisoners of Palestinian origin, who had been imprisoned for membership in Palestinian organizations. Continuing serious abuses include the use of torture in detention; poor prison conditions; arbitrary arrest and detention; prolonged detention without trial; fundamentally unfair trials in the security courts; an inefficient judiciary that suffers from corruption and, at times, political influence; and infringement on privacy rights.

The Government also significantly restricts freedom of speech and of the press. Although new amendments to the Press Law permitted government-approved private individuals and organizations to publish their own newspapers, the same amendments also stipulated imprisonment and stiff financial penalties as part of broad, vague provisions prohibiting the publication of "inaccurate" information. Freedom of assembly does not exist under the law and the Government restricts freedom of association. The Government does not officially allow independent domestic human rights groups to exist; however, it allowed periodic meetings of unlicensed civil society forums throughout the year. The Government places some limits on freedom of religion and limits freedom of movement. Violence and societal discrimination against women are problems. The Government discriminates against the stateless Kurdish minority, suppresses worker rights, and tolerates child labor in some instances.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life.—There were no reports of political killings or other killings committed by government forces during the year.

In November 2000, security forces killed four Bedouins during the Government's intervention in armed clashes between Bedouin shepherds and Druze residents of Suwayda Province (see Sections 1.c. and 5). In October 1999, government forces moved against a residential compound and boat dock owned by then-President Asad's brother, Rif'at Al-Asad. A number of Rif'at's supporters, including military guards, were sequestered in the compound, and the clash resulted in an unconfirmed number of deaths, including among government forces. The Government reportedly claimed that the clash was the consequence of enforcing "legal measures" that were taken against Rif'at and his supporters because of "violations of civil and military laws."

There were reports in 1999 of the corporal punishment of army recruits that led to injury or death (see Section 1.c.).

There were no credible reports of deaths in detention during the year; however, such deaths have occurred in the past. Previous deaths in detention have not been investigated by the Government, and the number and identities of prisoners who died in prisons since the 1980's remain unknown.

b. Disappearance.—There were no new confirmed reports of politically motivated disappearances during the year. Because security forces often do not provide detainees' families with information regarding their welfare or location, many persons who disappeared in past years are believed to be in longterm detention or to have died while in detention; it appears that the number of new disappearances declined in recent years, although this circumstance may be due to the Government's success

in deterring opposition political activity rather than a loosening of the criteria for detention (see Section 1.d.).

Despite inquiries by international human rights organizations and foreign governments, the Government offered little new information regarding the welfare and whereabouts of persons who have been held incommunicado for years or about whom no more is known other than the approximate date of their detention. The Government claims that it has released all Palestinians and Jordanian and Lebanese citizens who reportedly were abducted from Lebanon during and after Lebanon's civil war; however, the Government's claim is disputed by Lebanese NGOs, Amnesty International, and other international NGOs, as well as some family members of those who allegedly remain in Syrian prisons (see Section 1.d.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—Despite the existence of constitutional provisions and several Penal Code penalties for abusers, there was credible evidence that security forces continued to use torture, although to a lesser extent than in previous years. Former prisoners and detainees report that torture methods include administering electrical shocks; pulling out fingernails; forcing objects into the rectum; beating, sometimes while the victim is suspended from the ceiling; hyperextending the spine; and using a chair that bends backwards to asphyxiate the victim or fracture the victim's spine. In September Amnesty International published a report claiming that authorities at Tadmur Prison regularly torture prisoners, or force prisoners to torture one another. Although torture occurs in prisons, torture is most likely to occur while detainees are being held at one of the many detention centers run by the various security services throughout the country, and particularly while the authorities are attempting to extract a confession or information regarding an alleged crime or alleged accomplices.

The Government has denied that it uses torture and claims that it would prosecute anyone believed guilty of using excessive force or physical abuse. Past victims of torture have identified the officials who beat them, up to the level of brigadier general. If allegations of excessive force or physical abuse are to be made in court, the plaintiff is required to initiate his own civil suit against the alleged abuser. Courts do not order medical examinations for defendants who claim that they were tortured (see Section 1.e.).

In 2000 Syria apprehended Raed Hijazi, accused of a terrorist plot targeting American and Israeli tourists in Jordan during the millennium celebrations and rendered him to Jordan to stand trial. According to media accounts of the trial, doctors for both the defense and the prosecution testified that Hijazi's body showed signs of having been beaten, but witnesses, including Hijazi, made contradictory and inconclusive claims regarding whether the alleged abuse occurred while he was in Jordanian or Syrian custody. The Jordanian court has rejected the allegations that Hijazi's confession was coerced.

The Government reportedly tortured some of the Islamist prisoners who were detained during the large-scale arrests in late 1999 and early 2000 (see Sections 1.d. and 2.c.).

On January 30, unknown assailants attacked and beat novelist Nabil Sulayman outside his apartment in Latakia, in what some observers believe was a message from the Government to civil society advocates to moderate their pressure for reform (see Section 2.a.).

In November 2000, 200 persons were injured during clashes in Suwayda province involving Druze residents, Bedouin shepherds, and security forces (see Sections 1.a. and 5).

Prison conditions vary but generally are poor and do not meet international standards for health and sanitation. Facilities for political or national security prisoners generally are worse than those for common criminals. The notorious Tadmur Prison in Palmyra, where many political and national security prisoners have been kept, is widely considered to have the worst conditions. There were unconfirmed press reports in September that the Government closed the civilian wing of Tadmur Prison, and unconfirmed press reports earlier in the year that the Government moved approximately 500 to 600 political prisoners from Tadmur Prison to Saydnaya Prison in preparation for Tadmur's eventual closing.

At some prisons, authorities allow visitation, but in other prisons, security officials demand bribes from family members who wish to visit incarcerated relatives. Overcrowding and the denial of sufficient nourishment occur at several prisons. According to Human Rights Watch, prisoners and detainees are held without adequate medical care, and some prisoners with significant health problems reportedly are denied medical treatment. Some former detainees have reported that the Government prohibits reading materials, even the Koran, for political prisoners.

There were credible reports in 2000 that minors were held in adult facilities for 6 months and were not allowed visits from family members. There are separate detention facilities for women and children (see Section 1.d.).

The Government does not permit independent monitoring of prison or detention center conditions. In June the Government allowed a German diplomat to visit Hussein Dawud, a Syrian member of the Kurdish Popular Union Party imprisoned in Sayadnaya Prison, after rumors of Dawud's death by torture were published. The diplomat confirmed Dawud's presence and saw no signs of torture.

d. Arbitrary Arrest, Detention, or Exile.—Arbitrary arrest and detention are significant problems. The Emergency Law, which authorizes the Government to conduct preventive arrests, overrides Penal Code provisions against arbitrary arrest and detention, including the need to obtain warrants. Officials contend that the Emergency Law is applied only in narrowly defined cases, and in January the regional press reported that the Information Minister claimed that the authorities had frozen "martial law," and the Interior Ministry claimed that the Government had made no arbitrary arrests since April 2000. Nonetheless, in cases involving political or national security offenses, arrests often are carried out in secret, and suspects may be detained incommunicado for prolonged periods without charge or trial and are denied the right to a judicial determination regarding the pretrial detention. Some of these practices are prohibited by the state of emergency, but the authorities are not held to these strictures. Additionally, those suspected of political or national security offenses also may be arrested and prosecuted under ambiguous and broad articles of the Penal Code, and subsequently tried in either the criminal or security courts.

The Government detains relatives of detainees or of fugitives in order to obtain confessions or the fugitive's surrender (see Section 1.f.). The Government also threatens families or friends of detainees, at times with the threat of expulsion, to ensure their silence, to force them to publicly disavow their relatives, or to force detainees into compliance.

Defendants in civil and criminal trials have the right to bail hearings and the possible release from detention on their own recognizance. There is no bail option for those accused of state security offenses. Unlike defendants in regular criminal and civil cases, security detainees do not have access to lawyers prior to or during questioning.

Detainees have no legal redress for false arrest. Security forces often do not provide detainees' families with information regarding their welfare or location while in detention. Consequently many persons who have disappeared in past years are believed to be in long-term detention without charge or possibly to have died in detention (see Section 1.b.). Many detainees brought to trial have been held incommunicado for years, and their trials often have been unfair (see Section 1.e.). There were reliable reports that the Government did not notify foreign governments when their citizens were arrested or detained.

Pretrial detention may be lengthy, even in cases not involving political or national security offenses. The criminal justice system is backlogged. Many criminal suspects are held in pretrial detention for months and may have their trials extended for additional months. Lengthy pretrial detention and drawn-out court proceedings are caused by a shortage of available courts and the absence of legal provisions for a speedy trial or plea bargaining (see Section 1.e.).

On May 6 the Government released prominent political prisoner Nizar Nayyuf, who had been imprisoned since 1992 on a 10-year sentence after being convicted for founding an unlawful organization, disseminating false information, and undermining the Government. Human rights organizations noted that authorities placed him under house arrest immediately following his release. In June the Government allowed Nayyuf to leave the country for medical treatment. According to public statements by his lawyer, in September Nayyuf was summoned to appear before an investigating court to respond to a complaint against him filed by Ba'th party lawyers for "inciting confessionism, attempting to illegally change the Constitution, and publishing false reports abroad." Nayyuf was still out of the country when the summons was issued and had not returned to the country by year's end. The French free press organization Reporters Without Borders (Reporters Sans Frontieres—RSF) claimed that the Government harassed and intimidated members of Nayyuf's family following the issuance of the summons. The Government reportedly fired two members of his immediate family from their jobs. The municipality threatened to expel members of Nayyuf's family if they did not publicly disavow his statements (see Section 4).

On August 9, the Government arrested independent Member of Parliament Ma'mun Humsi during his hunger strike protesting official corruption, the excessive powers of the security forces, and the continuation of the Emergency Law. In a de-

parture from previous practice, the Interior Ministry issued a statement justifying Humsi's arrest under Penal Code articles dealing with crimes against state security (see Section 3).

On September 1, the Government detained prominent political activist and prior longtime detainee Riad al-Turk for violations of Penal Code articles dealing with crimes against state security, after al-Turk made derogatory public comments about late President Hafiz al-Asad.

On September 6, the Government detained independent Member of Parliament Riad Seif shortly after Seif resumed the activities of his unlicensed political discussion forum. The principal charge against both Humsi and Seif was attempting illegally to change the Constitution (see Section 3).

Later in September, the Government detained seven additional prominent human rights activists who had issued statements in support of Humsi, Seif, and al-Turk (see Section 4). The Government reportedly charged the seven activists under Penal Code articles dealing with crimes against state security (see Section 2.a.). Although all of the detainees reportedly were arrested for Penal Code violations, only Humsi and Seif are being tried in criminal court, with the other cases reportedly to be tried in the Supreme State Security Court (see Section 1.e.). Their trial has been open to foreign observers and the press.

The Government reportedly had released most of the hundreds of Turkomen detained without charge in 1996; however, the group's leaders reportedly remained in detention.

There were reports of large-scale arrests of Syrian and Palestinian Islamists between late December 1999 and February 2000. Hundreds of persons allegedly were arrested in the cities of Damascus, Hama, Aleppo, and Homs. Most of those arrested reportedly were released after signing an agreement not to participate in political activities; however, some may remain in detention. There were no known reports that the Government arrested Islamists on political charges during the year.

There were reliable reports that security forces arrested several minors on unspecified political charges in 2000. The minors reportedly were held in adult facilities for 6 months, had no access to legal counsel, and were not allowed visits from family members. There were no reports of the arrests of minors on political charges during the year.

In December 2000, the Government detained an individual for several months without charge for forwarding via e-mail an allegedly lewd political cartoon (see Section 1.f.).

According to a credible report, in March Syrian intelligence officials in Lebanon arrested three Syrian Druze men who had converted to Christianity, possibly on suspicion of membership in Jehovah's Witnesses (see Section 2.c.).

The Jordanian press reported in January the release from Syrian jails of six Jordanian prisoners of Palestinian origin, who had been imprisoned for membership in Palestinian organizations. There were unconfirmed reports that a large number of Jordanian prisoners were released between May and July 2000. However, according to Amnesty International, only three of the Jordanians released in 2000 had been held for political reasons.

There were unconfirmed regional press reports that approximately 500 political detainees were moved from Tadmur Prison to Saydnaya Prison in late July and early August in preparation for the eventual closing of Tadmur (see Section 1.c.). The Government also closed the Mazzah prison in November 2000, which reportedly held numerous political prisoners and detainees.

In May 2000, there were media reports that Communist Action Party leaders Aslan 'Abd Al-Karim and Fateh Jamous and oppositionist Randa Ayoubi were released from prison. In August 2000, Sheikh Hashim Minqara, a leader of the Islamic Tawheed Movement who was arrested in Lebanon in 1985, reportedly was released.

In November 2000, the Government declared an amnesty for 600 political prisoners and detainees and a general pardon for some nonpolitical prisoners. The amnesty was covered in the media and reportedly was the first time that the Government acknowledged that it held persons for political reasons. There were credible but unconfirmed reports that the 600 detainees, including members of the Muslim Brotherhood, the Islamic Salvation Party, the Communist Action Party, and some Kurds, had all been released by the end of 2000.

In December 2000, the Government transferred 54 Lebanese political prisoners and detainees from Syrian to Lebanese custody (see Section 1.e.).

A prisoner amnesty announced in July 1999 is believed to have benefited some political prisoners and detainees. While the total number of those released is unknown, Amnesty International identified six prisoners held for political reasons who were released. Unconfirmed reports suggest that as many as 600 prisoners were released. Some former prisoners reportedly were required to sign loyalty oaths or ad-

missions of guilt as a condition of their release. Most of those arrested during crackdowns in the 1980's, in response to violent attacks by the Muslim Brotherhood, have been released; however, some may remain in prolonged detention without charge. Some union and professional association officials detained in 1980 may remain in detention (see Sections 2.b. and 6.a.).

The number of remaining political detainees is unknown. In June 2000, prior to the November 2000 prison amnesty, Amnesty International estimated that there were approximately 1,500 political detainees in the country; many of the detainees reportedly are suspected supporters of the Muslim Brotherhood and the pro-Iraqi wing of the Ba'th party. There also are Jordanian, Lebanese, and Palestinian political detainees. Estimates of detainees are difficult to confirm because the Government does not verify publicly the number of detentions without charge, the release of detainees or amnestied prisoners, or whether detainees subsequently are sentenced to prison (see Section 1.e.).

In October 1998, the Jordanian Government requested that the Syrian Government account for 429 named Jordanian nationals, 239 of whom Jordan claims have been missing since they entered Syria, and 190 of whom Jordan claims are imprisoned in Syria. By year's end there had been no published official response.

Former prisoners are subject to a so-called "rights ban," which begins from the day of sentencing and lasts until 7 years after the expiration of the sentence, in the case of felony convictions. Persons subject to this ban are not allowed to vote, run for office, or work in the public sector; they often also are denied passports.

The Government has exiled citizens in the past, although the practice is prohibited by the Constitution. The Government refuses to reissue the passports of citizens who fled the country in the 1980's; such citizens consequently are unable to return to the country.

There were no known instances of forced exile during the year.

e. Denial of Fair Public Trial.—The Constitution provides for an independent judiciary, but the two exceptional courts dealing with cases of alleged national security violations are not independent of executive branch control. The regular court system generally displays considerable independence in civil cases, although political connections and bribery at times influence verdicts.

The judicial system is composed of the civil and criminal courts, military courts, security courts, and religious courts, which adjudicate matters of personal status such as divorce and inheritance (see Section 5). The Court of Cassation is the highest court of appeal. The Supreme Constitutional Court is empowered to rule on the constitutionality of laws and decrees; it does not hear appeals.

Civil and criminal courts are organized under the Ministry of Justice. Defendants before these courts are entitled to the legal representation of their choice; the courts appoint lawyers for indigents. Defendants are presumed innocent; they are allowed to present evidence and to confront their accusers. Trials are public, except for those involving juveniles or sex offenses. Defendants may appeal their verdicts to a provincial appeals court and ultimately to the Court of Cassation. Such appeals are difficult to win because the courts do not provide verbatim transcripts of cases—only summaries prepared by the presiding judges. There are no juries.

Military courts have the authority to try civilians as well as military personnel. The venue for a civilian defendant is decided by a military prosecutor. There were continuing reports that the Government operates military field courts in locations outside established courtrooms. Such courts reportedly observe fewer of the formal procedures of regular military courts.

The two security courts are the Supreme State Security Court (SSSC), which tries political and national security cases, and the Economic Security Court (ESC), which tries cases involving financial crimes. Both courts operate under the state of emergency, not ordinary law, and do not observe constitutional provisions safeguarding defendants' rights.

Charges against defendants in the SSSC often are vague. Many defendants appear to be tried for exercising normal political rights, such as free speech. For example, the Emergency Law authorizes the prosecution of anyone "opposing the goals of the revolution," "shaking the confidence of the masses in the aims of the revolution," or attempting to "change the economic or social structure of the State." Nonetheless the Government contends that the SSSC tries only persons who have sought to use violence against the State.

Under SSSC procedures, defendants are not present during the preliminary or investigative phase of the trial, during which the prosecutor presents evidence. Trials usually are closed to the public. Lawyers are not ensured access to their clients before the trial and are excluded from the court during their client's initial interrogation by the prosecutor. Lawyers submit written defense pleas rather than oral presentations. The State's case often is based on confessions, and defendants have not

been allowed to argue in court that their confessions were coerced. There is no known instance in which the court ordered a medical examination for a defendant who claimed that he was tortured. The SSSC reportedly has acquitted some defendants, but the Government does not provide any statistics regarding the conviction rate. Defendants do not have the right to appeal verdicts, but sentences are reviewed by the Minister of Interior, who may ratify, nullify, or alter them. The President also may intervene in the review process.

Accurate information regarding the number of cases heard by the SSSC is difficult to obtain, although hundreds of cases are believed to pass through the court annually. Many reportedly involved charges relating to membership in various banned political groups, including the Party of Communist Action and the pro-Iraqi wing of the Ba'ath Party. Sentences as long as 15 years have been imposed in the past. The Government permitted delegates from Amnesty International to attend a session of the SSSC in 1997; however there have been no visits by human rights nongovernmental organizations (NGO's) since then (see Section 4).

The trials of independent Members of Parliament Mamun Humsi and Riyad Seif began on October 30 and 31, respectively. The trials were held in a criminal court and, for the first time, were open to diplomats and the regional press. The eight other activists who were arrested during the year still were awaiting trial before the SSSC at year's end (see Sections 1.d., 2.a., and 3).

The ESC tries persons for alleged violations of foreign exchange laws and other economic crimes. The prosecution of economic crimes is not applied uniformly, and some government officials or businesspersons with close connections to the Government likely have violated the country's strict economic laws without prosecution. Like the SSSC, the ESC does not ensure due process for defendants. Defendants are not provided adequate access to lawyers to prepare their defenses, and the State's case usually is based on confessions. Verdicts may be influenced by high-ranking government officials. Those convicted of the most serious economic crimes do not have the right of appeal, but those convicted of lesser crimes may appeal to the Court of Cassation. A significant prisoner amnesty for individuals convicted of economic crimes was announced in July 1999. This amnesty may have benefited thousands of persons. In May 2000, late-President Hafiz Al-Asad amended the Economic Penal Code to allow defendants in economic courts to be released on bail. The bail provision does not extend to those accused of forgery, counterfeiting, or auto theft; however, the amendment is intended to provide relief for those accused of other economic crimes, many of whom have been in pretrial detention for long periods of time. These amendments to the Economic Penal Code also limit the categories of cases that can be tried in the ESC. In November the Government approved a general pardon for nonpolitical prisoners and a reduction of sentences by one-third for persons convicted of economic crimes, with a provision to commute sentences entirely for persons who return embezzled funds to investors within 1 year of the law's effective date.

Prisoner amnesties in July 1999 and November 2000 are believed to have benefited some political prisoners and detainees. The Government also transferred 54 Lebanese political prisoners and detainees from Syrian to Lebanese custody in December (see Section 1.d.).

The Government has released virtually all of those arrested at the time late-President Asad took power in 1970. However, at least two persons arrested during that period may remain in prison, despite the expiration of one of the prisoners' sentences.

The Government in the past denied that it held political prisoners, arguing that, although the aims of some prisoners may be political, their activities, including subversion, were criminal. The official media reported that the 600 beneficiaries of the November 2000 amnesty were political prisoners and detainees; this reportedly was the first time that the Government acknowledged that it held persons for political reasons. Nonetheless, the Emergency Law and the Penal Code are so broad and vague, and the Government's power so sweeping, that many persons were convicted and are in prison for the mere expression of political opposition to the Government. The Government's August and September detentions of 10 prominent civil society and human rights activists for "crimes of state security" illustrated the Penal Code's broad scope and represented a retreat from recent modest attempts at political liberalization (see Sections 1.d. and 2.a.).

The exact number of political prisoners is unknown. Unconfirmed regional press reports estimated the total number of political prisoners at between 400 and 600. In April a domestic human rights organization estimated the number to be "nearly 800," including approximately 130 belonging to the Islamic Liberation Party, 250 members and activists associated with the Muslim Brotherhood, 150 members of the pro-Iraq wing of the Ba'ath Party, and 14 Communists.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—Although laws prohibit such actions, the Emergency Law authorizes the security services to enter homes and conduct searches without warrants if security matters, very broadly defined, are involved. The security services selectively monitor telephone conversations and fax transmissions. The Government sometimes opens mail destined for both citizens and foreign residents. It also prevents the delivery of human rights materials. In August 1999, authorities repealed a 5-year ban on entry of Jordanian newspapers (also see Section 2.a.).

The Government continued its practice of threatening or detaining the relatives of detainees or of fugitives in order to obtain confessions, minimize outside interference, or prompt the fugitive's surrender (see Section 1.d.). There have been reports that security personnel force prisoners to watch relatives being tortured in order to extract confessions. According to Amnesty International, security forces also detain family members of suspected oppositionists (see Section 1.d.).

Security checkpoints continued, although primarily in military and other restricted areas. There are few police checkpoints on main roads and in populated areas. Generally the security services set up checkpoints to search for smuggled goods, weapons, narcotics, and subversive literature. The searches take place without warrants. In the past, the Government and the Ba'th Party monitored and attempted to restrict some citizens' visits to foreign embassies and cultural centers.

In December 2000, the Government detained an individual for forwarding via e-mail an allegedly lewd political cartoon. One of the recipients of the e-mail had forwarded it to the authorities. The individual was held for several months without charge, then released.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution provides for right to express opinions freely in speech and in writing, but the Government restricts these rights significantly in practice. The Government strictly controls the dissemination of information and permits no written or oral criticism of the President, the President's family, the Ba'th Party, the military, or the legitimacy of the Government. The Government also does not permit sectarian issues to be raised. Detention and beatings for individual expressions of opinion that violate these unwritten rules at times occur, although not as frequently as in the past. The Government also threatens activists to attempt to control their behavior. On January 30, novelist Nabil Sulayman was attacked outside his apartment in Latakia. According to Sulayman's daughter, two men assaulted him from behind and beat him severely before Sulayman's neighbors drove them off. Sulayman suffered a serious head wound that led to his hospitalization, although he subsequently recovered. Some observers believe the attack was a message from the Government to civil society advocates to moderate their pressure for reform. The attack came just a day after Information Minister Adnan Um'ran publicly criticized civil society advocates.

In a speech in February, the President explicitly criticized civil society advocates as elites "from outside" who wrongly claim to speak for the majority and said that openness would only be tolerated as long as it "does not threaten the stability of the homeland or the course of development." During the year, the Government required all social, political, and cultural forums and clubs to obtain advance official approval for meetings, to obtain approval for lecturers and lecture topics, and to submit lists of all attendees (see Section 2.b.).

In January the regional press reported on a "Group of 1,000" intellectuals that issued a statement calling for more comprehensive reforms than those demanded by a group of 99 Syrian intellectuals in September 2000. The group's statement called for lifting martial law, ending the state of emergency that has been in effect since 1963, releasing political prisoners, and expanding civil liberties in accordance with the provisions of the Constitution. The Government did not take action immediately against any of the individuals who signed the petition; however, in September it detained seven prominent human rights figures, reportedly charging them under articles in the Penal Code dealing with crimes against state security. The seven individuals, who included intellectual Aref Dalilah, had issued statements in support of three other activists whom the Government recently had detained (see Section 1.d.). A number of those detained were signatories of the January petition. In December 2000, a local human rights organization published an open letter in a Lebanese newspaper calling for the closure of the notorious Tadmur Prison.

The Emergency Law and Penal Code articles dealing with crimes against state security allow the Government broad discretion in determining what constitutes illegal expression. The Emergency Law prohibits the publication of "false information," which opposes "the goals of the revolution" (see Section 1.e.). Penal Code articles prohibit "attempting to illegally change the Constitution," "preventing authorities

from executing their responsibilities,” and “acts or speech inciting confessionism.” In August the Government amended the Press Law to permit the reestablishment of publications that were circulated prior to 1963 and established a framework in which the National Front Parties, as well as other approved private individuals and organizations, would be permitted to publish their own newspapers. However, the same amendments also stipulated imprisonment and stiff financial penalties as part of broad, vague provisions prohibiting the publication of “inaccurate” information, particularly if it “causes public unrest, disturbs international relations, violates the dignity of the state or national unity, affects the morale of the armed forces, or inflicts harm on the national economy and the safety of the monetary system.” Persons found guilty of publishing such information are subject to prison terms ranging from 1 to 3 years and fines ranging from \$10,000 to \$20,000 (500,000 to 1 million Syrian pounds). The amendments also imposed strict punishments on reporters who do not reveal their government sources in response to government requests. Critics claimed that the amendment would increase self-censorship by journalists, and that it strengthened, rather than relaxed restrictions on the press.

In the past, the Government imprisoned journalists for failing to observe press restrictions. In May 1999, a defamation case filed against a journalist was reported widely in the press. The case was believed to be the first in which a journalist was tried for what he had published; the court acquitted him. State security services are known to threaten local journalists, including with the removal of credentials, for articles printed outside the country. There were reports that journalists temporarily lost their credentials in 2000 after they allegedly reported on issues deemed sensitive by the military.

The Ministry of Information and the Ministry of Culture and National Guidance censor the domestic and imported foreign press. They usually prevent the publication or distribution of any material deemed threatening or embarrassing by the security services to high levels of the Government. Censorship usually is stricter for materials in Arabic. Commonly censored subjects include: The Government’s human rights record; Islamic fundamentalism; allegations of official involvement in drug trafficking; aspects of the Government’s role in Lebanon; graphic descriptions of sexual activity; material unfavorable to the Arab cause in the Middle East conflict; and material that is offensive to any of the country’s religious groups. In addition most journalists and writers practice self-censorship to avoid provoking a negative government reaction.

The recent proliferation of private publications that began in 2000, continued during the year. In January the Government permitted publication of the National Progressive Front’s (NPF) Communist Party newspaper, *The People’s Voice*. It became the first private paper distributed openly since 1963. In February the Government permitted publication of the NPF’s Union Socialist Party’s private newspaper, *The Unionist*. Also in February, the Government permitted the publication of a private satirical weekly newspaper, *The Lamplighter*, which criticized politically nonsensical instances of government waste and corruption. In June the Government permitted the publication of the private weekly newspaper *The Economist*, which was critical of the performance of government organs.

In his July 2000 inaugural speech, President Bashar Al-Asad emphasized the principle of media transparency. Since July 2000, both the print and electronic media at times have been critical of Ba’th Party and government performance and have reported openly on a range of social and economic issues. While this relaxation of censorship did not extend to domestic politics or foreign policy issues, it was a notable departure from past practice. Damascus-based correspondents for regional Arab media also were able to file reports on internal political issues, such as rumored governmental changes, new political discussion groups, and the possible introduction of new parties to the Ba’th Party-dominated National Progressive Front.

The media continued to broaden somewhat their reporting on regional developments, including the Middle East peace process. The media covered some peace process events factually, but other events were reported selectively to buttress official views. The government-controlled press increased its coverage of official corruption and governmental inefficiency. A few privately owned newspapers published during the year; foreign-owned, foreign-published newspapers continued to circulate relatively freely. In August 1999, authorities repealed a 5-year ban on entry of Jordanian newspapers (see Section 1.f.).

The Government or the Ba’th Party owns and operates the radio and television companies and the newspaper publishing houses. The Ministry of Information closely monitors radio and television news programs to ensure adherence to the government line. The Government does not interfere with broadcasts from abroad. Satellite dishes have proliferated throughout all regions and in neighborhoods of all social and economic categories, and in January the Minister of Economy and Foreign

Trade authorized private sector importers to import satellite receivers and visual intercommunication systems.

Cellular telephone service was introduced early in 2000, although its prohibitive cost severely limits the number of subscribers. Internet access and access to e-mail is limited but growing, with efforts underway to provide greater Internet access, especially to universities and businesses. The Government blocks access to selected Internet sites that contain information deemed politically sensitive or pornographic in nature. The Government also periodically blocks access to servers that provide free e-mail services. In December 2000, the Government detained an individual for several months without charge for forwarding via e-mail an allegedly lewd political cartoon (see Section 1.f.). In 1999 and in September 2000, telephone service to the offices and residences of several foreign diplomats was disrupted, allegedly because the lines had been used to access Internet providers outside the country. Telephone service in 1999 was restored in response to diplomatic protest by the affected embassies; however, diplomats and citizens continue to experience regular disruptions of telephone service. The Ministry of Culture and National Guidance censors fiction and nonfiction works, including films. It also determines which films may or may not be shown at the cultural centers operated by foreign embassies. The Government prohibits the publication of books and other materials in Kurdish; however, there are credible reports that Kurdish language materials are available in the country (see Section 5).

The Government restricts academic freedom. Public school teachers are not permitted to express ideas contrary to government policy, although authorities allow somewhat greater freedom of expression at the university level.

b. Freedom of Peaceful Assembly and Association.—Freedom of assembly does not exist under the law. Citizens may not hold demonstrations unless they obtain permission from the Ministry of Interior. Most public demonstrations are organized by the Government or the Ba'ath Party. The Government selectively permits some demonstrations, usually based on political reasons. The Government applies the restrictions on public assembly in Palestinian refugee camps, where controlled demonstrations have been allowed.

During the year, as in 2000, there were numerous demonstrations, most of which were permitted or organized by the Government, and some of which were directed against diplomatic missions and international agencies in reaction to the Israeli Government's use of force against Palestinians in Israel, the West Bank, and Gaza.

In November 2000, there were large demonstrations in Suwayda province following violent clashes between Bedouin shepherds and Druze residents of the province (see Sections 1.a., 1.c., and 5).

The Government restricts freedom of association. It required private associations to register with authorities and denied several such requests during the year, presumably on political grounds. The Government usually grants registration to groups not engaged in political or other activities deemed sensitive. Despite these restrictions, several domestic human rights and civil society groups held meetings during the year without registering with the Government or obtaining prior approval for the meetings. The Government required political forums and discussion groups to obtain prior approval to hold lectures and seminars and to submit lists of all attendees. The authorities do not allow the establishment of independent political parties (see Section 3).

On January 30, novelist Nabil Sulayman was attacked and beaten outside his apartment in Latakia, in what some observers believe was a message from the Government to civil society advocates to moderate their pressure for reform (see Section 2.a.).

In August and September that Government arrested 10 human rights activists who had called for the expansion of civil liberties (see Sections 2.a. and 1.d.).

In 1980 the Government dissolved, and then reconstituted under its control, the executive boards of professional associations after some members staged a national strike and advocated an end to the state of emergency. The associations have not been independent since that time and generally are led by members of the Ba'ath Party, although nonparty members may serve on their executive boards. It is not known whether any persons detained in 1980 crackdowns on union and professional association officials remain in detention (see Sections 1.d. and 6.a.).

c. Freedom of Religion.—The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, it imposes restrictions in some areas. The only advantage given to a particular religion by the Constitution is the requirement that the President be a Muslim. There is no official state religion; Sunni Muslims constitute the majority of the population.

All religions and orders must register with the Government, which monitors fund raising and requires permits for all meetings by religious groups, except for worship.

Recognized religious groups receive free utilities and are exempt from real estate taxes and taxes on official vehicles. There is a strict de facto separation of religious institutions and the state. Religious groups tend to avoid any involvement in internal political affairs. The Government in turn generally refrains from becoming involved in strictly religious issues.

The Government considers militant Islam a threat and follows closely the practice of its adherents. The Government has allowed many new mosques to be built; however, sermons are monitored and controlled, and mosques are closed between prayers.

There were large-scale arrests of Syrian and Palestinian Islamists affiliated with the Muslim Brotherhood and the Islamic Salvation Party in late 1999 and early 2000. Some of the Islamist prisoners reportedly were tortured in detention. A number of these prisoners reportedly were released during 2000 (see Sections 1.c. and 1.d.).

Although the law does not prohibit proselytizing, the Government discourages such activity in practice, particularly when it is deemed a threat to the generally good relations among religious groups. Foreign missionary groups are present but operate discreetly. The Government banned Jehovah's Witnesses as a politically motivated Zionist organization in 1964.

According to a credible report, three Syrian Druze men who had converted to Christianity were arrested in March by Syrian intelligence officials in Lebanon, possibly on suspicion of membership in Jehovah's Witnesses. They reportedly were transferred to prison in Syria, held for 2 months, and then released after signing papers stating that they would cease attending their church and cease contact with their pastor.

Officially all schools are government run and nonsectarian, although some schools are run in practice by Christian, Druze, and Jewish minorities. There is mandatory religious instruction in schools, with government-approved teachers and curriculums. Religion courses are divided into separate classes for Muslim, Druze, and Christian students. Jews have a separate primary school, which offers religious instruction in Judaism, in addition to traditional subjects. Although Arabic is the official language in public schools, the Government permits the teaching of Armenian, Hebrew, Syriac (Aramaic), and Chaldean in some schools on the basis that these are "liturgical languages."

Religious groups are subject to their respective religious laws on marriage, divorce, child custody, and inheritance (see Section 5).

Government policy officially disavows sectarianism of any kind. However, in the case of Alawis, religion can be a contributing factor in determining career opportunities. For example, members of the President's Alawi sect hold a predominant position in the security services and military, well out of proportion to their percentage of the population, estimated at 12 percent (see Section 3).

For primarily political rather than religious reasons, Jews generally are barred from government employment and do not have military service obligations. Jews also are the only religious minority group whose passports and identity cards note their religion.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The Government limits freedom of movement. The Government restricts travel near the Golan Heights. Travel to Israel is illegal. In November 1999, the Government eased many of its travel restrictions, which made it easier for most citizens to travel abroad. In December 2000, the Government lifted the ban on travel to Iraq. Exit visas generally no longer are required for women, men over 50 years old, and citizens living abroad. Individuals have been denied permission to travel abroad on political grounds, although government officials deny that this practice occurs. The authorities may prosecute any person found attempting to emigrate or to travel abroad illegally, or who has been deported from another country, or who is suspected of having visited Israel. Women over the age of 18 have the legal right to travel without the permission of male relatives. However, a husband may file a request with the Ministry of Interior to prohibit his wife's departure from the country (see Section 5). The Government's use of police checkpoints has been reduced (see Section 1.f.).

The Government has refused recognize the citizenship of or to grant identity documents to some persons of Kurdish descent. Their lack of citizenship or identity documents restricts them from traveling to and from the country (see Section 5).

In July 2000, the Government announced that emigres who did not complete mandatory military service may pay a fee to avoid being conscripted while visiting the country.

As of June 391,651 Palestinian refugees were registered with the U.N. Relief and Works Agency (UNRWA) in the country. In general Palestinian refugees no longer

report unusual difficulties travelling in and out of the country, as was the case in the past. The Government restricts entry by Palestinians who are not resident in the country.

Citizens of Arab League countries may enter the country without a visa for stay of up to 3 months, a period that is renewable on application to government authorities. Residency permits require demonstration of employment and a fixed address in Syria.

The law does not provide for the granting of refugee or asylum status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol. The Government cooperates on a case-by-case basis with the office of the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The Government provides first asylum but is selective about extending protection to refugees; 2,935 persons sought asylum during the year. Although the Government denied that it forcibly repatriated persons with a valid claim to refugee status, in 1998 it apparently forcibly repatriated Iraqi, Somali, Algerian, and Libyan refugees. As of September, there were 3,271 non-Palestinian refugees in the country, all of whom were receiving assistance from the UNHCR, including 1,597 refugees of Iraqi origin.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Although citizens ostensibly vote for the President and Members of Parliament, they do not have the right to change their government. The late President Hafiz Al-Asad was confirmed by unopposed referenda five times after taking power in 1970. His son, Bashar Al-Asad, also was confirmed by an unopposed referendum in July 2000. The Government is headed by a Cabinet, which the President has the discretion to change. Political opposition to the President is not tolerated. The President and his senior aides, particularly those in the military and security services, ultimately make most basic decisions in political and economic life, with a very limited degree of public accountability. Moreover the Constitution mandates that the Ba'th Party is the ruling party and is ensured a majority in all government and popular associations, such as workers' and women's groups. Six smaller political parties are permitted to exist and, along with the Ba'th Party, make up the National Progressive Front (NPF), a grouping of parties that represents the sole framework of legal political party participation for citizens. While created ostensibly to give the appearance of a multiparty system, the NPF is dominated by the Ba'th Party and does not change the essentially one-party character of the political system. Non-Ba'th Party members of the NPF exist as political parties largely in name only and conform strictly to Ba'th Party and government policies. There were reports in 2000 that the Government was considering legislation to expand the NPF to include new parties and several parties previously banned; however, there were no developments during the year.

The Ba'th Party dominates the Parliament, which is known as the People's Council. Although parliamentarians may criticize policies and modify draft laws, the executive branch retains ultimate control over the legislative process. The Government has allowed independent non-NPF candidates to run for a limited allotment of seats in the 250-member People's Council. The current allotment of non-NPF deputies is 83, ensuring a permanent absolute majority for the Ba'th Party-dominated NPF. Elections for the 250 seats in the People's Council last took place in 1998.

In August and September, the Government arrested independent Members of Parliament Ma'mun Humsi and Riad Seif on charges of attempting to illegally change the Constitution (see Section 1.d.).

Persons convicted by the State Security Court may be deprived of their political rights after they are released from prison. Such restrictions include a prohibition against engaging in political activity, the denial of passports, and a bar on accepting government jobs and some other forms of employment. The duration of such restrictions is 7 years after expiration of the sentence in the case of felony convictions; however, in practice, the restrictions may continue beyond that period. The Government contends that this practice is mandated by the Penal Code; it has been in effect since 1949.

Women and minorities, with the exception of the Jewish population and stateless Kurds (see Section 5), participate in the political system without restriction. Nonetheless, the percentage of women and minorities in government and politics does not correspond to their percentage of the population. There were 2 female cabinet ministers and 26 female Members of Parliament.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government does not allow domestic human rights groups to exist legally. One or two human rights groups once operated legally but subsequently were banned by the Government. However, several domestic human rights organizations and civil society groups met during the year.

In February Human Rights Watch (HRW) criticized the Government for restricting civil society groups from meeting. HRW claimed that such groups had grown in popularity in the preceding months, but that on February 18 the Government informed many leaders of such groups that their meetings could not be held without government permission.

The Government has met only twice with international human rights organizations: Human Rights Watch in 1995 and Amnesty International in 1997.

As a matter of policy, the Government in its dealings with international groups denies that it commits human rights abuses. It has not permitted representatives of international organizations to visit prisons. The Government states that it now responds in writing to all inquiries from NGO's regarding human rights issues, including the cases of individual detainees and prisoners, through an interagency governmental committee established expressly for that purpose. The Government usually responds to queries from human rights organizations and foreign embassies regarding specific cases by claiming that the prisoner in question has violated national security laws.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equal rights and equal opportunity for all citizens. In practice membership in the Ba'th Party or close familial relations with a prominent party member or powerful government official can be important for economic, social, or educational advancement. Party or government connections can pave the way for entrance into better elementary and secondary schools, access to lucrative employment, and greater power within the Government, the military, and the security services. Certain prominent positions, such as that of provincial governor, are reserved solely for Ba'th Party members. Apart from some discrimination against Jews and stateless Kurds, there are no apparent patterns of systematic government discrimination based on race, sex, religion, disability, language, or social status. However, there are varying degrees of societal discrimination in each of these areas.

Women.—Violence against women occurs, but there are no reliable statistics regarding the prevalence of domestic violence or sexual assault. The vast majority of cases likely are unreported, and victims generally are reluctant to seek assistance outside the family. One preliminary academic study suggested that domestic violence is the largest single reason for divorces, and that such abuse is more prevalent among the less-educated and persons who live in rural areas. Battered women have the legal right to seek redress in court, but few do so because of the social stigma attached to such action. The Syrian Women's Federation offers services to battered wives to remedy individual family problems. The Syrian Family Planning Association also attempts to deal with this problem. Some private groups, including the Family Planning Association, have organized seminars on violence against women, which were reported by the government press. There are a few private, nonofficial, specifically designated shelters or safe havens for battered women who seek to flee their husbands.

Rape is a felony; however, there are no laws against spousal rape.

Prostitution is prohibited by law, and it is not a widespread problem.

The law specifically provides for reduced sentences in "honor" crimes (a euphemism that refers to violent assaults with intent to murder against a female by a male for alleged sexual misconduct). Instances of honor crimes are rare and happen primarily in rural areas in which Bedouin customs prevail.

The Constitution provides for equality between men and women and equal pay for equal work. Moreover the Government has sought to overcome traditional discriminatory attitudes toward women and encourages women's education. However, the Government has not yet changed personal status, retirement, and social security laws that discriminate against women. In addition some secular laws discriminate against women. For example, under criminal law, the punishment for adultery for a woman is twice that as for the same crime committed by a man.

Christians, Muslims, and other religious groups are subject to their respective religious laws on marriage, divorce, and inheritance (see Section 2.c.). For Muslims personal status law on divorce is based on Shari'a (Islamic law), and some of its provisions discriminate against women. For example, husbands may claim adultery as grounds for divorce, but wives face more difficulty in presenting the same argu-

ment. If a woman requests a divorce from her husband, she may not be entitled to child support in some instances. In addition under the law, a woman loses the right to custody of boys when they reach age 9 and girls at age 12.

Inheritance for Muslims also is based on Shari'a. Accordingly Muslim women usually are granted half of the inheritance share of male heirs. However, Shari'a mandates that male heirs provide financial support to the female relatives who inherit less. For example, a brother who inherits an unmarried sister's share from their parents' estate is obligated to provide for the sister's well being. If the brother fails to do so, she has the right to sue.

Polygyny is legal but is practiced only by a small minority of Muslim men.

A husband may request that his wife's travel abroad be prohibited (see Section 2.d.). Women generally are barred from travelling abroad with their children unless they are able to prove that the father has granted permission for the children to travel.

The law prohibits sexual harassment and specifies different punishments depending on whether the victim is a minor or an adult. Sexual harassment does not appear to be a significant problem.

Women participate actively in public life and are represented in most professions, including the military. Women are not impeded from owning or managing land or other real property. Women constitute approximately 7 percent of judges, 10 percent of lawyers, 57 percent of teachers below university level, and 20 percent of university professors.

Children.—There is no legal discrimination between boys and girls in education or in health care. Education is compulsory for all children, male or female, between the ages of 6 and 12. According to the Syrian Women's Union, about 46 percent of the total number of students through the secondary level are female. Nevertheless, societal pressure for early marriage and childbearing interferes with girls' educational progress, particularly in rural areas, in which the dropout rates for female students remain high.

The Government provides medical care for children until the age of 18.

Although there are cases of child abuse, there is no societal pattern of abuse against children. The law provides for severe penalties for those found guilty of the most serious abuses against children.

Child prostitution is a rare problem, mainly involving orphans.

An estimated 10 percent of children under the age of 18 participate in the labor force (see Section 6.d.).

The law emphasizes the need to protect children, and the Government has organized seminars regarding the subject of child welfare.

Persons with Disabilities.—The law prohibits discrimination against persons with disabilities and seeks to integrate them into the public sector work force. However, implementation is inconsistent. Regulations reserving 4 percent of government and public sector jobs for persons with disabilities are not implemented rigorously. Persons with disabilities may not legally challenge alleged instances of discrimination. There are no laws that mandate access to public buildings for persons with disabilities.

Religious Minorities.—Although there is significant religious tolerance, religion or ethnic affiliation can be a contributing factor in determining career opportunities. For example, members of the President's Alawi sect hold a predominant position in the security services and military, well out of proportion to their percentage of the population, despite the fact that government policy officially disavows sectarianism.

There generally is little societal discrimination or violence against religious minorities, including Jews. However, in October 2000, a group of Palestinians threw bricks, stones, and Molotov cocktails at a synagogue in Damascus, apparently in reaction to the Israeli Government's use of force against Palestinians in the occupied territories. No one was injured in the attack; however, the synagogue was damaged slightly and was closed for approximately 1 month. The Government took immediate steps to ensure that the Jewish community would be protected from further attacks, including arresting the perpetrators and posting guards around synagogues and the Jewish quarter of Damascus.

National/Racial/Ethnic Minorities.—The Government generally permits national and ethnic minorities to conduct traditional, religious, and cultural activities; however, the Government's attitude toward the Kurdish minority is a significant exception to this policy. Although the Government contends that there is no discrimination against the Kurdish population, it places limits on the use and teaching of the Kurdish language. It also restricts the publication of books and other materials written in Kurdish (see Section 2.a.), Kurdish cultural expression, and, at times, the celebration of Kurdish festivals. The Government tacitly accepts the importation and distribution of Kurdish language materials, particularly in the northeast region

in which most of the Kurds in the country reside. Some members of the Kurdish community have been tried by the Supreme State Security Court for expressing support for greater Kurdish autonomy or independence. Although the Asad Government stopped the previous practice of stripping Kurds in Syria of their Syrian nationality (some 120,000 lost Syrian nationality under this program in the 1960's), it never restored their nationality. As a result, those who had lost their nationality, and their children, have been unable to obtain Syrian nationality and passports, or even identification cards and birth certificates. Without Syrian nationality, these stateless Kurds, who according to UNHCR estimates number about 200,000, are unable to own land, are not permitted to practice as doctors or engineers or be employed by the Government, are ineligible for admission to public hospitals, have no right to vote, and cannot travel to and from the country. They also encounter difficulties in enrolling their children in school, and in some cases, in registering their marriages.

In November 2000, there were violent clashes in Suwayda province, reportedly stemming from a longstanding dispute between Bedouin shepherds and Druze residents over grazing and property rights. The Government deployed 5,000 army troops and sealed off the area with military checkpoints, temporarily preventing nonresidents from entering the Suwayda province. A number of Druze, Bedouin, and security force personnel were killed and injured during the clashes. There were large demonstrations following the deaths (see Section 2.b.).

Section 6. Worker Rights

a. The Right of Association.—Although the Constitution provides for this right, workers are not free to establish unions independent of the Government. All unions must belong to the General Federation of Trade Unions (GFTU), which is dominated by the Ba'th Party and is in fact a part of the State's bureaucratic structure. The GFTU is an information channel between political decisionmakers and workers. The GFTU transmits instructions downward to the unions and workers but also conveys information to decision makers about worker conditions and needs. The GFTU provides the Government with opinions regarding legislation, organizes workers, and formulates rules for various member unions. The GFTU president is a senior member of the Ba'th Party. He and his deputy may attend cabinet meetings on economic affairs. The GFTU controls nearly all aspects of union activity.

The law does not prohibit strikes, except in the agricultural sector; however, previous government crackdowns on strikers deter workers from striking. In 1980 the security forces arrested many union and professional association officials who planned a national strike. Some of them are believed to remain in detention, either without trial or after being tried by the State Security Court (see Sections 1.d. and 2.b.). There were no strikes during the year.

The GFTU is affiliated with the International Confederation of Arab Trade Unions.

In 1992 Syria's eligibility for tariff preferences under the U.S. Generalized System of Preferences was suspended because the Government failed to afford internationally recognized worker rights to workers.

b. The Right to Organize and Bargain Collectively.—The right to organize and bargain collectively does not exist in any meaningful sense. Government representatives are part of the bargaining process in the public sector. In the public sector, unions do not normally bargain collectively on wage issues, but there is some evidence that union representatives participate with representatives of employers and the supervising ministry in establishing minimum wages, hours, and conditions of employment. Workers serve on the boards of directors of public enterprises, and union representatives always are included on the boards.

The law provides for collective bargaining in the private sector, but any such agreement between labor and management must be ratified by the Minister of Labor and Social Affairs, who has effective veto power. The Committee of Experts of the International Labor Organization (ILO) has long noted the Government's refusal to abolish the Minister's power over collective contracts.

Unions have the right to litigate disputes over work contracts and other workers' interests with employers and may ask for binding arbitration. In practice labor and management representatives settle most disputes without resort to legal remedies or arbitration. Management has the right to request arbitration, but this right seldom is exercised. Arbitration usually occurs when a worker initiates a dispute over wages or severance pay.

Since the unions are part of the Government's bureaucratic structure, they are protected by law from antiunion discrimination. There were no reports of antiunion discrimination.

There are no unions in the seven free trade zones. Firms in the zones are exempt from the laws and regulations governing hiring and firing, although they must observe some provisions on health, safety, hours, and sick and annual leave.

c. Prohibition of Forced or Compulsory Labor.—There is no law prohibiting forced or compulsory labor, including that performed by children. There were no reports of forced or bonded labor by children, or forced labor involving foreign workers or domestic servants. Forced labor has been imposed as a punishment for some convicted prisoners.

d. Status of Child Labor Practices and Minimum Age for Employment.—The Labor Law provides for the protection of children from exploitation in the workplace; however, the Government tolerates child labor in some instances. Independent information and audits regarding government enforcement are not available. In December 2000, the Parliament approved legislation that raises the private sector minimum age for employment from 12 to 15 years for most types of nonagricultural labor, and from 16 to 18 years for heavy work. In all cases, parental permission is required for children under the age of 16. The law prohibits children from working at night. However, the law applies only to children who work for a salary. Those who work in family businesses and are not technically paid a salary—a common phenomenon—do not fall under the law. Working hours for youths of legal age to work do not differ from those established for adults. Children under the age of 16 are prohibited by law from working in mines, at petroleum sites, or in other dangerous fields. Children are not allowed to lift, carry, or drag heavy objects. The exploitation of children for begging purposes also is prohibited. The Government claims that the expansion of the private sector has led to more young children working.

The Ministry of Labor and Social Affairs monitors employment conditions for persons under the age of 18, but it does not have enough inspectors to ensure compliance with the laws. The Ministry has the authority to specify the industries in which children 15 and 16 years of age may work.

The Labor Inspection Department performs unannounced spot checks of employers on a daily basis to enforce the law; however, the scope of these checks is unknown. The majority of children under age 16 who are working do so for their parents in the agricultural sector without remuneration. The ILO reported in 1998 that 10.5 percent of children under the age of 18 participate in the labor force, which amounts to 4.7 percent of the total work force. The Government has not yet ratified ILO Convention 182 on the worst forms of child labor.

The law does not prohibit forced or bonded labor by children (see Section 6.c.); however, such practices are not known to occur.

e. Acceptable Conditions of Work.—The Minister of Labor and Social Affairs is responsible for enforcing minimum wage levels in the public and private sectors. In August 2000, the Government increased public sector minimum wages by 25 percent to \$57 (2,664 Syrian pounds) per month, plus other compensation (for example, meals, uniforms, and transportation). In October 2000, the Government increased private sector minimum wages by 25 percent to \$53 (2,425 Syrian pounds) per month in urban areas and \$49 (2,237 Syrian pounds) in rural areas. These wages do not provide a decent standard of living for a worker and family. As a result, many workers in both the public and private sectors take additional jobs or are supported by their extended families.

The statutory workweek for administrative staff is 6 days of 6 hours each, and laborers work 6 days a week of 8 hours each. In some cases a 9-hour workday is permitted. The laws mandate one 24-hour rest day per week. Rules and regulations severely limit the ability of an employer to dismiss employees without cause. Even if a person is absent from work without notice for a long period, the employer must follow a lengthy procedure of trying to find the person and notify him, including through newspaper notices, before he is able to take any action against the employee. Dismissed employees have the right of appeal to a committee of representatives from the union, management, the Ministry of Labor and Social Affairs, and the appropriate municipality. Such committees usually find in favor of the employee. Dismissed employees are entitled to 80 percent of salary benefits while the dispute is under consideration. No additional back wages are awarded should the employer be found at fault, nor are wage penalties imposed in cases in which the employer is not found at fault. The law does not protect temporary workers who are not subject to regulations on minimum wages. Small private firms and businesses employ such workers to avoid the costs associated with hiring permanent employees.

The law mandates safety in all sectors, and managers are expected to implement them fully. In practice there is little enforcement without worker complaints, which occur infrequently despite government efforts to post notices regarding safety rights

and regulations. Large companies, such as oil field contractors, employ safety engineers.

The ILO noted in 1998 that a provision in the Labor Code allowing employers to keep workers at the workplace for as many as 11 hours a day might lead to abuse. However, there have been no reports of such abuses. Officials from the Ministries of Health and Labor are designated to inspect work sites for compliance with health and safety standards; however, such inspections appear to be sporadic, apart from those conducted in hotels and other facilities that cater to foreigners. The enforcement of labor laws in rural areas also is more lax than it is in urban areas, where inspectors are concentrated. Workers may lodge complaints about health and safety conditions, with special committees established to adjudicate such cases. Workers have the right to remove themselves from hazardous conditions without risking loss of employment.

The law provides protection for foreign workers who reside legally in the country; however, it does not provide protection for the thousands of foreigners working in the country illegally.

f. Trafficking in Persons.—There are no laws that specifically prohibit trafficking in persons; however, there were no reports that persons were trafficked to, from, or within the country. Standard labor laws could be applied in the event of allegations of trafficking.

TUNISIA

Tunisia is a republic dominated by a single political party. President Zine El-Abidine Ben Ali and his Constitutional Democratic Rally (RCD) party have controlled the Government, including the legislature, since 1987. This dominance was reaffirmed in an overwhelming RCD victory in the October 1999 legislative and presidential elections, the first multicandidate presidential race in the country's history. Although 1999 revisions to the Constitution allowed two opposition candidates to run against Ben Ali in presidential elections, Ben Ali won 99.44 percent of the ballots cast for President. Approximately 20 percent of representation in the Chamber of Deputies is reserved for opposition parties (34 of 182 seats). The Constitution provides that a person may serve only three terms as President; however, in July the RCD called for President Ben Ali to seek a fourth term in 2004, which would require a constitutional amendment. The President appoints the Prime Minister, the Cabinet, and the 24 governors. The executive branch and the President strongly influence the judiciary, particularly in sensitive political cases.

The police share responsibility for internal security with a paramilitary National Guard. The police operate in the capital and a few other cities. In outlying areas, their policing duties are shared with, or ceded to, the National Guard. Both forces are under the control of the Minister of Interior and the President. Security forces continued to commit serious human rights abuses.

The country has a population of 9.6 million. It has made substantial progress toward establishing an export-oriented market economy based on manufactured exports, tourism, agriculture, and petroleum. The per capita gross national product was estimated to be \$2,200, while real per capita income grew by an estimated 2.1 percent.

More than 60 percent of citizens are in the middle class and enjoy a comfortable standard of living. The Government reported in April that only 4.2 percent of citizens fell below the poverty line, and that more than 80 percent of households owned their own homes. The Government devotes 54 percent of the budget to social and development goals. The Government cites these statistics in defending its human rights record.

The Government generally respected the rights of its citizens in some areas, particularly the rights of women and children; however, the Government's record remained poor in other areas, and significant problems remain. There are significant limitations on citizens' right to change their government. While observers agree that the outcome of the 1999 elections generally reflected the will of the electorate, the campaign and election processes greatly favored the ruling party, and there was wide disregard for the secrecy of the vote. However, opposition parties have been given some limited opportunity to criticize the Government through the press regarding human rights and the electorate's ability to effect democratic change.

There were reports of four extrajudicial killings by authorities. Members of the security forces tortured and physically abused prisoners and detainees. The Government asserts that police officials who commit abuses are disciplined, and in July in the first case of its kind four prison guards were sentenced to prison terms for tor-

ture. The Government during the year also sentenced to prison terms some security officials found responsible for deaths in custody; security forces were responsible for physical abuse, intimidation, and other harassment of citizens who voiced public criticism of the Government. Prison conditions range from Spartan to poor. Security forces arbitrarily arrest and detain persons. However, during the year, legal responsibility for the prison and parole systems was transferred from the Ministry of Interior to the Ministry of Justice. The Justice Ministry has stated publicly its intent to improve prison conditions. International observers have not been allowed to inspect the prisons. Lengthy pretrial detention and incommunicado detention continue to be problems.

Prison officials often deny access to prisoners by their lawyers and family members. Provisions enacted in 1999 to lower the maximum incommunicado detention period and require authorities to notify family members at the time of arrest are enforced unevenly. Although the judiciary is nominally independent, it is subject to executive branch control, particularly in politically sensitive cases. Lengthy delays in trials are a problem, and due process rights are not always observed, despite a Government initiative establishing a court to oversee the proper administration of sentences. The Government infringed on citizens' privacy rights, including by intercepting mail and interfering with Internet communication. Security forces also monitored the activities of government critics and at times harassed them, their relatives, and associates.

The Government continued to impose significant restrictions on freedom of speech and of the press, although they were somewhat eased during the year. In April the Chamber of Deputies approved what most observers considered to be largely cosmetic changes to the Press Code, transferring a number of offenses from the Press Code to the Penal Code, thereby making them subject to judicial review, as well as streamlining the censorship process. In June the Government began a campaign ostensibly to promote pluralism and press freedom, which resulted in the publication of some articles that addressed sensitive democracy and human rights issues. However, direct criticism of Government policies or officials remains restricted and rare. Editors and journalists continue to practice self-censorship. The Government remained intolerant of public criticism, using physical abuse, criminal investigations, the court system, arbitrary arrests, and travel controls (including denial of passports), to discourage criticism and limit the activities of human rights activists. In July the Government suspended a sitting district judge for criticizing the lack of independence of the judicial system. The London-based Al-Mustaquella satellite television program began in April broadcasting to the country, devoting 2 hours each Sunday afternoon to call-in segments that focus on democracy, and civil and human rights. Some critics who criticized the Government on the Al-Mustaquella program later were arrested upon returning to the country. The Government continued to use the mandatory prescreening of publications and control of advertising revenue as a means to discourage newspapers and magazines from publishing material that it considered undesirable. The opposition Democratic Progressive Party (PDP) claimed that in January and August copies of its Al-Mawqif newspaper were removed from newsstands because they contained an article critical of the Government. The Government regularly seized editions of foreign newspapers containing articles that it considered objectionable. However, the Government permitted several foreign journals to return to the newsstands during the year after they were banned from sale in 1999 following articles critical of the presidential and legislative elections. The Government also improved access to the Internet.

The Government restricts freedom of assembly and association. The Government limits partially the religious freedom of members of the Baha'i faith, and does not permit proselytizing. The Government continued to restrict the freedom of movement of government critics and their family members. The Government subjected members of the Tunisian Human Rights League (LTDH) and other human rights activists to physical abuse, harassment, interrogation, property loss or damage, and denial of passports. An appellate verdict in the civil case against the LTDH in June upheld the lower court's 2000 decision to annul the election of the LTDH board, while at the same time giving the sitting board responsibility for operating the LTDH with caretaker responsibilities until a new election could be held within 1 year. The Government continued to meet with the LTDH, but refused to approve the registration of the nongovernmental organization (NGO), National Council for Liberties in Tunisia (CNLT), and continued to harass and prosecute CNLT members. CNLT spokesperson Sihem Bensedrine was arrested in June for allegedly inflammatory comments she made while appearing on Al-Mustaquella. She was released 6 weeks later as part of a broader amnesty. While permitting some representatives from human rights organizations to enter the country and attend trials, the

Government prohibited others from entering and deported the Secretary-General of the NGO Reporters without Borders (Reporters Sans Frontieres-RSF).

The Government continued to demonstrate its strong support for the rights of women and children; however, legal discrimination against women continued to exist in property and inheritance law, which is governed by Shari'a (Islamic law), and societal discrimination exists in areas such as private sector employment. The Government took strong measures to reduce official discrimination, including requiring equal opportunity for women as a standard part of its audits of all governmental entities and state-owned enterprises; however, such measures are not extended to the private sector. Child labor exists but continues to decline, due principally to government efforts to address the problem.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From

a. Arbitrary and Unlawful Deprivation of Life.—There were no reports of political killings; however, there were allegations during the year of four killings or deaths in custody in which members of the security forces were involved directly or in which they were accused of complicity.

According to an interview with CNLT spokesperson Sihem Bensedrine broadcast on the Al-Mustaquella satellite in June, police arrested Abderrahman Jehinaoui (23 years old) in Sijoumi (near Tunis) in January and beat him to death on March 9 while he was in custody. CNLT also reported the suspicious deaths while in prison of Ryadh Bouslama (22 years old) on December 29, 2000, in Monastir, and of Zine Ben Brik on April 27, at the Bulla Reggia prison in Jendouba. The CNLT alleged criminal negligence by prison authorities in both cases. The CNLT claimed that Hassene Azouzi (18 years old) was mistreated while in the 9 Avril prison in Tunis. Azouzi was arrested March 17 and, after the court's denial of his lawyer's request for medical care, died in prison on May 12.

The Government announced judicial determinations in previous cases involving alleged killing or complicity by security forces. The Government reported the conviction of the police officer implicated in the August 2000 killing of Chaker Azouzi, who was kicked and beaten to death for failure to stop for police. The police officer was sentenced in April to 10 years in prison and ordered, along with the Ministry of Interior, to pay material and punitive damages to Azouzi's family.

The Government reported that its investigation into the June 2000 prison death of El-Aid Ben Salah resulted in the February conviction of one of Ben Salah's cellmates. The accused prisoner was sentenced to 20 years in prison for his role in the beating. The LTDH reported in 2000 that Ben Salah's cellmates beat him to death and that, despite his cries, prison guards did nothing to save him. No prison guards or other officials were prosecuted or otherwise disciplined or sanctioned.

The Government reported the convictions in March of two persons accused of assault in the September 2000 case of Riadh Mohamed J'day, who was beaten to death while in police detention. The Government originally claimed that J'day committed suicide by hanging himself with his shirt from the bars in his cell and that he died on the way to the hospital. The two persons were each sentenced to 2 years in prison. The Government declined to specify whether the two were members of the security forces or were themselves prisoners.

The Government reported a verdict in March in the civil appeal of the July 1998 case of Islamist Tijani Dridi, who allegedly died in police custody. The Government has maintained that Dridi died as a result of injuries sustained in a motorcycle accident before he was taken into custody. The court of appeal agreed, and ordered the insurance company to pay a settlement to Dridi's beneficiaries.

There was no new information regarding the investigation of the case of Tahar Jelassi, whom prison guards reportedly tortured to death for refusing to remove his clothes during a routine search at Grombalia prison.

b. Disappearance.—There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—The Penal Code prohibits the use of torture and other cruel, inhuman, or degrading treatment or punishment; however, security forces reportedly routinely used various methods of torture to coerce confessions from detainees. The forms of torture included electric shock; submersion of the head in water; beatings with hands, sticks, and police batons; cigarette burns, and food and sleep deprivation. Police also reportedly utilized the "rotisserie" method: stripping prisoners naked, manaculating their wrists behind their ankles, and beating the prisoners while they were suspended from a rod. A 1999 CNLT report on prison conditions described other forms of torture, including the "falaqa," which consists of suspending a prisoner by the feet and severely beating the soles of the feet; suspension of a prisoner from the metal door

of his cell for hours until the prisoner loses consciousness; and confinement of the prisoner to the "cachot," a tiny, unlit cell. One prisoner, Ali Mansouri, had both his legs amputated in April 2000 as a result of mistreatment received in prison. Mansouri alleged he was severely beaten and chained in his prison cell by guards in order to force him to abandon a hunger strike. In the first case of its kind, Mansouri filed criminal charges against the prison guards. In July the court found four guards guilty of torture and sentenced them each to 4 years in prison. It also ordered the Government to pay \$210,000 (315,000 dinars) in compensation to Mansouri. One of the prison guards testified that he was acting on orders from a superior. Another prisoner, Sadok Chourou, reported that prison officials had routinely withheld food parcels sent by his family.

According to Amnesty International (AI) and defense attorneys, the courts routinely fail to investigate allegations of torture and mistreatment and have accepted as evidence confessions extracted under torture. In August 1999, in order to address U.N. concerns, the Government enacted amendments to the Penal Code that adopted the U.N. definition of torture, instructed police to inform detainees of their rights, including, notably, the right of a defendant to demand a medical examination while in detention, and increased the maximum penalty for those convicted of committing acts of torture from 5 to 8 years. The Government also shortened the maximum allowable period of prearrest incommunicado detention from 10 to 6 days and added a requirement that the police notify suspects' families on the day of their arrest (see Section 1.d.). However, credible sources claimed that the Government rarely enforces the new provisions and that appeals to the court for enforcement are routinely denied. During her six-week detention in the Manouba prison in a suburb of Tunis, journalist and human rights activist Sihem Bensedrine reported sharing a cell with 27 others who were detained awaiting sentencing (see Section 1.d.). In its annual report for 2000, Human Rights Watch stated that despite the reduction of incommunicado detention from 10 to 6 days, torture continued to be a problem, due to a climate of impunity "fostered by a judiciary that ignored evidence of torture and routinely convicted defendants on the basis of coerced confessions." In its March 2000 report on torture, the CNLT stated that "torture continues to be practiced on a large scale" and affects not only political prisoners but common criminals as well.

Human rights advocates maintain that charges of torture and mistreatment are difficult to substantiate because government authorities often deny medical examinations until evidence of abuse has disappeared. The Government maintained that it investigates all complaints of torture and mistreatment filed with the prosecutor's office and claimed that alleged victims sometimes publicly accused authorities of acts of abuse without taking the steps required to initiate an investigation. However, the CNLT stated in its March report on torture that police often refuse to register complaints and judges dismiss complaints lodged by alleged victims of torture with little or no investigation. Absent a formal complaint, the Government may open an administrative investigation but is unlikely to release the results to the lawyers of affected prisoners. The Government appears to distinguish Islamists from other political opposition prisoners; prisoners whom the Government has identified as Islamists tend to receive harsher treatment during their arrests and confinement. The conviction of the prison guards in the Mansouri case in July represented the first publicly documented instance in which prison security officials were disciplined for such abuse.

Security forces attacked and beat citizens, particularly human rights activists, on numerous occasions during the year for holding demonstrations or meetings, or for criticizing the Government (see Sections 2.b and 4). For example, in February Nazia Boudhib, a member of the Tunisian Association of Democratic Women (ATFD), was assaulted by plainclothes police, who seized documents from her. Also in February, human rights organizations reported that Jallel Zoghalmi, director of the unauthorized publication *Kaws El Karama*, was attacked by five plainclothes policemen armed with knives and truncheons. Police again attacked Zoghalmi the next day when he was returning home from the hospital with supporters. A large number of security forces waiting at his house attacked him again and his supporters. Human rights groups allege that the initial attack was in response to an editorial printed the month before in *Kaws El Karama* calling for a change of government. In March Anouar Kousri, president of the Bizerte LTDH office reported heavy surveillance and harassment by police. In April credible reports indicated that Souhayr Belhassen, vice president of the LTDH, was attacked at Tunis-Carthage airport as she returned from human rights meetings in Europe. Plainclothes police took her documents from her and shouted abusive epithets, calling her a traitor to her country.

In November student members of the RCD who, according to human rights organizations, were organized into gangs armed with chains, knives, and truncheons, attacked opposing student candidates for university councils representing the independent national student union (UGET) at several campuses. The most serious attacks took place at the University of Tunis Manouba campus (12 miles from Tunis) and at the University of the Center Monastir campus (84 miles from Tunis). According to reports, the violence appears to have stemmed from efforts by the RCD student group to increase its near 90 percent majority on the scientific councils throughout the country.

On November 2–3, university police armed with truncheons beat UGET leaders and prevented them from entering the faculty of science in Monastir. According to the Committee for the Respect of Human Rights (CRLDH), RCD gangs attacked two students with chains and knives, fracturing the hand of one and putting the other in a coma. Police arrested several UGET leaders.

On November 3, an RCD student gang armed with chains and knives broke into the science faculty at Manouba and beat a professor and UGET official. Incidents of similar violence by what appear to be RCD gangs were reported at the journalism school and the engineering school at the Manouba campus.

The Rally for an International Alternative for Development (RAID), an illegal NGO reported that on December 26, three men attacked one of its members, Nizar Amami, in the street; they fled in a waiting car after the attack. RAID claimed that Amami was kicked in the face by one of the men after being distracted by another who shouted epithets at him.

According to defense attorneys and former prisoners, prison conditions ranged from Spartan to poor and, in some cases, did not meet international standards. Credible sources reported that overcrowding continued to be a serious problem, with 40 to 50 prisoners typically confined to a single 194-square foot cell, and up to 140 prisoners held in a 323-square foot cell. Defense attorneys reported that prisoners in the 9 Avril prison in Tunis were forced to share a single water and toilet facility with over 100 cellmates, creating serious sanitation problems.

There were credible reports that conditions and prison rules were harsher for political prisoners than for the general prison population. One credible report alleged the existence of special cell blocks and prisons for political prisoners, in which they might be held in solitary confinement for months at a time. Another credible source reported that high-ranking leaders of the illegal An-Nahdha Islamist movement have been held in solitary confinement since 1991. Other sources alleged that political prisoners regularly were moved among jails throughout the country, thereby making it more difficult for the prisoners' families to deliver food to them and to discourage their supporters or the press from inquiring about them. The 2000 CNLT report alleged that inmates are instructed to isolate newly arrived political prisoners, and are punished severely for any contact with them.

Several hunger strikes by prisoners occurred during the year that were aimed to draw attention to substandard prison conditions or mistreatment, as well as the denial of privileges. Abdellatif Bouhajila began a hunger strike in May protesting prison conditions. Sadok Chourou, a former An-Nahdha member who was sentenced in 1991 for membership in an illegal organization, began a hunger strike in May protesting his isolated confinement and the denial of visits by his family. Bechir Abid, a former student leader, began a hunger strike at the beginning of May to protest the denial of visits by family members. He was released at the end of May under conditional parole. He had been sentenced to 18 months in September 2000 for membership in the illegal Tunisian Communist Worker's Party (PCOT). In August prisoners in Sfax (about 130 miles, and Kairouan about 70 miles south of Tunis) prisons undertook hunger strikes protesting prison conditions and the mistreatment of political prisoners.

During her six-week detention in the Manouba prison in a suburb of Tunis, journalist and human rights activist Sihem Bensedrine reported sharing a cell with 27 others who were detained awaiting sentencing (see Section 1.d.). In May Abdellatif Bouhajila, who is serving a 17-year sentence for membership in an illegal organization, protested prison conditions that he claims are threatening his health. Bouhajila, an asthmatic with a kidney disorder, was placed in a cell in which most of the prisoners smoked and has been denied medical attention. In July after beginning a hunger strike, he was transferred from the 9 Avril prison in Tunis to Borj Erroumi in Bizerte, 25 miles north of the capital, effectively ensuring that his aged parents would be precluded from visiting him.

Former National High Commissioner for Human Rights Rachid Driss, whose former organization is government-funded, had conducted bimonthly, unannounced prison inspections since 1996. Although Driss has declared that prison conditions

and prisoner hygiene were "good and improving," details of his inspections were not made public. Zakaria Ben Mustapha replaced Driss in December 2000.

The Government appears to be attempting some prison reform. One significant change was the transfer of authority for the prison system from the Ministry of Interior to the Ministry of Justice in January. The Justice Ministry made a public commitment to improve prison conditions; however, no discernible changes had been made by year's end. A similar change in oversight of the parole system took place in July.

The Government does not permit international organizations or the media to inspect or monitor prison conditions. The LTDH announced in a 1999 communique that it had been granted permission to resume prison visits; however, it made no visits during the year, and the Government's willingness actually to allow such visits remained uncertain. Due to such restrictions, the CNLT's 1999 report on prisons remains the authoritative first-hand account of prison conditions in the country. In April the CNLT reissued its call for reform of the prison system, citing the systematic torture and abuse of prisoners and continued lack of basic hygienic conditions and medical care.

d. Arbitrary Arrest, Detention, or Exile.—Arbitrary arrest and detention remain problems. The law authorizes the police to make arrests without warrants in the cases of suspected felons or crimes in progress. A 1999 Penal Code amendment provides for a maximum 3-day detention period, renewable once (for a maximum of 6 days) by the prosecutor, thus reducing from 10 days to 6 the period that the Government may hold a suspect incommunicado following arrest and prior to arraignment. The 1999 amendments also require arresting officers to inform detainees of their rights and detainees' families of the arrest at the time of arrest, and to make a complete record of the times and dates of such notifications. Credible sources stated that the new law rarely is enforced with respect to either common criminals or political detainees. During her detention in the Manouba prison, journalist and human rights activist Sihem Bensedrine reported that she and 27 others were detained for 6 weeks awaiting sentencing (see Section 1.c.). Detainees have the right to be informed of the grounds for arrest before questioning and may request a medical examination. However, they do not have a right to legal representation during the 6-day incommunicado detention period. Attorneys, human rights monitors, and former detainees maintain that the authorities illegally extend the maximum limit of pre-arraignment detention by falsifying the date of arrest. Credible sources report police extortion of money from families of innocent detainees in consideration for dropping charges against them.

Detainees have the right to be represented by counsel during arraignment. The Government provides legal representation for indigents. At arraignment the examining magistrate may decide to release the accused or remand him to pretrial detention. The law permits the release of accused persons on bail, which may be paid by a third party. In cases involving crimes for which the sentence exceeds 5 years or that involve national security, preventive detention may last an initial period of 6 months and be extended by court order for two additional 4-month periods. For crimes in which the sentence may not exceed 5 years, the court may extend the initial 6-month pretrial detention by an additional three months only. During this period, the court conducts an investigation, hears arguments, and accepts evidence and motions of both parties. The law provides persons indicted for criminal acts the right to appeal their indictment before the case comes to trial.

On September 29, police stopped the car of two delegates from Amnesty International who were in the country to attend the appeal of Moncef Marzouki (see Section 1.e.). The police assaulted the two delegates, then detained, and questioned them. They were later released in the center of Tunis. The police confiscated and did not return a number of items, including a computer and personal documents.

A case proceeds from investigation to a criminal court, which sets a trial date. There is no legal limit to the length of time the court may hold a case over for trial, nor is there a legal basis for a speedy hearing. Complaints of prolonged detention of persons awaiting trial were common, and President Ben Ali publicly has encouraged judges to make better use of release on bail and suspended sentences. Some defendants have claimed that they have been held in pretrial detention for years.

On June 26, police arrested CNLT member and journalist Sihem Bensedrine upon her return from an appearance on Al-Mustaquella satellite broadcast program in London and charged her with defamation of a judge and spreading false information aimed at undermining the public order. The charges stemmed from comments Bensedrine made on the program alleging corruption in the Government, prison torture, and executive control of the judiciary. She quoted a sitting judge, Jedidi Ghenya, as declaring in court that everyone who appears before him is guilty until they prove their innocence, despite the fact that the Constitution provides for the

presumption of innocence until the legal establishment of guilt. The press reported that the Government denied visits to Bensedrine by international human rights observers. Credible legal sources reported that Bensedrine was subjected to humiliating physical searches after each visit by her lawyer. She was conditionally released from prison on August 11 as part of a broader amnesty, but she may still be subject to judicial proceedings.

In June Mohammed Moaada, former secretary general of the Democratic Socialist Movement (MDS) opposition party, was arrested for violating the conditions of his parole. Precise charges were not publicly specified. However, prior to his arrest he had appeared on Al Mustaquella criticizing the Government. The Government also denied visits to Moaada by international human rights observers. Moaada first was arrested in 1995, ostensibly for espionage, tried, and sentenced to 11 years in prison. Human rights activists claim his original arrest was the result of an open letter that he published that was critical of the Government. His June arrest occurred after a conditional parole of 4½ years.

In October the CNLT reported that more than two dozen former political prisoners were detained arbitrarily in Bizerte in what appeared to be a political sweep in anticipation of the October 15 arrival in Bizerte of President Ben Ali for the commemoration of a military holiday. They were believed to have been released after the President's visit.

On November 2, police detained several UGET students in connection with a rally and sit-in that the students were holding to protest beatings by RCD student members, university police and security forces (see Section 1.c.).

Human rights activists reported that security forces arbitrarily imposed administrative controls on former prisoners following their release from prison. Although the Penal Code contains provisions for the imposition of administrative controls following completion of a prison sentence, only judges have the right to order a former prisoner to register at a police station, and the law limits registration requirements to 5 years. Human rights activists allege that these requirements often are unreasonable and prevent former prisoners from being able to hold a job. Defense attorneys reported that some clients must sign in four or five times daily, at times that are determined only the previous evening. When the clients arrive at the police station, they may be forced to wait hours before signing in, making employment impossible and childcare difficult. Numerous Islamists released from prison in recent years have been subjected to these types of requirements. Hedi Bejaoui has been under administrative control since 1990. Bejaoui was arrested and released in 1990 for membership in An-Nahdha. In May he began a hunger strike in May that lasted 6 weeks to protest his administrative control and the seizure of his passport. Bejaoui attempted to travel abroad for medical treatment because his medical insurance card had been taken from him by the authorities (see Section 2.d.).

A court that was created in 1999 to oversee the proper administration of sentences began functioning in September 2000. The law allows judges to substitute community service for jail sentences in minor cases in which the sentence would be 6 months or less. There is no evidence that this alternative has been applied in political cases.

There are reports of hundreds of political detainees, although there is no reliable estimate due to arbitrary government detention practices and the lack of publicly available records of arrests. The Government denies arresting persons for political crimes. Rather, it relies on a variety of broad or vague provisions in the Penal Code, including against "spreading false information aimed at undermining the public order," and "belonging to an illegal organization," to arrest and charge political opponents, human rights activists, and Islamists, among others.

Judges and the Government exercised the authority to release prisoners or suspend their sentences, often on conditional parole. For instance, human rights lawyer Nejib Hosni received a presidential pardon in May after serving 4½ months for violating his conditional parole by practicing law. Hosni originally was arrested in 1996 and sentenced to 8 years for what human rights observers claim was a spurious charge of defrauding a client. He was released in 1997 on the condition he not practice law for 5 years. He was arrested again in December 2000, and ordered to serve the remainder of his original sentence plus 15 days. The Tunisian Bar Association came to his defense, claiming that only it has the authority to disbar lawyers. Hosni continues to practice law, despite the Government's ban and represents several human rights defendants.

At the end of May, Bechir Abid was released on conditional parole from prison after eight months. He was serving an 18-month sentence for membership in an illegal organization (PCOT) and had begun a second hunger strike on May 8 protesting the denial of visits by his family and lawyers. His previous hunger strike lasted from October 18 to December 5, 2000. Haroun Mbarek, a member of the outlawed

Islamic group An-Nahdha, also was released from prison in May on conditional parole. Mbarek had been deported by Canadian authorities in January after his application for refugee status there was denied. He was arrested upon his return to Tunisia after having been sentenced in absentia to 12 years in prison for membership in an illegal organization. He was tortured in prison, and contracted tuberculosis as a result of his detention. His passport eventually was returned to him and, in September, Mbarek was granted permission from Canadian authorities to return to Canada. Sihem Bensedrine also was released on conditional parole on August 11, as part of a presidential amnesty that coincided with the Women's Day holiday (see Section 1.c.).

The Constitution prohibits forced exile, and the Government observes this prohibition. According to reliable sources, some political opponents in self-imposed exile have been prevented from obtaining or renewing their passports in order to return. In June 2000, a Government official stated that the Government had returned 200 passports and would return another 600 of citizens living abroad, many of whom have been without a passport for years (see Section 2.d.).

e. Denial of Fair Public Trial.—The Constitution provides for an independent judiciary; however, the executive branch and the President strongly influence the judiciary. In practice the judicial branch is part of the Ministry of Justice: the executive branch appoints, assigns, grants tenure to, and transfers judges. In addition, the President is head of the Supreme Council of Judges. This renders judges susceptible to pressure in politically sensitive cases.

The court system consists of the regular civil and criminal courts, including the courts of first instance; the courts of appeal; and the Court of Cassation, the nation's highest appeals court; as well as the military tribunals within the Defense Ministry.

Military tribunals try cases involving military personnel and civilians accused of national security crimes. A military tribunal consists of a civilian judge from the Supreme Court and four military judges. Defendants may appeal the tribunal's verdict to the final arbiter, the Court of Cassation, which considers arguments on points of law as opposed to the facts of a case. Amnesty International has claimed that citizens charged under the tribunals "have been denied basic rights during the judicial process."

The Code of Procedure is patterned after the French legal system. By law the accused has the right to be present at trial, be represented by counsel, question witnesses, and appeal verdicts. However, in practice judges do not always observe these rights. The law permits trial in absentia of fugitives from the law. Both the accused and the prosecutor may appeal decisions of the lower courts. Defendants may request a different judge if they believe that a judge is not impartial; however, in practice judges do not always permit this. For example, lawyers for Nejib Hosni, who was convicted in December 2000 for violating a court-ordered 5-year suspension from practicing law, requested that the trial judge recuse himself because, attorneys claimed, he no longer was impartial because he already had found Hosni in violation of the court order the week before. The judge refused the defense's request. A sitting judge, Jedidi Ghenya, was quoted as declaring in court that everyone who appears before him is guilty until they prove their innocence, despite the fact that the Constitution provides for the presumption of innocence until the legal establishment of guilt.

Trials in the regular courts of first instance and in the courts of appeals are open to the public. The presiding judge or panel of judges dominates a trial, and defense attorneys have little opportunity to participate substantively. Defense lawyers contend that the courts often fail to grant them adequate notice of trial dates or allow them time to prepare their cases. Some also reported that judges restricted access to evidence and court records, requiring in some cases, for example, that all attorneys of record examine the court record on one specified date in judges' chambers, without allowing attorneys to copy material documents. Defense lawyers also claim that judges sometimes refuse to allow them to call witnesses on their clients' behalf or to question key government witnesses. Lengthy trial delays are also a problem (see Section 1.d.).

Human rights activists contend that the judicial system is neither free nor fair and that it applies the law unevenly to defendants facing politically motivated charges. Some have refused to participate in their own legal proceedings. For instance, Moncef Marzouki, former spokesman of the CNLT, boycotted June and July hearings in the Court of Appeal scheduled to review his December 2000 conviction. He was sentenced to 1 year in prison for membership in an unauthorized organization and for spreading false information. Marzouki refuses to recognize the authority of the court over what he regards as a freedom of speech issue and consequently has refused to participate in the appeal process. The prosecution appealed on his behalf and on September 29, the appeals court suspended the 1-year sentence.

There were no developments in the Government's investigation into the 1999 charges brought against Marzouki, and a trial had not begun by year's end (see Section 4).

In July at Sihem Bensdrine's initial hearing after her arrest she refused to answer charges without her lawyers present. Over 200 lawyers had joined her defense team and could not be accommodated in the judge's chambers. The lawyers' request for Benedrine's unconditional release was in effect refused by the judge, who took no action within the 2 days required by law.

The civil case against the LTDH concluded during the year. At the end of 2000, the Court of First Instance annulled the League's October 2000 board elections based on claims from four plaintiffs who alleged irregularities in the election procedure. The Government closed the League's headquarters in November 2000 and replaced its board with an administrator pending a January hearing. The court found in favor of the plaintiffs and the LTDH appealed the verdict. After months of delays and additional hearings, on June 21, the court of appeal upheld the lower court's annulment of the League's October 2000 board and gave the same board responsibility for operating the LTDH for a year and organizing new elections to the board. In July the LTDH leadership resumed activities in its offices and resumed many of its normal activities. However, LTDH activists continued to report government harassment, interrogation, and property loss or damage. In previous years, the LTDH had reported unauthorized home entries and denial of passports.

Throughout the year, the Government permitted observers from diplomatic missions, members of the European Parliament, and foreign journalists to monitor trials, while selectively barring other observers from human rights organizations from entering the country (see Section 4). Amnesty International and defense attorneys report that courts routinely fail to investigate allegations of torture and mistreatment, and have accepted as evidence confessions extracted under torture (see Section 1.c.). Defense lawyers and human rights activists claim that the summary nature of court sessions sometimes prevents reasoned deliberation. They also claim that erratic court schedules and procedures are designed to deter and discourage observers of political trials.

In July District Judge Mokhtar Yahiaoui published an open letter to President Ben Ali on the Internet charging executive branch interference in the judiciary. Among his allegations was that the Government intimidates and harasses judges, who, he noted, were dependent on the President for promotions and job stability. Yahiaoui, who belonged to the body that recommends magistrates for placement and promotion, was suspended without pay on July 14. His claims that the judiciary was not independent and the Government's reaction to the criticism drew considerable attention both within the country and abroad. The 'Tunisian Judges' Association published a communique on July 18 in cautious support of Yahiaoui, noting that the preferred forum for his criticisms would have been within the Association. On August 2, the Government restored him to his position after a disciplinary hearing. On December 29, Yahiaoui appeared before a disciplinary council of magistrates, which dismissed him as a judge and charged him with having "attacked the honor of judges and failed in his professional duties."

There is no definitive information regarding the number of political prisoners. Human Rights Watch has reported that there might be hundreds of political prisoners convicted and imprisoned for membership in the Islamist group An-Nadha and the PCOT, for disseminating information produced by these banned organizations, and for aiding relatives of convicted members. Amnesty International estimated in September that there were up to 1,000 political prisoners. Nearly all those prisoners that have been identified by international human rights groups as political prisoners or prisoners of conscience have been arrested or detained under articles of the Penal or Press Codes prohibiting membership in illegal organizations or spreading false information aimed at undermining the public order.

The Government traditionally releases prisoners on national holidays, such as Independence Day or on the anniversary of President Ben Ali's accession to power. On June 26, national and international human rights groups called on the Government to issue a general amnesty for all political prisoners. In July political opposition parties and the Tunisian General Confederation of Labor (UGTT) joined in calling for a general amnesty. In addition, during a July 3 parliamentary debate, opposition members joined with human rights groups in calling on the Minister of Justice to offer a general amnesty for political prisoners. They argued that the executive branch should not be using the justice system for political trials.

The Government denies that it holds any prisoners considered "political," and normally does not provide details on the numbers or types of prisoners released. One amnesty issued on Republic Day (July 25) benefited mostly criminals. A second summer amnesty announced for Women's Day (August 13) was noteworthy, in that for

the first time, the Government named an individual prisoner (Sihem Bensedrine) who had been released.

The Government does not permit international humanitarian organizations to visit prisons. The International Committee of the Red Cross (ICRC) has regularly been denied access to prisons.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—The Constitution provides for the inviolability of the person, the home, and for the privacy of correspondence, “except in exceptional cases defined by law.” However, the Government infringed on these rights. The law requires that the police obtain warrants to conduct searches; however, police sometimes ignore the requirement if authorities consider that state security is at stake or that a crime is in progress.

The Government allegedly breaks into and ransacks the homes and offices of human rights activists and opposition figures. On October 26, the private law offices of the president of the Tunisian Bar, Bechir Essid, were broken into and ransacked. Observers speculate the incident was designed as a warning by the Government to Essid, who represented dissident Mohammed Moaada (see Section 4).

RAID reported that the houses of two of its members, Fathi Chamkhi and Sadri Khiari, were broken into and vandalized on December 28 and 29.

Authorities may invoke state security interests to justify telephone surveillance. There were numerous reports of government interception of fax and computer-transmitted communications. The law does not authorize explicitly these activities, although the Government has stated that the Code of Criminal Procedure implicitly gives investigating magistrates such authority. Many political activists experience frequent and sometimes extended interruptions of residential and business telephone and fax services. Human rights activists accuse the Government of using the 1998 Postal Code, with its broad but undefined prohibition against mail that threatens the public order, to interfere with their mail and interrupt the delivery of foreign publications. Local phone, fax, and copy shops require users to turn over their identification cards when requesting to send faxes.

Lawyers and activists stated in 2000 that the Government increased its practice of cutting off telephone service to activists. However, during the year, there were no reports that prominent human rights activists had telephone service cut off for extended periods, although there were reports of the temporary disruption of cellular and landline service to prominent human rights and opposition leaders during the call-in portion of the Al-Mustaquella television program each Sunday afternoon (see Section 2.a.).

The security forces routinely monitor the activities of political critics, and sometimes harass, follow, question, assault or otherwise intimidate them, their relatives, and associates. Security forces continue to harass, assault and intimidate members of the CNLT (see Sections 1.c, 2.b, and 4). For example, police place journalists who write articles critical of the Government, or who are active in human rights organizations, under surveillance (see Section 2.a.).

Human rights activists, lawyers, and other political activists also reported that they were under police surveillance. For example, police continued their heavy surveillance of the CNLT offices in Tunis (see Sections 2.b. and 4). In July Moncef Marzouki reported that he was under constant police observation and that his movements between Tunis and his home in Sousse (120 miles south of the capital) drew particularly heavy surveillance. Human rights lawyer Radhia Nasraoui continues to be under heavy police surveillance.

Human rights activists claimed that the Government subjected the family members of Islamist activists to arbitrary arrest, reportedly utilizing charges of “association with criminal elements” to punish family members for alleged crimes committed by the activists. For example, one female medical doctor claimed that she has been unemployed since 1997 because police pressure hospitals not to hire her because her husband was convicted of membership in An-Nahda. One man claimed that for 8 years, the Government refused to issue him a passport because his brother was prosecuted for membership in An-Nahda. Credible reports indicate that police harassed Sihem Bensedrine’s family after her June appearance on Al-Mustaquella. Human rights activists also alleged that the relatives of Islamist activists who are in jail or living abroad were subjected to police surveillance and mandatory visits to police stations to report their contact with relatives. The Government maintained that the Islamists’ relatives were members or associates of the outlawed An-Nahdha movement and that they were correctly subjected to legitimate laws prohibiting membership in or association with that organization.

There were no reports during the year of the Government refusing to issue passports to family members of human rights activists. Nejib Hosni and his family members no longer are being denied their passports.

Human rights activists allege that security forces arbitrarily imposed administrative controls on prisoners following their release from prison (see Section 1.d.) and confiscated national identity cards from numerous former prisoners. Confiscation of an identity card makes nearly every aspect of civil and administrative life difficult. An individual must have an identity card to sign a lease, to buy or drive a car, to receive access to healthcare, bank accounts, and pensions, and even to join a sports club. Police may stop anyone at anytime and ask for their identity card. If individuals are unable to produce cards, police may detain them until their identity can be established by a central fingerprint database. A credible source claimed in 2000 that the Government confiscated the national identity cards of as many as 10,000 persons who were either former prisoners convicted of membership in An-Nahda or relatives of An-Nahda members and their supporters.

Police presence is heavy throughout the country and traffic officers routinely stop motorists for no apparent reason to examine their personal identification and vehicular documents (see Section 2.d.). The Government regularly prohibited the distribution of some foreign publications (see Section 2.a.). The security forces often question citizens seen talking with foreign visitors or residents, particularly visiting international human rights monitors and journalists (see Section 2.a.).

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution provides for freedom of expression and of the press; however, in practice, the Government restricts these rights. The Government relies upon direct and indirect methods to restrict press freedom and encourage a high degree of self-censorship. The Government also uses the Press Code, which contains broad provisions prohibiting subversion and defamation, to prosecute individuals who express dissenting opinions. In a speech before the RCD in July, President Ben Ali stated that although the Government must protect the right of citizens to hold dissenting opinions, those citizens who criticize the country in the international media were “traitors” who would be prosecuted to the full extent of the law. While direct criticism of Government policies or officials is restricted, either directly or through self-censorship, there have been increased discussions in the press of sensitive democracy and human rights problems.

In April the Chamber of Deputies approved several changes to the Press Code. Changes included the designation of the Ministry of Human Rights, Communications, and Relations with the Chamber of Deputies as the central censorship office. Previously, all publications had to be approved in advance by several ministries. The revisions provided that copies of newspapers published outside of Tunis could now be deposited with local governors rather than at central Tunis offices. Newspapers are required to raise the percentage of journalists drawn from the Institute of Journalism (IPSI) on their editorial staff from 30 percent to 50 percent. Offenses such as “rumor mongering” and the delivery of “seditious speeches and songs in public places and meetings” were transferred to the Penal Code. The offense of sending defamatory mail was transferred to the Postal Services Code. The amended Press Code replaces prison sentences with increased fines as the penalty for fraudulent use of one’s name for publishing purposes. It also reduced the period of time the Government may suspend a newspaper’s publication from 6 to 3 months. Opposition members and international observers view the changes to the Press Code as largely superficial—designed to give the appearance of liberalization while only making minor cosmetic changes.

The Government detains, interrogates, and otherwise harasses local and international human rights activists (see Sections 1.c, 2.a., and 4). Charges brought against Dr. Moncef Marzouki in November and December 1999 for defamation, belonging to an unrecognized organization, causing a public disturbance, and disseminating false information, arising out of Marzouki’s publication and distribution of two communiques on behalf of the CNLT, proceeded in June on an appeal filed on Marzouki’s behalf by the prosecution. Marzouki refused to appear at the June and subsequent July hearing before the Court of Appeal (see Sections 1.e. and 4).

In November journalist Taoufik Ben Brik claimed that his wife’s car had been vandalized and his telephone lines cut after he returned to Tunis from Paris where he had promoted a new book critical of the Government.

Also in November police interviewed businessman Kamel El-Taief shortly after his return from Paris, where he had given an interview to *Le Monde* in which he charged the Government with corruption and the harassment of dissidents. El-Taief was charged with insulting a police officer after a street altercation with an officer after El-Taief returned to his automobile and found that it had been vandalized. He was released on November 16, after 10 days in jail and his trial began on December 26. A verdict was expected in January 2002.

Credible press reports indicated that in November, journalist Fethia El Beji was fired from her position at *As-Sabah* newspaper for articles she wrote in the weekly magazine *Sabah El-Khir* regarding two of Taoufik Ben Brik's books that were scheduled for publication.

Although several independent newspapers and magazines—including several opposition party journals—exist, the Government relies upon direct and indirect methods to restrict press freedom and encourage a high degree of self-censorship. Primary among these methods is “depot legal,” the requirement that printers and publishers provide copies of all publications to the Ministry of Human Rights, Communications, and Relations with the Chamber of Deputies prior to distribution. The opposition Democratic Progressive Party (PDP) claimed that in January and August copies of its *Al-Mawqif* newspaper were removed from newsstands because they contained an article critical of the Government. Publication of the *Al-Mawqif* newspaper was delayed on several occasions. The Government has not permitted the Tunisian Bar Association to publish its internal bulletin since July 1999.

Since 1994 the Government has refused to allow Amnesty International's Tunisia chapter to distribute textbooks on human rights written for high school students.

Similarly, distributors must deposit copies of publications printed abroad with the Chief Prosecutor and the Ministry of Human Rights, Communications, and Relations with the Chamber of Deputies prior to their public release. While publishers need not wait for an authorization, they must obtain a receipt of deposit before distribution. On occasion such receipts reportedly are withheld, sometimes indefinitely. Without a receipt, publications may not be distributed legally. An April edition of *Le Monde* and an October edition of *Le Monde Diplomatique* were delayed because of articles on human rights in the country.

The Press Code contains broad provisions prohibiting subversion and defamation, neither of which is defined clearly. The code stipulates fines and confiscation for failure to comply with these provisions. The Government routinely utilized this method to prevent distribution of editions of foreign newspapers and magazines that contained articles critical of the country. For example, issues of *Jeune Afrique* were banned throughout the year and issues of *Le Monde* were banned in January, April and July.

The Government also reportedly withheld depot legal to remove from circulation books that it deemed critical of the Government. There were no reports that the Government provided official texts on major domestic and international events and reprimanded publishers and editors who failed to publish these statements, as had occurred in the past.

The Government also relies on indirect methods, such as newsprint subsidies and control of public advertising revenues, to encourage self-censorship in the media. The Tunisian Agency for External Communications effectively serves as a censor by selectively withholding advertising funds. There were credible reports that the Government withheld advertising orders, a vital source of revenues, from publications that published articles deemed offensive by the Government. The Democratic Progressive Party (PDP) opposition party newspaper *Al-Mawqif* received no public advertising revenue during the year and announced on December 14 that it may have to close due to financial problems. It receives no public funds and survived through subscriptions and donations.

The Government exerted further control over the media by threatening to impose restrictions on journalists, such as refusing permission to travel abroad, withholding press credentials, and imposing police surveillance on those who wrote articles critical of the Government. In June activist Sihem Bensedrine was arrested and spent 6 weeks in prison for comments she made that were critical of the Government (see Section 1.d.).

Members of the security forces also reportedly questioned journalists regarding the nature of press conferences and other public functions hosted by foreigners that the journalists attended.

There were no results during the year of the Government's investigation into the May 2000 shooting of *Le Monde* journalist Riadh Ben Fadhl. Ben Fadhl was shot twice in the shoulder at 6 a.m., the morning after he published an article in *Le Monde* that was critical of President Ben Ali. Several journalists from *Al-Fajr*, the publication associated with the outlawed *An-Nahda* movement, remained in jail, serving sentences that were imposed in the early 1990's. The Government maintains that the arrests, indictments, and convictions were carried out in full accordance with the law. Visiting foreign journalists sometimes complain of being followed by security officials. On February 3, RSF journalist Robert Menard was deported for disturbing the public order by distributing illegal information.

On May 3, for the fourth year in a row, the Committee to Protect Journalists named President Ben Ali as 1 of its “10 worst enemies of the press.” In 2000 RSF

stated that “journalists have adopted a habit of self-censorship and those who venture to be independent pay a high price.” During the year, RSF named Ben Ali as 1 of “39 Predators of Press Freedom.” The Tunisian Newspaper Association remained expelled from the World Association of Newspapers (WAN). The WAN expelled the Association in 1997 for its failure to oppose repression of freedom of the press.

The Government owns and operates the Tunisian Radio and Television Establishment (ERTT). The ERTT’s coverage of government news is taken directly from the official news agency, TAP. There are several government-owned regional radio stations and one national television channel. A bilateral agreement with Italy permits citizens to receive the Italian television station RAI-UNO; the broadcast of French television station France 2 has remained suspended since October 1999 because of its critical coverage of the elections. Recent estimates place the number of satellite dishes (which have been legal since 1996) in the country at well over 200,000. The Government regulates their sale and installation. Many citizens receive two satellite programs broadcast from London by members of the opposition: Al-Mustaquella, which began broadcasting in April; and Zeitouna, which began broadcasting in July. The programs serve as alternative sources for news and political dissent both through their satellite transmissions and Zeitouna’s web site.

A sitting judge, Jedidi Ghenya, lodged two complaints against Al-Mustaquella with the Independent Television Commission (ITC), a body in the United Kingdom responsible for regulating private broadcasting. In August Ghenya alleged that remarks made by journalist Sihem Bensedrine on the June 16 program had libeled him (see Section 1.d.). The ITC rejected the claim. On December 17, another complaint was lodged against Al-Mustaquella with the ITC for remarks made on the December 2 broadcast of Al-Mustaquella’s Espace Francophone program relating to Bensedrine’s original remarks. Human rights activists believe the Tunisian Government, in an attempt to have Al-Mustaquella sanctioned or discredited, coerced Ghenya to file these complaints.

The Government encouraged greater use of the Internet and lowered Internet user fees and telephone connection fees again during the year. Journalists and students are entitled to a 25 percent reduction in Internet usage fees. There are no customs duties on computers. By September 1, the Government reported that there were 365,000 subscribers (10 times the number reported in 2000), and the Government estimates the figure will climb to 3 million by 2004. The Government used the Internet widely, with most government ministries and agencies posting information on readily accessible web sites. However, Web sites and on-line publications containing information critical of the Government posted by international NGO’s opposition parties, and foreign governments frequently are blocked, including a report on Internet use in Tunisia by Human Rights Watch. The five Internet service providers in the country remain under the control of the Tunisian Internet Agency, which was created in 1996 and which regularly must provide lists of subscribers to the Government. Human rights activists allege that the agency regularly interferes with and intercepts their Internet communications. The Press Code, including the requirement that advance copies of publications be provided to the Government, applies to information shared on the Internet (see Section 4).

The Government limits academic freedom. Like journalists, university professors indicated that they sometimes practiced self-censorship by avoiding classroom criticism of the Government or statements supportive of the An-Nahdha movement. Professors alleged that the Government utilized the threat of tax audits, control over university positions, and strict publishing rules to encourage self-censorship. The presence of police on campuses also discouraged dissent. A 1996 regulation requires professors to inform the Ministry of Higher Education in advance of any seminars, including the list of participants and subjects to be addressed. Copies of papers to be presented in university settings or seminars must be provided to the Ministry in advance.

b. Freedom of Peaceful Assembly and Association.—The Constitution provides for freedom of assembly; however, the Government imposes some restrictions on this right. Groups that wish to hold a public meeting, rally, or march must obtain a permit from the Ministry of Interior by applying no later than three days in advance of the proposed event and submitting a list of participants. The authorities routinely approve such permits for groups that support government positions, but often refuse permission for groups that express dissenting views.

The civil case against the LTDH concluded during the year. At the end of 2000, the Court of First Instance annulled the League’s October 2000 board elections based on claims from four plaintiffs alleging irregularities in the election procedure. The Government closed the League’s headquarters in November 2000 and replaced its board with an administrator pending a January hearing. The court found in

favor of the plaintiffs and the LTDH appealed the verdict. After months of delays and additional hearings, on June 21, the court of appeal upheld the lower court's annulment of the League's October 2000 board and gave the same board responsibility for operating the LTDH for a year and organizing new elections to the board. In July the LTDH leadership resumed activities in its offices and resumed many of its normal activities. However, LTDH activists continued to report government harassment, interrogation, property loss or damage, unauthorized home entry, and denial of passports.

CNLT members claimed in March that plainclothes police prevented persons from attending a CNLT meeting and reception at the Tunis publishing office founded by Sihem Bensedrine. The CNLT reported that several of their members were beaten by police who called them "traitors." CNLT member Khadija Cherif described how police blocked her car as she attempted to drive to the reception. The police instructed her to leave; however, when she turned the car around 10 police officers surrounded the car, shouted at her, kicked the car, and beat her on the head, neck, and chest. She indicated that this physical violence was accompanied by obscenities and vulgarities, and that it took place in the presence of the police commander of the Medina district, who did nothing to prevent it. When Cherif appeared in court on March 10 to file a complaint against the assaulting police officers, she was assaulted physically again by plainclothesmen as she left the courthouse. The officers pushed her to the ground when she refused to hand over a folder containing evidence of the original assault, including photographs of police surrounding her car. Minister of Human Rights, Communications, and Relations with the Chamber of Deputies Slaheddine Maaoui announced publicly in April that the police agent who was responsible for Cherif's assault had been suspended and punished. Maaoui did not specify what punishment the agent would receive.

In August less than a week after Sihem Bensedrine's release from prison, police assaulted her and other activists outside the publishing house of which Bensedrine is director. The activists were attempting to attend a meeting in the publishing house that police had prohibited. Police beat several activists severely with batons; subsequently, they were hospitalized. Credible reports indicated the police in particular brutally assaulted Bensedrine's husband and CNLT leader Omar Mestiri, as well as Fatma Ksila and other active human rights leaders.

On September 6, dozens of plainclothes police surrounded the CNLT headquarters, barring entry to any visitors who did not reside or work in the building. Credible reports indicated that several prominent human rights activists were denied access to the CNLT offices while others were assaulted by police. CNLT member Omar Mestiri was detained and released later in a wooded part of Tunis by men who denied they were members of the police force. In early November, RCD student members, university police, and security forces beat members of the UGET to prevent them from engaging in a rally and sit-in (see Section 1.c.).

The Government permitted some demonstrations to occur. A demonstration of human rights and civil society groups at Manouba prison in support of Sihem Bensedrine and Mohammed Moaada took place on July 27. The peaceful protest organized by the ATFD called for the release of Bensedrine and Moaada. While the police presence was strong, the demonstration was allowed to take place without incident. On July 5, at the first arraignment hearing for Sihem Bensedrine after her arrest, a number of her supporters appeared at the court and were allowed into the corridors of the courthouse. Many handed out photocopied photos of Bensedrine captioned "Free Sihem Bensedrine." Some attempted to paste these signs inside the courthouse in the presence of police who removed them without further incident. By the afternoon, dozens of Bensedrine's supporters had come to the courthouse and were dispersed peacefully by police. In August several participants attempting to attend a meeting at the publishing house of Sihem Bensedrine were beaten severely by police and dispersed (see Section 1.f.).

The Government at times organizes its own demonstrations for political ends. On June 29, in what human rights observers and diplomats regarded as a government-orchestrated event, about 200 demonstrators protested in front of the downtown Tunis offices of Air France. The demonstration was designed to express national outrage at the brief occupation of the Paris office of the Tunisian National Tourist Bureau by the French NGO RSF. The Paris protest, led by RSF secretary general Robert Menard, called on the Tunisian Government to release activist Sihem Bensedrine.

Although the Constitution provides for freedom of association, the Government restricts this right by barring membership in political parties organized by religion, race, or region of origin. On these grounds, the Government prosecutes members of the Islamist movement An-Nahdha. For example, Mehdi Zoughah was convicted in February of belonging to an illegal organization for purportedly holding a meeting

in the early 1990's in Marseille with An-Nahda leader Salah Kerker. Zoughah was convicted on the basis of a single witness whom the Government could not produce in court. Haroun M'barak was convicted in March of belonging to an illegal organization, An-Nahda, on the basis of a statement by a witness that had been retracted.

In some cases, several years lapse after detention and before the defendants are brought to trial. Twenty alleged An-Nadha members were tried before the criminal court on April 17 after nearly 4 years in detention. Among them were Ahmed Laamari, Yousef Khedri, and Chokri Gargouri. All the defendants were found guilty of membership in An-Nahda and sentenced to between 3 and 8 years in prison. Mohamed Ben Boubaker Mejnoun was sentenced to 5 years in prison, although his name did not appear on the prosecutor's initial charge sheet. Presiding judges in trials of Islamists routinely refuse to investigate claims that their confessions were extracted under torture. Human rights activists alleged that the Government extended its prosecution of Islamist activists to include family members who were not politically active (see Sections 1.c., 1.d., and 1.e.).

The Government bans organizations that threaten disruption of the public order and has used this proscription to prosecute members of the PCOT.

c. Freedom of Religion.—The Constitution provides for the free exercise of other religions that do not disturb the public order, and the Government generally observes and enforces this right; however, it does not permit political parties based on religion, prohibits proselytizing, and partially limits the religious freedom of Bahá'is. Islam is the state religion. The Constitution stipulates that the President must be a Muslim.

The Government recognizes all Christian and Jewish religious organizations that were established before independence in 1956. Although the Government permits Christian churches to operate freely, only the Catholic Church has formal recognition from the post-independence Government. The other churches operate under land grants signed by the Bey of Tunis in the 18th and 19th centuries, which are respected by the post-independence Government. Since October 1999, the Government has not acted on a request for recognition of a Jewish religious organization in Jerba; however, the group has been permitted to operate and it performs religious activities and charitable work unhindered.

The Government controls and subsidizes mosques and pays the salaries of prayer leaders. The President appoints the Grand Mufti of the Republic. The 1988 Law on Mosques provides that only personnel appointed by the Government may lead activities in mosques and stipulates that mosques must remain closed except during prayer times and other authorized religious ceremonies, such as marriages or funerals. New mosques may be built in accordance with national urban planning regulations but become the property of the State.

The Government does not permit the establishment of political parties on the basis of religion, and uses this prohibition to refuse recognition of the An-Nahda party and to prosecute suspected party members on the grounds of membership in an illegal organization (see Sections 1.c, 1.d., 1.e., and 2.b.). The Government maintains tight surveillance over Islamists and members of the Islamic fundamentalist community. The Government has revoked the identity cards of an estimated 10,000 to 15,000 Islamists and fundamentalists, which seriously disadvantages them (see Section 1.f.).

According to reliable sources, the Government has refused to issue passports to Islamists and fundamentalists. The Government forbids the wearing of the hijab (traditional headscarves worn by Islamist and Islamic fundamentalist women) in government offices. According to human rights lawyers, the Government regularly questioned Muslims who were observed praying frequently in mosques. Reliable sources report that the authorities instruct imams to espouse government social and economic programs during prayer times in mosques.

The Government allows the Jewish community freedom of worship and pays the salary of the Grand Rabbi. It also partially subsidizes restoration and maintenance costs for some synagogues. In October 1999, the Jewish community elected a new board of directors, its first since independence in 1956, but continues to await its approval from the governor of Tunis. Once approval is obtained from the governor, which originally was expected to be a formality, the organization is expected to receive permanent status. The acting board has changed its name to the Jewish Committee of Tunisia. The Government permits the Jewish community to operate private religious schools and allows Jewish children on the island of Jerba to divide their academic day between secular public schools and private religious schools. The Government also encourages Jewish expatriates to return for the annual Jewish pilgrimage to the historic El-Ghriba Synagogue on the island of Jerba. An international Jewish relief organization made trips to Tunisia in July and November and reported no interference with its activities.

The Government regards the Baha'i faith as a heretical sect of Islam and permits its adherents to practice their faith only in private. Although the Government permits Baha'is to hold meetings of their National Council in private homes, it reportedly has prohibited them from organizing local councils. The Government reportedly pressures Baha'is to avoid organized religious activities. There are credible reports that the police periodically call in prominent Baha'is for questioning; however, the number of such incidents decreased during the year. The Government also unofficially denied Baha'i requests during the year for permission to elect local assemblies. The Government does not permit Baha'is to accept a declaration of faith from persons who wish to convert to the Baha'i faith. There were credible reports that four members of the Baha'i faith were interrogated by Ministry of Interior officials in 1999 and pressed to sign a statement that they would not practice their religion and would not hold meetings in their homes.

In general the Government does not permit Christian groups to establish new churches, and proselytizing is viewed as an act against the public order. Foreign missionary organizations and groups operate but are not permitted to proselytize in the country. Authorities deport foreigners suspected of proselytizing and do not permit them to return. There were no reported cases of official action against persons suspected of proselytizing during the year; however, there were reports in April that materials distributed by Christian missionaries in Sfax were confiscated from local secondary students.

Islamic religious education is mandatory in public schools; however, the religious curriculum for secondary school students also includes the histories of Judaism and Christianity. The Zeitouna Koranic School is part of the Government's national university system.

Both religious and secular NGO's are governed by the same law and administrative regulations on association that impose some restrictions on freedom of assembly (see Section 2.b.). For example, all NGO's are required to notify the Government of meetings to be held in public spaces at least 3 days in advance and to submit lists of all meeting participants to the Ministry of Interior. There were credible reports in 2000 that two Christian religious organizations did not attempt to register because they believed their applications would be rejected, although they were able to function freely under the auspices of their respective churches. Neither group believed that it was a victim of religious discrimination. One group, composed of foreign Christians mostly from Sweden and the United Kingdom, is active in providing medical and social services in the town of Kasserine in the west. Despite its ambiguous legal status, the group (with 15 to 20 members) reports that it has been free to pursue its social and medical work without interference and states that it does not believe that it has been subject to religious discrimination.

Religious groups are subjected to the same restrictions on freedom of speech and the press as secular NGO's. Although Christian groups reported that they were able to distribute previously approved religious publications in European languages without difficulty, they claimed that the Government generally did not approve either publication or distribution of Arabic-language Christian material. Moreover, authorized distribution of religious publications was limited to existing religious communities, because the Government views public distribution of both religious and secular documents as a threat to the public order and hence an illegal act.

Muslim women are not permitted to marry outside their religion. Marriages of Muslim women to non-Muslim men abroad are considered common-law, which are prohibited and thus void when the couple returns to the country. Non-Muslim women who marry Muslim men are not permitted to inherit from their husbands, nor may the husbands and any children (who are considered to be Muslim) from the marriage inherit from the non-Muslim wife.

Although civil law, including family and inheritance law, is codified, judges are known to override codified law with Islamic law if codified law conflicts with Shari'a, especially in cases involving child custody. Generally Shari'a-based civil law is applied only in some family cases. Some families avoid the application of Shari'a in inheritance questions by executing sales contracts between parents and children in order to ensure that daughters receive shares of property equal to that of the sons.

For example, codified laws provide women with the legal right to custody over minor children; however, judges have refused to grant women permission to leave the country with minor children, holding that Shari'a appoints the father as the head of the family who must grant children permission to travel.

In court a woman's testimony is worth the same as a man's.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—The Constitution provides for these rights, and persons are free to

change their place of residence or work at will; however, in practice the Government restricts the freedom of movement and foreign travel of those critical of it.

Amendments to the passport law in October 1998 transferred power for canceling passports from the Ministry of Interior to the courts; however, the amended law contains broad provisions that permit passport seizure on undefined national security grounds and deny citizens the right either to present their case against seizure or to appeal the judges' decision. By law the Ministry of Interior must submit requests to seize or withhold a citizen's passport through the Public Prosecutor to the courts; however, the Ministry of Interior routinely bypasses the Public Prosecutor to withhold passports from citizens. Credible reports indicate that the Public Prosecutor always defers to the Ministry of Interior on such requests.

The Government arbitrarily withholds passports from citizens (see Section 1.f.). According to reliable sources, the Government withholds many passports of members of the human rights community, including human rights lawyer Nejib Hosni, and PCOT student Nourredine Ben N'tiche, as well as many members of the Islamist community. According to credible sources, some political opponents in self-imposed exile have been prevented from obtaining or renewing their passports in order to return (see Section 1.d.). In December opposition members in the Chamber of Deputies claimed that the Government imposes excessive delays in responding to their applications for passports.

The Government restricts travel during criminal investigations. Credible reports indicate that in March Moncef Marzouki, although in possession of a valid passport, was not allowed to travel out of the country from Monastir. His movements within the country are monitored closely. On the eve of a visit by French President Chirac and after an open letter signed by members of the European Parliament was published in support of Marzouki, the Government lifted Marzouki's travel ban on November 28. He left the country on December 8 to begin working in France.

In June RAID member Sadri Khiari began a hunger strike lasting most of June to protest his government-imposed travel ban. Khiari had planned to travel to France to defend a dissertation, but was prohibited from doing so. The Government claims that Khiari faces two unspecified criminal charges. The Government restored his passport but has prevented him from leaving the country. The passport of An-Nadha member Haroun Mbarek was seized upon his deportation from Canada (see Section 1.d.). Hedi Bejaoui, another member of An-Nadha, under administrative control since 1990, has been unable to travel for medical treatment due to the Government's seizure of his passport (see Section 1.d.).

Police routinely stop motorists for no apparent reason to examine their personal identification and vehicular documents (see Section 1.f.).

The Government cooperates with the office of the U.N. High Commissioner for Refugees (UNHCR) in assisting refugees. The Government acknowledged the UNHCR's determination of refugee status, which was accorded to 134 individuals during the year. The UNHCR processed 45 applications for asylum during the year. The Government provides first asylum for refugees based on UNHCR recommendations. There is no pattern of abuse of refugees. Although a few refugees were deported during the year, none were forced to return to countries where they feared persecution. The Constitution provides for the granting of asylum and refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. It also expressly prohibits the extradition of political refugees.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides that the citizenry shall elect the President and members of the legislature for 5-year terms; however, there still are some significant limitations on citizens' right to change their government. In October 1999, President Ben Ali was reelected for a third 5-year term in the country's first multi-party presidential elections, winning 99.44 percent of the vote. According to the Constitution, this is to be his last term in office; however, in July the ruling RCD party issued a call for Ben Ali to run for a fourth term. The RCD party won all 148 directly elected seats in the 1999 legislative elections. Observers agree that the outcome of the presidential and legislative elections generally reflected the will of the electorate; however, the campaign and election processes greatly favored the ruling party and there was widespread disregard for the secrecy of the ballot. The ruling RCD party so dominates all levels of political activity that credible electoral challenges have been extremely difficult. A presidentially appointed election monitoring group presented a confidential report to the President regarding the election process, which reportedly substantiated numerous irregularities alleged by opposition parties.

The RCD party and its direct predecessor parties have controlled the political arena since independence in 1956. The RCD dominates the Cabinet, the Chamber

of Deputies, and regional and local governments. The President appoints the Cabinet and the 24 governors. The Government and the party are integrated closely; the President of the Republic also is the president of the party, and the party's secretary general holds the rank of minister.

Narrowly written criteria in the Electoral Code greatly restrict the eligibility of persons to run for president. A candidate must receive the endorsement of 30 sitting deputies or municipal council presidents to be eligible to run.

The 182-seat Chamber of Deputies does not function as a counterweight to the executive branch; rather, it serves as an arena in which the executive's legislative proposals are debated prior to virtually automatic approval. Debate within the Chamber is often lively and government ministers are summoned to respond to deputies' questions, although heated exchanges critical of government policy are not reported fully in the press. Regardless of the debate, the Chamber has a history of approving all government proposals; the Chamber does occasionally modify the proposed legislation.

The Chamber that emerged from the October 1999 parliamentary elections was more pluralistic than the Chamber in place from 1994 to 1999, as October 1998 changes in the Electoral Code reserved 20 percent of the seats for the opposition parties, distributed on a proportional basis to those parties that did not win directly elected district seats. For the 1999 elections, the Government provided public financing to political parties, as called for in legislation adopted in 1997. Under the legislation, each party represented in the Chamber of Deputies received an annual public subsidy of approximately \$42,000 (60,000 dinars), plus an additional payment of \$3,500 (5,000 dinars) per deputy. The Government also provided campaign financing that corresponded to the number of district lists that each party presented. Opposition politicians argued that the subsidy system reinforces the favored position of the ruling party because its dominance in the Parliament means that it receives the great majority of the government funding. Moreover, with funding based on the number of seats in Parliament, the opposition parties had no interest in forming coalitions against the RCD, but concentrated instead on competing with each other for the largest possible share of the 20 percent of seats reserved for the opposition. During the elections, opposition parties found independent fundraising impossible, and those that published newspapers or magazines faced difficulties in obtaining paid advertisers. However, in June the President announced a 50 percent increase in allowances given by the Government to opposition newspapers. Each opposition newspaper receives \$105,000 (150,000 dinars) annually. The Government does not permit the establishment of political parties on the basis of religion and uses the prohibition to refuse recognition of the An-Nadha party and to prosecute suspected members on the grounds of membership in an illegal organization (see Sections 2.b. and 2.c.). In October the opposition Popular Union Party (PUP) publication, *Al-Wihda*, reported that its by-election candidate for Beja, Ziad Hani, was prohibited from distributing his election statement calling for reforms.

Women participate in politics; however, the percentage of women in government and politics does not correspond to their percentage of the population. Twenty-one of the 182 Deputies elected in October 1999 were women, up from 13 of 163 deputies in the previous Chamber. There are four women in the Cabinet: two full ministers (the Minister of Land Management and the Minister for Women and Family Affairs) and two junior ministers (the Secretary of State for Housing and the Secretary of State for Public Health). Four women were appointed deputy governors raising the total to 10 women holding that post.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Tunisian Human Rights League is the most active independent advocacy organization, with 41 branches throughout the country. The organization receives and researches complaints and protests individual and systemic abuses. The LTDH's headquarters were closed and its activities suspended from October 2000 to July pending the outcome of its civil case (see Section 2.b.). LTDH members and other human rights activists reported government beatings, harassment, interrogations, property loss or damage, unauthorized home entry, and denial of passports. However, the Government continued to maintain the regular contact with the LTDH that it established in 1999.

In August a criminal case was brought against Khemais Ksila by a private female citizen who alleged he sexually assaulted her. Observers believe the case is receiving a disproportionate amount of press coverage aimed at discrediting Ksila before he has the opportunity to present evidence on his behalf. In August and September, LTDH vice president Souhayr Belhassen was criticized heavily in the press for her work on a human rights commission investigating abuses in Iraq. The report has

not yet been released. In an October interview, LTDH president Mokhtar Trifi said that he believes the press campaigns against Ksila and Belhassen were aimed at discrediting them personally, as well as the League by association.

There were numerous additional reports during the year of police attacking human rights activists, journalists, and others critical of the Government (see Sections 1.c., 2.a., and 2.b.).

The Government continued to refuse to authorize CNLT registration as an NGO. The CNLT initially applied for authorization in 1998. The court has not yet acted on the March 1999 administrative appeal filed by the CNLT's founders. The Government stated that the case was submitted to a court of justice, and that the situation requires that the Government leave the matter to the judiciary. Although not recognized by the Government, the CNLT issued statements criticizing government human rights practices. Government officials stated that, by publishing communiques in the name of an unregistered NGO, CNLT members violated the Publications Code (which requires that advance copies be provided to the Government) belonged to an illegal organization, and threatened public order. Some CNLT members still are unable to obtain passports (see Sections 1.f. and 2.d.).

There were no developments in the Government's 1999 criminal investigation of the leader of the Tunisian Association of Young Lawyers for meeting with CNLT members in his office. A court indicted both CNLT members Omar Mestiri and Moncef Marzouki in July 1999, and Marzouki again in November and December 1999, on several charges, including belonging to an illegal organization, violating the Publications Code, and spreading false information, but there were no results in the investigation by year's end. Scheduled hearings for Marzouki in connection with his December 2000 conviction on other charges took place in June and July, but he declined to appear. On September 29, an appeals court judge upheld but suspended the original 1-year sentence (see Sections 1.e. and 2.a.).

Marzouki and CNLT member Mustapha Ben Jaafar, both doctors, allege that the Government prohibits them from treating patients in retaliation for their human rights activism. In July the Minister of Health fired Marzouki from his job as a doctor and professor at the Faculty of Medicine at Sousse University.

The Arab Institute for Human Rights, headquartered in Tunis, was founded in 1989 by the LTDH, the Arab Organization for Human Rights, and the Union of Arab lawyers. It is an information rather than an advocacy organization, and the Government supports its activities. In April the Institute organized two training workshops in Cairo aimed at NGO's working in the field of human rights.

In February Robert Menard, secretary general of RSF, was deported for distribution of illegal information for handing out copies of an unauthorized newspaper in downtown Tunis. On September 29, police assaulted and detained two foreign delegates from AI (see Section 1.d.).

International observers were permitted to monitor trials, and they reported that the Government generally permitted them to conduct such monitoring (see Section 1.e.). However, in February trial observer Eric Plouvier, sent by the Paris-based NGO Observatory for the Protection of Human Rights Defenders, was denied entry into the country. AI observer Donatella Rovera and International Federation of Human Rights (FIDH) observer Patrick Badouin remained barred from entering the country. In July Danielle Mitterrand, president of the NGO France-Liberte, met with human rights activists and opposition leaders and sought permission to visit Sihem Bensedrine and Mohamed Moadada in prison. The authorities denied permission. The Government reportedly blocked access to the Internet Web sites of some of these organizations and those produced by the Committee to Protect Journalists (see Section 2.a.). Human rights activists and lawyers complain of frequent interruptions of postal and telephone services (see Section 1.f.).

Amnesty International continued to maintain a Tunisian chapter. Its members complained that the Tunis office suffered repeated loss of telephone and fax service. Persons who were considering joining AI's Tunisia chapter report that security officials discouraged them from doing so. AI officials reported that they were under periodic police surveillance and that there is interference with their mail. AI submitted a mission request to visit Tunisia in April, which was denied by the Government. A subsequent visit by AI researchers in September resulted in their being assaulted and detained by police (see Section 1.d.).

Human rights offices in certain ministries and a governmental body, the Higher Commission on Human Rights and Basic Freedoms, address and sometimes resolve human rights complaints. The Higher Commission submits confidential reports directly to President Ben Ali. A Ministry of Human Rights, Communications, and Relations with the Chamber of Deputies within the Prime Minister's office is headed by Minister Slaheddine Maaoui, who was appointed in February. In August the Government announced the establishment of a documentation center for human

rights that would serve as an information clearinghouse of necessary information to promote human rights in the country; however, at year's end, there was no indication that it was operating. In February the Government reported that representatives from NGO's held a meeting in Tunis to condemn foreign influence in the country's internal affairs.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides that all citizens shall have equal rights and responsibilities and be equal under the law, and the Government generally upholds these rights in practice. The Constitution devotes 54 percent of the budget to social and development goals. Legal discrimination is not pervasive, apart from that experienced by women in certain areas, such as inheritance, which is governed by Shari'a.

Women.—Violence against women occurs, but there are no comprehensive statistics to measure its extent. According to a family court judge in 2000, women file 4,000 complaints of domestic violence each year, but later drop approximately half of those complaints. The Tunisian Democratic Women's Association operates a counseling center for women who are victims of domestic violence. The center, located in Tunis, assists approximately 20 women per month. The National Union of Tunisian Women (UNFT) is a government-sponsored organization that runs centers to assist women and children in difficulty. Instances of rape or assault by someone unknown to the victim are rare. Battered women first seek help from family members. Police intervention often is ineffective because police officers and the courts tend to regard domestic violence as a problem to be handled by the family. Nonetheless, there are stiff penalties for spousal abuse. Both the fine and imprisonment for battery or violence committed by a spouse or family member are double those for the same crimes committed by an individual not related to the victim.

Instances of rape or assault by someone unknown to the victim are rare.

Rape is specifically prohibited by the Penal Code. There is no legal exception to this law for spousal rape, but in part due to social stigma there were no reports of spousal rape being prosecuted.

Prostitution is prohibited by the Penal Code specifically, but charges against individuals are rare. There have been no reported cases of trafficking, forced prostitution, or sex tourism.

Women enjoy substantial rights and the Government has made serious efforts to advance those rights, especially in the areas of property-ownership practices and support to divorced women. The 1956 Personal Status Code outlawed polygamy. Either the mother or father may convey citizenship to a child. The Government introduced a law in December that would enable a Tunisian mother to register her child as a citizen even in the absence of the foreign father.

A 1998 presidential decree created a national fund to protect the rights of divorced women, ensuring that the State would provide financial support to women whose former husbands refused to make child support and alimony payments regularly. The Government has processed 7,100 requests providing divorced women over \$10 million (14.5 million dinars) since the fund's inception. Legislation requires civil authorities to advise couples on the merits of including provisions for joint property in marriage contracts.

Nonetheless, most property acquired during marriage, including property acquired solely by the wife, still is held in the name of the husband. Inheritance law, based on Shari'a and tradition, discriminates against women, and women still face societal and economic discrimination in certain areas, such as private sector employment.

The Government continued to take strong measures to reduce official discrimination, including adding equal opportunity for women as a standard part of its audits of all governmental entities and state-owned enterprises and providing leadership training for female civil servants; however, it did not extend such measures to the private sector.

Sexual harassment is prohibited specifically by the Penal Code.

Women continue to enter the work force in increasing numbers, particularly in the textile, manufacturing, health, and agricultural sectors. According to 2000 government statistics, women constituted 29 percent of the work force. There are an estimated 5,000 businesses headed by women, which is an increase from 3,900 in 2000. Women serve in high levels of the government as cabinet ministers or secretaries of state. Women constitute 37 percent of the civil service, employed primarily at the middle or lower levels in the fields of health, education, and social affairs. Women constitute 60 percent of all judges in the capital and 24 percent of the nation's total jurists. Four women were named deputy governors during the year bringing the number to ten out of 24. Approximately 50.4 percent of university students enrolled in the 2000–2001 academic year were women.

The law explicitly requires equal pay for equal work. Although there are no statistics comparing the average earnings of men and women, generally women and men performing the same work are believed to be paid the same wages.

While the rate of illiteracy has dropped markedly in both rural and urban areas, the rate of female illiteracy in all categories is at least double that of men. Among 10- to 14-year-old children, 5.5 percent of urban girls are illiterate, compared with 2.2 percent of urban boys, and 27 percent of rural girls compared with less than 7 percent of rural boys.

Several NGO's focus, in whole or in part, on women's advocacy, or research women's issues, and a number of attorneys represent women in domestic cases. Media attention focuses on women's economic and academic accomplishments, and usually omits reference to culturally sensitive issues. Throughout the year, the Government funded several studies and projects designed to improve the role of women in the media.

There is a separate Ministry for Women and Family Affairs, with a relatively large budget nearly 3 percent of the total budget of \$2 million (3 million dinars) supporting its mission to ensure the legal rights and improve the socioeconomic status of women. The Government supports and provides funding to the National Union of Tunisian Women (UNFT), women's professional associations, and the Government's Women's Research Center.

Children.—The Government demonstrates a strong commitment to free and universal public education, which is compulsory until age 16. Approximately 80 percent of boys attend until that age in urban areas and 60 percent of boys and girls in rural areas. Primary school enrollment for the scholastic year was slightly less than the preceding year's, reflecting a decline in the birth rate; secondary school enrollment showed an increase of 8 percent, which appeared equally divided between boys and girls. The Government reported that 99.1 percent of children attend primary school full-time. The Government offers a maternal and child health program, providing prenatal and postnatal services. It sponsors an immunization program targeting preschool-age children, and reports that over 95 percent of children are vaccinated.

In 1995 the Government promulgated laws as part of the Code for the Protection of Children. The code proscribes child abuse, abandonment, and sexual or economic exploitation. Penalties for convictions for abandonment and assault on minors are severe. There is no societal pattern of abuse of children. There is a Ministry for Children and Youth and a Presidential Delegate to Safeguard the Rights and Welfare of Children.

There were no reports of child prostitution.

Some child labor continues, often disguised as apprenticeship, particularly in the handicraft industry, and in the case of teenage girls whose families place them as household domestics in order to collect their wages (see Section 6.d.).

Persons with Disabilities.—The law prohibits discrimination based on disability and mandates that at least 1 percent of the public and private sector jobs be reserved for persons with disabilities. All public buildings constructed since 1991 must be accessible to persons with physical disabilities. Many cities, including the capital, have begun to install wheelchair access ramps on city sidewalks. There is a general trend toward making public transportation more accessible to persons with disabilities. The Government issues special cards to persons with disabilities for benefits such as unrestricted parking, priority medical services, preferential seating on public transportation, and consumer discounts. The Government provides tax incentives to companies to encourage the hiring of persons with physical disabilities.

The law includes provisions prohibiting discrimination against persons with mental disabilities. Several active NGO's provide educational, vocational, and recreational assistance to children and young adults with mental disabilities. Some are funded by the Government and international organizations.

Indigenous People.—The Government estimates that the small Amazigh (Berber) minority constitutes less than 3 percent of the population. Some older Amazighs have retained their native language, but the younger generation has been assimilated into Tunisian culture through schooling and marriage. Amazighs are free to participate in politics and to express themselves culturally.

Section 6. Worker Rights

a. The Right of Association.—The Constitution and the Labor Code provide the right of workers to organize and unions. The Government respects this right. The Tunisian General Federation of Labor (UGTT) is the country's only labor federation, but there is no legal impediment to forming another union. The UGTT's historic strength has frustrated efforts over the years by dissidents to form a viable, rival confederation. About 15 percent of the 3.3 million person work force, including civil

servants and employees of state-owned enterprises, are members, and a considerably larger proportion of the work force is covered by union contracts. There is no legal prohibition against the establishment of other labor federations. A union may be dissolved only by court order.

The UGTT and its member unions legally are independent of the Government and the ruling party, but operate under regulations that restrict their freedom of action. The UGTT's membership includes persons associated with all political tendencies, although Islamists have been removed from union offices. There are credible reports that the UGTT receives substantial government subsidies to supplement modest union dues and funding from the National Social Security Account. While regional and sector-specific unions operate with more independence, the central UGTT leadership generally follows a policy of cooperation with the Government regarding its economic reform program, although throughout the year the UGTT board, which took charge in September 2000, began to exercise greater independence regarding economic and social issues and to support greater democracy in the country.

Unions, including those representing civil servants, have the right to strike, provided that they give 10 days' advance notice to the UGTT and it approves of the strike. The International Confederation of Free Trade Unions has characterized the requirement for prior UGTT approval of strikes as a violation of worker rights. However, such advance approval rarely is sought in practice. There were numerous short-lived strikes over failure by employers to fulfill contract provisions regarding pay and conditions and over efforts by employers to impede union activities. While the majority of the strikes technically were illegal, the Government did not prosecute workers for illegal strike activity, and the strikes were reported objectively in the press. The law prohibits retribution against strikers; however, there have been cases of employers punishing strikers, which force strikers to pursue costly and time-consuming legal remedies to protect their rights.

Labor disputes are settled through conciliation panels in which labor and management are represented equally. Tripartite regional arbitration commissions settle industrial disputes when conciliation fails.

Unions are free to associate with international bodies. The UGTT is a member of the ICFTU, Confederation of Arab Trade Unions, and Confederation of African Trade Unions; many individual unions are affiliated with relevant international sectoral confederations.

b. The Right to Organize and Bargain Collectively.—The right to organize and bargain collectively is protected by law and observed in practice. Wages and working conditions are set in triennial negotiations between the UGTT member unions and employers. Forty-seven collective bargaining agreements set standards for industries in the private sector and cover 80 percent of the total private sector workforce. Each agreement is negotiated by representatives of unions and employers in the area the agreement encompasses. The Government's role in the private sector negotiations is minimal, consisting mainly of lending its good offices if talks appear to be stalled. However, the Government must approve (but may not modify) the agreements. Once approved the agreements set standards for all employees, both union and nonunion, in the areas that they cover. The UGTT also negotiates wages and work conditions of civil servants and employees of state-owned enterprises. The Government is the partner in such negotiations. The next round of triennial negotiations is to be held in 2002. The agreements signed in 2000 provided for annual wage increases ranging from 4 to 6 percent.

The law prohibits antiunion discrimination by employers. However, the UGTT claims that there is antiunion activity among private sector employers, especially firing of union activists and using temporary workers to avoid unionization. In certain industries, such as textiles, hotels, and construction, temporary workers account for a large majority of the work force. The Labor Code protects temporary workers, but enforcement is more difficult than in the case of permanent workers. A committee chaired by an officer from the Labor Inspectorate of the Office of the Inspector General of the Ministry of Social Affairs, and including a labor representative and an employers' association representative, approves all worker dismissals.

c. Prohibition of Forced or Compulsory Labor.—The law prohibits forced or compulsory labor by either adults or children, and it is not known to occur. The law prohibits forced and bonded labor by children, and the Government generally enforces this prohibition effectively; however, some families of teenage girls place them as household domestics to collect their wages (see Section 6.d.).

d. Status of Child Labor Practices and Minimum Age for Employment.—The minimum age for employment is 16 years. The minimum age for light work in the non-industrial and agricultural sectors is 13 years. Workers between the ages of 14 and 18 must have 12 hours of rest per day, which must include the hours between 10 p.m. and 6 a.m. Children between the ages of 14 and 16 in nonagricultural sectors

may work no more than 2 hours per day. The total time that children spend in school and work may not exceed 7 hours per day. The minimum age for hazardous work is 18. Inspectors of the Ministry of Social Affairs examine the records of employees to verify that employers comply with the minimum age law. There were no reports of sanctions against employers. Nonetheless, young children often perform agricultural work in rural areas and work as vendors in urban areas, primarily during the summer vacation from school.

Observers have expressed concern that child labor continues to exist, disguised as apprenticeship, particularly in the handicraft industry, and in the cases of teenage girls whose families place them as household domestics in order to collect their wages. There are no reliable statistics on the extent of this phenomenon; however, an independent lawyer who conducted a study of the practice in 2000 concluded that hiring of underage girls as household domestics has declined with increased government enforcement of school attendance and minimum work age laws. The law prohibits forced and bonded child labor, and the Government generally enforces this prohibition effectively (see Section 6.c.).

e. Acceptable Conditions of Work.—The Labor Code provides for a range of administratively determined minimum wages, which are set by a commission of representatives from the Ministries of Social Affairs, Planning, Finance, and National Economy, in consultation with the UGTT and the Employers' Association. The President approves the commission's recommendations. In August the industrial minimum wage was raised to \$138 (195.5 dinars) per month for a 48-hour workweek and to \$120 (170.9 dinars) per month for a 40-hour workweek. The agricultural minimum wage is \$4.27 (6.1 dinars) per day. When supplemented by transportation and family allowances, the minimum wage provides for a decent standard of living for a worker and family, but covering only essential costs. The Labor Code sets a standard 48-hour workweek for most sectors and requires one 24-hour rest period per week.

Regional labor inspectors are responsible for enforcing wage and hour standards. They inspect most firms about once every 2 years. However, the Government often encounters difficulty in enforcing the minimum wage law, particularly in nonunionized sectors of the economy. Moreover, more than 240,000 workers are employed in the informal sector, which falls outside the purview of labor legislation.

The Ministry of Social Affairs has responsibility for enforcing health and safety standards in the workplace. There are special government regulations covering such hazardous occupations as mining, petroleum engineering, and construction. Working conditions and standards tend to be better in firms that are export oriented than in those producing exclusively for the domestic market. Workers are free to remove themselves from dangerous situations without jeopardizing their employment, and they may take legal action against employers who retaliate against them for exercising this right.

The few foreign workers have the same protections as citizen workers.

f. Trafficking in Persons.—The law does not prohibit trafficking in persons; however, it prohibits slavery and bonded labor. There were no reports that persons were trafficked to, from, within, or through the country.

UNITED ARAB EMIRATES

The United Arab Emirates (UAE) is a federation of seven emirates established in 1971. None has any democratically elected institutions or political parties. Traditional rule in the emirates generally has been patriarchal, with political allegiance defined in terms of loyalty to the tribal leaders. Political leaders in the emirates are not elected, but citizens may express their concerns directly to their leaders through traditional mechanisms, such as the open majlis, or council. In accordance with the 1971 Constitution, the seven emirate rulers constitute a Federal Supreme Council, the highest legislative and executive body. The Council selects a President and Vice President from its membership; the President in turn appoints the Prime Minister and Cabinet. The Constitution requires the Council to meet annually, although individual leaders meet frequently in more traditional settings. The Cabinet manages the Federation on a day-to-day basis. A consultative body, the Federal National Council (FNC), consisting of 40 advisors appointed for 2-year terms by the emirate rulers, reviews proposed legislation, discusses the annual budget, and may question federal government ministers in open sessions. Each emirate retains control over its own oil and mineral wealth, some aspects of internal security, and some regulation of internal and external commerce. The Federal Government asserts primacy in matters of foreign and defense policy, some aspects of internal security, and increas-

ingly in matters of law and the supply of some government services. The judiciary generally is independent, but its decisions are subject to review by the political leadership.

Each emirate maintains its own independent police force. While all emirate internal security organs theoretically are branches of one federal organization, in practice they operate with considerable independence. Security forces committed some abuses.

The UAE has a free market economy based on oil and gas production, trade, and light manufacturing. The Government owns the majority share of the petroleum production enterprise in the largest emirate, Abu Dhabi. The Emirate of Dubai is likewise an oil producer, as well as a growing financial and commercial center in the Gulf. The remaining five emirates have negligible petroleum or other resources and therefore depend in varying degrees on federal government subsidies, particularly for basic services such as health care, electricity, water, and education. The economy, with an estimated \$65.9 billion gross domestic product (GDP) provides citizens with a high per capita income, but it is heavily dependent on foreign skilled and unskilled workers, who constitute at least 80 percent of the 3.1 million general population.

The Government generally respected its citizens' rights in some areas; however, its record was poor in other areas. Citizens do not have the right to change their government. The Government also reportedly at times abused persons in custody, kept persons in incommunicado detention, and kept persons in detention after their release dates. The Government restricts the freedoms of speech and of the press. The press continued to avoid direct criticism of the Government and exercised self-censorship. The Government tightly restricts the freedoms of assembly and association, and imposes some restrictions on freedom of religion. Women play a subordinate role in society, although they continue to make progress in education and in the work force. The Government passed a law increasing maternity leave from 45 days to 6 months. Also, in October the Ruler of Sharjah appointed 5 women to serve on the emirate-wide 40-member Consultative Council. The Government severely restricts worker rights. Working conditions and abuse of foreign domestic servants are serious problems in an economy in which 98 percent of the private sector workforce is foreign. Trafficking in women and children is a problem.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life.—According to Amnesty International, Libyan national Abdullah Abu al-Ghazali died while in security force custody. On September 6, al-Ghazali's wife was informed that her husband had committed suicide while in detention. The reasons for al-Ghazali's arrest and the place of his detention remained unknown (see Section 1.d.).

b. Disappearance.—There were no reports of politically motivated disappearances; however, some cases of prolonged incommunicado detention could amount to forced disappearance (see Section 1.d.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment.—The Constitution prohibits torture or degrading treatment, and there were no confirmed reports of torture; however, there were some consistent but unconfirmed reports by foreign prisoners of beatings and confessions coerced from detainees by police during initial detention, which the Government maintained were groundless.

Shari'a (Islamic law) courts (except in Dubai) frequently impose flogging on Muslims found guilty of adultery, prostitution, and drug or alcohol abuse. In practice flogging is administered in accordance with Shari'a in order to prevent major or permanent injuries. The individual administering the lashing swings the whip using the forearm only. According to press accounts, punishments for adultery and prostitution have ranged from 39 to 200 lashes. Individuals convicted of drunkenness have been sentenced to 80 lashes. The Federal Supreme Court ruled in 1993 that convictions in the Shari'a courts do not necessarily require the imposition of Shari'a penalties on non-Muslims, but such sentences have been carried out in a few cases.

In June a Shari'a court sentenced the Indian imam of a mosque in the Emirate of Ras Al-Khaimah to a month in prison, 90 lashes, and then deportation because he spent time alone with a woman. The imam originally was charged with adultery because he was found at the home of one of his friends alone with a foreign national housemaid; however, the charges were changed to "cohabitation" because the prosecution could not prove the crime of adultery. The imam had not confessed and there were no witnesses. The housemaid was sentenced to 150 lashes in 3 sessions and deportation, and the owner of the house was sentenced to 90 lashes and deportation.

Prison conditions reportedly are mixed, depending on the location. Dubai prison conditions generally meet international standards. Abu Dhabi conditions typically are adequate, but Spartan, and rural prison conditions at times are inadequate. In central prisons that hold long-term inmates, prisoners are provided with food, medical care, and adequate sanitation facilities, but sleep on slabs built into cell walls or on the floor. Each prisoner is provided with four blankets. Only some blocks of the central prisons are air-conditioned during the intense heat and humidity of the summer. The Government has phased in air-conditioning in 80 per cent of the prisons; completion is scheduled for summer 2003. Prisoners with medical conditions are placed in air-conditioned rooms during the summer months. Prisoners not under investigation and not involved in drug cases may receive visitors up to three times each week and may also make occasional local telephone calls. Most prisoners in Dubai are allowed family visits and a number of telephone calls. Men and women are housed separately. Pretrial detainees are kept separately from convicted criminals until the trial begins. They then are placed in the same wing as convicted individuals. Juveniles are housed separately from adults.

The Government does not permit independent monitoring of prison conditions.

d. Arbitrary Arrest, Detention, or Exile.—The Constitution prohibits arbitrary arrest, search, detention, or imprisonment; however, the law permits incommunicado detention, and at times, prisoners are incarcerated for as long as several months beyond their release dates. The law prohibits arrest or search without probable cause.

Under the Criminal Procedures Code, the police must report arrests within 48 hours to the Attorney General, who must determine within the next 24 hours whether to charge, release, or order further detention pending an investigation. The Attorney General may order that detainees be held for up to 21 days without charge. After that time, the authorities must obtain a court order for further detention without charge.

The Federal Constitution provides accused persons the right to a speedy trial. This right most often is invoked in civil cases, with civil defendants at times demanding same-day disposition of the cases filed against them. Authorities generally bring criminal defendants to trial in a reasonable time, with the exception of drug-related cases, for which the authorities must inform the Office of the President (also known as the Diwan) of the charges.

Trials may last a substantial period of time, depending on the seriousness of the charges, number of witnesses, and availability of judges. There is no formal system of bail, but the authorities temporarily may release detainees who deposit money or an important document such as a passport. The law permits incommunicado detention, which is mostly used in allegedly sensitive cases in which the police claim that communication between the accused and a third party could jeopardize their investigation. In such cases, no one is notified that the person has been arrested and is being held, which could amount to forced disappearance (see Section 1.b.). Those arrested on regular charges are allowed generally to telephone third parties while in detention.

Defendants in cases involving loss of life, including involuntary manslaughter, may be denied release in accordance with the law. However, bail usually is permitted after a payment of compensation, which is a form of a financial penalty imposed on defendants in criminal cases in which a death has been caused.

According to Amnesty International, on August 31, the authorities detained Abdullah Abu al-Ghazali, a Libyan national, who left Libya in 1989 to avoid arrest because of his religious activities, while he was attending his local mosque. The reason for his arrest and the place of his detention were unknown. On September 6, the authorities reportedly told al-Ghazali's wife that her husband had committed suicide while in detention (see Section 1.a.). On September 10, Amnesty International also reported the detention of four additional Libyan nationals between May and August, whose whereabouts and reason for detention were unknown. In October a government official reported that the four additional Libyan nationals—one arrested in May, two arrested in July and one arrested in August—had been expelled from the country in September because the Government was unable to find evidence linking the four detainees to the al-Qaida terrorist organization.

Review of criminal cases by the Office of the President in Abu Dhabi and bureaucratic delays in processing prisoners or releasing them, at times result in detainees serving additional, unnecessary time in the central prisons (see Section 1.e.). Some bureaucratic delays have kept prisoners incarcerated for as long as several months beyond their court-mandated release dates.

In June on the occasion of the birth anniversary of the Prophet Mohammed, President Zayid pardoned approximately 6,000 prisoners (of which about 2,000 were women), including about 700 citizens and 5,300 expatriates, from all 7 emirates. The

prisoners either were awaiting trial or serving sentence terms from 3 to 5 years. Most of the prisoners pardoned were foreign nationals convicted of violating immigration laws. The decree also included prisoners convicted of embezzlement, drug-related offenses, brawling, drinking, fighting, engaging in premarital sex, and swindling, but it did not include prisoners convicted of murder, rape and kidnaping. Most of the pardoned foreign nationals were to be deported, while those jailed for financial crimes were to be given a grace period to settle amounts still owed. Press reports indicated that security sources in Abu Dhabi stated that the presidential pardon covered more than 65 percent of prisoners in all jails, noting that the total number of prisoners before the pardon stood at nearly 11,000.

The Constitution prohibits forced exile, and it is not practiced.

e. Denial of Fair Public Trial.—The Constitution provides for the independence of the judiciary; however, its decisions are subject to review by the political leadership. Most judges are noncitizen Arabs, whose mandate is subject to periodic renewal by the Government; however, the number of citizens serving as public prosecutors and judges, particularly at the federal level, continued to grow.

There is a dual system of Shari'a and civil courts. The civil courts generally are part of the federal system and are answerable to the Federal Supreme Court, located in Abu Dhabi, which has the power of judicial review as well as original jurisdiction in disputes between emirates or between the Federal Government and individual emirates. The Emirates of Dubai and Ras Al-Khaimah have local courts, which have jurisdiction over matters within their territory that the Constitution or federal legislation does not specifically reserve to the federal system.

Each emirate administers Shari'a courts. In some emirates, in addition to matters of personal status, these courts consider all types of civil and commercial cases as well as serious criminal cases. They act in accordance with traditional Islamic law and practice, but also must answer to the Federal Supreme Court. Dubai has a special Shi'a council to act on matters pertaining to Shi'a family law (see Section 5).

Legal counsel may represent defendants in both court systems. Under the Criminal Procedures Code, the accused has a right to counsel in all cases involving a capital crime or possible life imprisonment. Only the Emirate of Dubai has a public defender's office. If the defendant is indigent, the Government will provide counsel; however, in Dubai the Government provides indigents with counsel only in felony cases. The Supreme Court ruled in 1993 that a defendant in an appeals case has a "fundamental right" to select his attorney and that this right supersedes a judge's power to appoint an attorney for the defendant.

The right to legal counsel is interpreted to provide that the accused is entitled to an attorney only after the police have completed their investigation. Thus, the police may question accused persons—sometimes for days or weeks, as in narcotics cases—without the benefit of legal counsel.

Defendants are presumed innocent until proven guilty. There are no jury trials. The number of judges sitting for a case depends on the type of crime alleged; three judges normally sit for criminal cases. All trials are public, except for national security cases and those deemed by the judge likely to harm public morality.

Each court system has an appeals process. Death sentences may be appealed to the ruler of the emirate in which the offense was committed or to the President of the Federation. Non-Muslims who are tried for criminal offenses in Shari'a courts may receive civil penalties at the discretion of the judge. Shari'a penalties imposed on non-Muslims may be overturned or modified by a higher court.

In cases in which a defendant is acquitted of a crime, the prosecutor may appeal the acquittal to a higher court. If the case is appealed, the higher court reviews the case and may receive more and new evidence. If convinced of the defendant's guilt, the appellate court may set aside the lower court's verdict of not guilty and enter a verdict of guilty with an order that the defendant pay compensation. The appellate standard for overturning an acquittal is reportedly "without the slightest doubt of guilt."

In a widely reported case in January, a Shari'a court acquitted a Filipina housemaid on the grounds of self-defense for killing her citizen employer when he tried to rape her on the day she arrived in the country in Ras Al-Khaimah. Although she had been acquitted, the Filipina, who had been detained for 2 years since her arrest, was held without bail because of the prosecutor's right to appeal the case. The deceased citizen's family persuaded the prosecutor to appeal the acquittal and in May, the Shari'a court's acquittal was overturned. The appellate court sentenced her to 2 years' imprisonment and ordered her to pay \$43,000 (150,000 dirhams) compensation. Since she had already served over 2 years since her arrest, the appellate court ordered the defendant to be released and deported once the compensation was paid. The Filipino Embassy appealed to the Filipino community that collected funds to pay the compensation, and the defendant was released and deported in August.

In cases in which a defendant is sentenced to death, the sentence may be reduced to a term of imprisonment if the victim or victim's family provides a statement to the court forgiving the defendant. This waiver by the victim or victim's family is sometimes made in exchange for a financial payment from the defendant.

In April the press reported on a case in which a man convicted of kidnaping, beating, and repeatedly raping an 11-year-old girl was released from prison after serving only 2 years. The victim's family waived the death penalty in exchange for \$69,400 (250,000 dirhams) compensation, and the defendant's sentence was commuted to 10 years. After 2 years, the defendant had only paid \$41,700 (150,000 dirhams) compensation to the victim's family and convinced the victim's family to accept this lower amount as full compensation. At that time, the defendant was released from prison over the victim's family's protest because he had served only 2 years of his 10-year term.

The Presidential Diwan, following traditional prerogatives, maintains the practice of reviewing many types of criminal and civil offenses (such as alcohol use, drug-related cases, firearm use, cases involving personal injury, and cases affecting tribal harmony) before cases are referred to the prosecutor's office. However, this practice is not as prevalent as in past years, and such cases usually are referred directly to the prosecutor's office. The Diwan also reviews sentences passed by judges and reserves the right to return cases to the courts on appeal. The Diwan's involvement, which typically occurs when the case involves parties from two different emirates or a citizen and a noncitizen, leads to long delays prior to and following the judicial process, causing some prisoners to remain in prison after they have completed their sentence. There are reports of intervention by other emirates' rulers in specific cases of personal interest.

The military has its own court system based on Western military judicial practice. Military tribunals try only military personnel. There is no separate national security court system. Convicted criminals may request a pardon at any time, except if convicted of serious offenses such as murder.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence.—The Constitution prohibits entry into homes without the owner's permission, except in accordance with the law. Only police officers and public prosecutors carrying a warrant are permitted entry into homes. If the authorities enter a home without a warrant, their actions are considered illegal and the evidence obtained thereby is suppressible. Officers' actions in searching premises are subject to review, and officers are subject to disciplinary action if they act irresponsibly. Local custom and practice place a high value on privacy, and entry into private homes without the owner's permission is rare. A female police officer must be present during the search of a private home when male family members are absent. There is no known surveillance of private correspondence, although there have been cases of incoming international mail being censored. Foreigners have received sealed publications, such as magazines, through the international mail in which pictures of the naked human figure have been blackened over with a marking pen.

Family law for Muslims is governed by Shari'a and the local Shari'a courts. As such, Muslim women are forbidden to marry non-Muslims. Such a marriage may result in both partners being arrested and tried. However, Muslim men, are free to marry women "of the book," that is, Muslim, Christian or Jewish women. Men and women may be arrested and imprisoned for committing adultery.

In September the Emirate of Sharjah promulgated a "decency" law, or Code of Conduct, setting standards for dress and behavior in public. The Code of Conduct includes a dress code for men and women, a dress code for attending mosques, and a dress code for beaches. The Code of Conduct also lists prohibited behavior, including prohibitions against wearing swimwear in streets or other public places; against men and women being alone in public places or at suspicious times and in suspicious circumstances if they are not connected by a "legally acceptable" relationship; against publicly bothering others or disturbing the peace with acts of vulgarity or loud noise; and against publicly engaging in acts of harassment that violate public decency.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution provides for freedom of speech; however, the Government restricts this right in practice. Most persons, especially foreign nationals out of fear of deportation, refrain from criticizing the Government in public. Freedom of press also is restricted. The country's three English-language newspapers are privately owned, as are four of its six Arabic-language newspapers; however, privately owned newspapers receive government subsidies. The government-owned Emirates News Agency regularly provides all newspapers with themes

for editorials and with articles regarding domestic and international issues, which then usually are printed verbatim.

By law the Ministry of Information must license all publications. The law also governs content and contains a list of proscribed subjects. Government officials reportedly warn journalists when they publish material deemed politically or culturally sensitive.

Journalists practice self-censorship when reporting on government policy, the ruling families, national security, religion, and relations with neighboring states. However, if given at least implied permission to report on such matters, critical articles are published. For example, Deputy Prime Minister Sultan Bin Zayid Al-Nahyan was reported in October 1999 as stating that uncovering inefficiencies in government was one of the duties of the press. Subsequently, newspapers began publishing articles critical of alleged inefficiencies in the delivery of government services and an expose on life in the Dubai women's central prison was published in August 2000.

From September 2000 until mid-2001, the Government banned 10 prominent citizens, including 4 university professors, from publishing opinion pieces in the country's Arabic- and English-language press and giving local television interviews. The Ministry of Information imposed the ban after the writers supported in the press over 100 employees who had been laid off by the government-financed Emirates Media Corporation. After the ban was lifted in mid-year, the citizens resumed publishing in newspapers and other media outlets.

Emirates Media, which publishes Al-Ittihad newspaper and owns Abu Dhabi's radio and television stations, forbids all its employees, including journalists, from speaking with representatives of foreign diplomatic missions without prior approval, although the rule is not enforced in practice.

A press club in Dubai provides facilities for the international press, including access to information, and serves as a site for open discussions between political figures and journalists. Also, Dubai Media City has been operating as part of the Dubai Free Zone since November 2000, with fewer formal restrictions on the content of print and broadcast material produced there. Dubai Media City hosts a wide range of Western and Arab media outlets.

All television and radio stations, with the exception of Ajman Emirate's local television station, are government-owned and conform to government reporting guidelines. These unpublished guidelines are not always applied consistently. Satellite receiving dishes are widespread and provide access to international broadcasts without apparent censorship. Censors at the Ministry of Information and Culture review imported newspapers, periodicals, books, films, and videos; they ban or censor before distribution any material considered pornographic, violent, derogatory to Islam, supportive of certain Israeli Government positions, unduly critical of friendly countries, or critical of the Government or the ruling families.

Local access to the Internet, which is open to public use with an estimated 400,000 users, is through a state-owned monopoly. A proxy server blocks material regarded as pornographic or as promoting radical Islamic ideologies. In most cases, the proxy server does not appear to block news services, political expression unrelated to radical Islam, or material originating from specific countries. The Internet monopoly solicits suggestions from users regarding "objectionable" sites, and at times the Government has responded by briefly blocking some politically oriented sites, which were, after an apparent review, later unblocked. The monopoly also blocks commercial "voice-chat" sites on the Internet.

The unwritten but generally recognized ban on criticism of the Government also restricts academic freedom. Academic materials destined for schools in the country are subject to censorship. For example, at Zayid University, female students are banned from reading texts in which the human body is pictured or sexuality is featured (see Section 5).

b. Freedom of Peaceful Assembly and Association.—The Government tightly restricts the freedom of peaceful assembly. Organized public gatherings require a government permit, which rarely is granted.

Each emirate determines its own practice on public gatherings. Some emirates are relatively tolerant of seminars and conferences on sensitive subjects. Citizens normally confine their political discussions to the numerous gatherings or majlis, which are held in private homes. There are no restrictions on such gatherings.

The Government tightly restricts freedom of association. Unauthorized political organizations are prohibited. All nongovernmental organizations (NGO's) must be registered with the Ministry of Labor and Social Affairs; however, a number of unregistered local NGO's operate in the country. Also, all private associations, including children's clubs, charitable groups, and hobby associations, must be approved and licensed by local authorities, although this requirement is enforced loosely in

some emirates. Private associations must follow the Government's censorship guidelines if they publish any material. There are no political parties, independent human rights groups, or trade unions (see Sections 3, 4, and 6.a.). A June protest by 500 foreign workers took place in front of the Ministry of Labor and Social Affairs in Dubai (see Section 6.a. and 6.e.).

c. Freedom of Religion.—The Federal Constitution designates Islam as the official religion, and Islam also is the official religion of all seven of the individual emirates of the federal union. The Federal Constitution also provides for the freedom to exercise religious worship in accordance with established customs, provided that it does not conflict with public policy or violate public morals. The Government generally respects this right in practice; however, the Government controls all Sunni mosques and prohibits proselytizing by non-Muslims.

Virtually all Sunni mosques are government funded or subsidized; about 5 percent of Sunni mosques are entirely private, and several large mosques have large private endowments. The Federal Ministry of Awqaf and Religious Affairs distributes weekly guidance to both Sunni and Shi'a shaikhs regarding subject matter, themes, and content of religious sermons, and ensures that clergy do not deviate frequently or significantly from approved topics in their sermons. All Sunni imams are employees of either the Federal Ministry of Awqaf and Religious Affairs or individual emirate departments. The Emirate of Dubai's Department of Islamic Affairs and Endowments controls the appointment of preachers in that Emirate's private mosques, as well as the conduct of their work.

The Shi'a minority, which is concentrated in the northern emirates, is free to worship and maintain its own mosques. All Shi'a mosques are considered private and receive no funds from the Government. The Government does not appoint shaikhs for Shi'a mosques. Shi'a Muslims in Dubai may pursue Shi'a family law cases through a special Shi'a council rather than the Shari'a courts.

The Government does not recognize all non-Muslim religions. Considerable local autonomy in religious matters resides in the individual emirates. In those emirates that officially recognize and thereby grant a legal identity to non-Muslim religious groups, only a limited number of Christian groups are granted this recognition. While recognizing the difference among Roman Catholic, Eastern Orthodox, and Protestant Christianity, the authorities make no legal distinction between Christian groups, particularly Protestants. Several often-unrelated Christian congregations are required to share common facilities because of official limitations on the number of Christian denominations that are recognized officially. Partly as a result of emirate policies regarding recognition of non-Muslim denominations, facilities for Christian congregations are far greater in number and size than those for non-Christian and non-Muslim groups, despite the fact that Christians are a small minority of non-Muslim foreigners.

Major cities have Christian churches, some of which were built on land donated by the ruling families of the emirates in which they are located. Early in the year, ground was broken for the construction of several churches on a parcel of land in Jebel Ali that was donated by the Government of Dubai for four Protestant congregations and a Catholic congregation. The Catholic Church, Dubai Emirate's second, opened in November. In May the Crown Prince of Dubai authorized the construction of a Greek Orthodox Church on donated land. Also during the year, the Catholic Church received permission to establish a secondary parochial school in Fujairah. Abu Dhabi, Dubai, and Sharjah also are home to Catholic primary and secondary schools.

Dubai permits a Hindu temple and two Sikh temples to operate. There are no such temples elsewhere in the country. There are no Buddhist temples; however, Buddhists, along with Hindus and Sikhs in cities without temples, conduct religious ceremonies in private homes without interference. There is a Baha'i cemetery in Abu Dhabi Emirate. There are only two operating cremation facilities and associated cemeteries for the large Hindu community, one in Dubai and one in Sharjah. Official permission must be obtained to use the cremation facilities in every instance, posing a hardship for the large Hindu community.

The Government follows a policy of tolerance towards non-Muslim religions and in practice interferes very little in the religious activities of non-Muslims. Apparent differences in the treatment of Muslim and non-Muslim groups often have their origin in the dichotomy between citizens and noncitizens rather than religious difference.

The Government permits foreign clergy to minister to foreign populations, and non-Muslim religious groups are permitted to engage in private charitable activities and to send their children to private schools. Apart from donated land for the construction of churches and other religious facilities, including cemeteries, non-Muslim groups are not supported financially or subsidized by the Government. However,

they are permitted to raise money from among their congregations and to receive financial support from abroad. Christian churches are permitted to advertise certain church functions openly in the press, such as memorial services.

The conversion of Muslims to other religions is regarded with extreme antipathy. Therefore, although non-Muslims in the country are free to practice their religion, they are not allowed to proselytize publicly or distribute religious literature under penalty of criminal prosecution and imprisonment. While there is no law against missionary activities, authorities have threatened to revoke the residence permits of persons suspected of such activities. In March Dubai police briefly detained four visiting noncitizens for handing out Christian religious materials, including videos and CD-ROMs, on a public street in contravention of laws barring non-Muslim proselytizing. Authorities held their passports for a short period until a court ordered their deportation. Customs authorities have questioned the entry of large quantities of religious materials (such as Bibles and hymnals) that they deemed in excess of the normal requirements of existing congregations, although in most instances the questions have been resolved and the items have been admitted.

Customs authorities reportedly are less likely to question the importation of Christian religious items than other non-Muslim religious items, although in virtually all instances importation of the material in question eventually was permitted.

Although emirate immigration authorities routinely ask foreigners to declare their religious affiliation, the Government does not collect or analyze this information, and religious affiliation is not a factor in the issuance or renewal of visas or residence permits.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation.—There are no limitations on freedom of movement or relocation within the country, except for security areas such as defense and oil installations.

Unrestricted foreign travel and emigration are permitted to male citizens, except those involved in legal disputes under adjudication. Custom dictates that a husband may bar his wife, minor male and female children, and adult unmarried daughters from leaving the country. All citizens have the right to return.

There is a small population of “stateless” residents either without citizenship or proof of citizenship to any country. Many such families have lived in the country for more than one generation. Many stateless residents originally were from Iran and South Asia; other stateless residents include Bedouins or the descendants of Bedouins who are unable to prove that they are of UAE origin. There is no formal procedure for naturalization, although foreign women receive citizenship by marriage to a citizen, and anyone may receive a passport by presidential fiat. Because they are not of the original tribal groups, naturalized citizens may have their passports and citizenship status revoked for criminal or politically provocative actions; however, such revocations are rare, and reportedly none occurred during the year.

A child born to a citizen man and noncitizen woman acquires citizenship at birth. However, a child born to a citizen woman and noncitizen man does not acquire citizenship. In June the federal Cabinet approved the issuance of labor cards to the children of female citizens and foreign men, which allows the adult children to accept employment in the country legally. Beginning in July, the Emirate of Dubai began issuing passports to children of citizen women married to foreigners. Although not sanctioned by law, employers generally require foreign national employees to surrender their passports as a condition of employment. In practice this prevents international travel or repatriation by foreign national employees without their employers’ consent and especially affects such employees in the resolution of employment disputes. Employers sometimes blacklist with immigration authorities employees with whom they are engaged in contract disputes (see Section 6.e.).

Citizens are not restricted in seeking or changing employment. However, foreign nationals in specific occupations, primarily professional, may not change employers without first leaving the country for 6 months (see Section 6.e.).

The Government has not formulated a formal policy regarding refugees, asylees, or first asylum. It may detain persons seeking refugee status, particularly non-Arabs, while they await resettlement in a third country.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government. There are no popular elections or democratic institutions, and citizens do not have the right to form political parties. Federal executive and legislative power is in the hands of the Federal Supreme Council, a body composed of the rulers of the seven emirates, that elects from its members the country’s President and Vice-President. Decisions at the federal level generally are made by consensus among the rulers, their families, and

other leading families. The seven emirate rulers, their extended families, and those persons and families to whom they are allied by historical ties, marriage, or common interest hold political and economic power in their respective emirates.

A federal consultative body, called the Federal National Council (FNC), consists of 40 advisers appointed by the rulers. Advisors are drawn from each emirate, with proportion based on emirate population. The FNC has no legislative authority but it may question ministers and make policy recommendations to the Cabinet. Its sessions usually are open to the public.

The choice of appointing a new emirate ruler falls to the ruling family in consultation with other prominent tribal figures. By tradition rulers and ruling families are presumed to have the right to rule, but their incumbency ultimately depends on the quality of their leadership and their responsiveness to their subjects' needs. Emirate rulers are accessible, in varying degrees, to citizens who have a problem or a request.

The percentage of women in government and politics does not correspond to their numbers in the population. Tradition rather than the law limits the political role of women. Women are free to hold government positions, but there are few women in senior positions. There are no female members of the FNC. President Zayid's wife, Shaikha Fatima, who is chairwoman of the Women's Federation, regularly calls for the appointment of women as special observers at the FNC. Such observers would learn the procedures of the FNC, and some later ostensibly would be appointed as members. No observers had been named by year's end. In October the Ruler of Sharjah appointed 5 women to serve on the emirate-wide, 40-member Consultative Council. The new female Council members were appointed to the Council's newly formed Family Development Committee; however, they reportedly are not limited to working on social issues and may also join the Council's other committees. Other women in senior government positions include an undersecretary in the Ministry of Labor and Social Affairs and an assistant undersecretary for planning and evaluation in the Ministry of Education.

In a number of press interviews, Shaikha Fatima has claimed that women participate in the preparation of legislation dealing with social issues through recommendations made by the Women's Federation, and that women are only "steps away" from full political participation. At the same time, she emphasized her view that the eventual appointment of women to the FNC and other government positions would be "a responsibility rather than an honor," requiring careful prior preparation.

Although the small Shi'a minority has enjoyed commercial success, few Shi'a hold top positions in the Federal Government.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There are no independent human rights groups. Government restrictions on freedom of speech, the press, and public association would make it difficult for such groups to investigate and publicly criticize the Government's human rights restrictions. Informal public discussions of human rights, press reports of international human rights forums' activities, and media coverage of selected local human rights problems, such as foreign workers' conditions, are increasing public awareness of human rights.

Foreign NGO's have worked with embassies and the police and immigration authorities in providing shelter for underage camel jockeys, as well as assistance with their repatriation. The Red Crescent Society, a quasi-governmental organization in the UAE, is affiliated with the International Federation of the Red Cross and Red Crescent Societies. A human rights section exists within Dubai Emirate's police force to monitor allegations of human rights abuses. In addition the Jurists' Association has created a Human Rights Committee, whose focus is primarily on human rights issues regarding the region and Islam.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equality before the law without regard to race, nationality, religious beliefs, or social status. However, there is institutional and cultural discrimination based on sex, nationality, and religion.

Women.—There are some reported cases of spousal abuse. The laws protect women from verbal abuse or harassment from men, and violators are subject to criminal action. Police units are stationed at major public hospitals so that victims of abuse may file complaints, which would fall under the jurisdiction of the Shari'a courts; in addition, attending physicians may call upon the police to interview suspected victims of abuse. However, women sometimes are reluctant to file formal

charges for social, cultural, and economic reasons. When abuse is reported to the local police, authorities may take action to protect the complainant. There continue to be credible reports of physical and sexual abuse of female domestic servants by some local and foreign employers (see Section 6.e.).

Trafficking in women for the purposes of sexual exploitation is a problem (see Section 6.f.).

Prostitution is illegal; however, it has become an increasingly open phenomenon in recent years, particularly in Dubai. No accurate statistics are available. However, substantial numbers of women arrive from the states of the former Soviet Union, Africa, East Asia, Eastern Europe, and other states of the Middle East for temporary stays during which they engage in prostitution and possibly other activities connected with organized crime (see Section 6.f.). There is credible evidence to suggest that the majority of these women seek to enter the country in order to make substantially more money than they could earn in their home countries by engaging in prostitution.

Women play a subordinate role in the family-centered society because of traditional attitudes regarding women's duties and early marriages. There are no legal prohibitions against women owning property or businesses; however, there are restrictions on ownership by women. For example, women must inherit property or businesses from a father or husband, or, if unmarried, receive a grant of land from the ruling family in the emirate in which they reside. In the case of women who are married, the land must be granted to the husbands. Cultural attitudes also deter ownership by women. A woman's property is not otherwise commingled with that of her husband, and she retains control of her separate property during the marriage. Custom dictates that a husband may bar his wife, minor male and female children, and adult unmarried daughters from leaving the country (see Section 2.d.), and a married woman may not accept employment without her husband's written consent, although such permission usually is granted.

Shari'a is applied in personal status cases. The law permits men to have more than one wife, but not more than four, at a time, and the practice is widespread. Divorce is permissible. A woman may be granted a divorce if she can prove that her husband has deliberately stayed away from her for 3 months and has not paid for her upkeep, or for the maintenance of her children. Divorced women are granted custody of female children until they reach the age of maturity; they are granted temporary custody of male children until they reach the age of 12. If the mother is deemed unfit, custody reverts to the next able female relative on the mother's side. A woman who remarries may forfeit her right to the custody of children from a previous marriage.

The law prohibits cohabitation by unmarried couples. The Government may imprison and deport noncitizen women if they bear children out of wedlock. In the event that a court sentences a woman to prison for such an offense, local authorities, at the request of the prisoner, may hold the newborn children in a special area within the confines of the prison or place them with a relative. In rare cases, children are held in other facilities until the mother's release. In Dubai Emirate, unmarried pregnant women must marry the father of the child; both parties are subject to arrest for fornication.

There are no legal prohibitions against a woman owning her own business. Traditionally, professional women, including doctors, architects, and lawyers, have not faced restrictions in licensing businesses in their names. However, there are credible reports that citizen women attempting to license businesses in the import-export sector, particularly in the Emirate of Dubai, encounter greater scrutiny than men. The Abu Dhabi Chamber of Commerce operates occasional programs to encourage small business entrepreneurship by women. Women who work outside the home do not receive equal benefits, such as housing, and may face discrimination in promotion. In July the FNC approved a law increasing maternity leave from 45 days to a maximum of 6 months—2 months with full pay, 2 additional months of nursing leave with half salary, and the possibility of 2 more months without salary. A number of women's groups have been pressing the Government to grant mothers 3 months of maternity leave at full pay and to provide day care facilities at the workplace.

Opportunities for women have grown in government service, education, private business, and health services. Citizen and noncitizen women constitute 15 percent of the national workforce. The Federal Government publicly has encouraged citizen women to join the workforce, ensuring public sector employment for all that apply. According to the available statistics, women constitute 100 percent of nursery school teachers, 55 percent of primary school teachers, 65 percent of intermediate and secondary school teachers, 54 percent of health care workers, and 40 percent of all government employees. Women also constitute 4 percent of the military.

Sexual harassment is prohibited by law. There are some reports of sexual harassment in the workplace, but it is believed to be underreported. Sexual harassment outside the workplace and sexual discrimination are widespread. As a form of deterrence, Dubai-based newspapers regularly publish pictures of men arrested in Dubai for harassing women in public places.

Women continue to make rapid progress in education. They constitute over 75 percent of the student body at the UAE University in Al-Ain. UAE University has separate campuses for men and women, largely because women, unlike men, rarely study abroad. Zayid University, an all-women, state-run university, has campuses in Abu Dhabi and Dubai. The state-run Higher Colleges of Technology has five sets of separate campuses for men and women in five emirates. Sharjah University, a private university located in Sharjah, has separate campuses for men and women. The American Universities in Dubai and Sharjah, also private institutions, are co-educational. However, academic materials are subject to censorship, and female students are banned from reading texts in which the human body is pictured or sexuality is featured (see Section 2.a.).

Women officially are encouraged to continue their education, and government-sponsored women's centers provide adult education and technical training courses. The federal armed forces accept female volunteers, who may enroll in a special training course that was begun after the Gulf War. The Dubai Police College also recruits women; many are deployed at airports, immigration offices, and women's prisons.

Children.—The Government is committed to the welfare of child citizens. Children who are citizens receive free public education through the university level, receive free health care, and are assured housing. Citizens also are eligible to receive aid from the Ministry of Labor and Social Welfare for sons and daughters who are under the age of 18, unmarried, or have disabilities.

The Government early in the year banned noncitizen resident children from attending public school, beginning with the 2001–02 academic year. Consequently, parents of such children must bear the considerable expense of a private education. In September the Ministry of Education and Youth excluded from the public school ban those noncitizen children living in rural areas that lack private schools. The Government also eliminated free health care for noncitizen resident children and adults.

Citizen children are required to attend school—segregated by gender—through the sixth grade, the last grade of primary education, when children may be as young as 10 or 11 years old. However, compulsory education is not enforced, and some children, both girls and boys, do not attend school.

The use of young foreign national boys as camel jockeys, who are subjected to harsh conditions, is a continuing problem (see Sections 6.d and 6.f.). There were also reports of girls being trafficked to the country for the purpose of prostitution (see Section 6.f.).

Persons with Disabilities.—There is no federal legislation requiring accessibility for persons with disabilities. However, the Ministry of Labor and Social Affairs sponsors centers that provide facilities and services to persons with physical or mental disabilities. Initiatives range from monthly social aid funds, special education, and transportation assistance, to sending a team to the Special Olympics. The Government and quasi-government entities also provide a significant amount of non-governmental financial assistance, services, and emotional support to persons with disabilities.

National/Racial/Ethnic Minorities.—Discrimination based on national origin, while not legally sanctioned, is prevalent, and occurs in most areas of daily life, including employment, housing, and social interaction. Employment, immigration, and security policy, as well as cultural attitudes towards the very substantial number of foreign workers are conditioned by national origin.

It is estimated that more than 50 percent of foreign workers are from the Indian subcontinent. Noncitizens are denied access to some free services provided by the Government, including education, health care, and social and recreational club memberships.

Section 6. Worker Rights

a. The Right of Association.—The law prohibits workers the right to form or join unions. There are no unions. The law prohibits strikes. During the year, there were several unprecedented sit-ins by workers in front of the Ministry of Labor and Social Affairs offices in Dubai to protest nonpayment of wages. Foreign workers, who make up more than 98 percent of the Emirates' private sector workforce, risk deportation if they attempt to organize unions or to strike.

Since 1995 the UAE has been suspended from the U.S. Overseas Private Investment Corporation insurance programs because of the Government's lack of compliance with internationally recognized worker rights standards.

b. The Right to Organize and Bargain Collectively.—The law does not grant workers the right to engage in collective bargaining, and it is not practiced. However, some professional associations are granted greater freedom to raise work-related concerns, to lobby the Government for redress, or to file a grievance with the Government. Workers in the industrial and service sectors normally are employed under contracts that are subject to review by the Ministry of Labor and Social Affairs. The Ministry of Interior's Naturalization and Residency Administration is responsible for reviewing the contracts of foreign domestic employees as part of residency permit processing. The purpose of the review is to ensure that the pay satisfies the employee's basic needs and secures a means of living. For the resolution of work-related disputes, workers must rely on conciliation committees organized by the Ministry of Labor and Social Affairs or on special labor courts.

Labor laws do not cover government employees, domestic servants, and agricultural workers. The latter two groups face considerable difficulty in obtaining assistance to resolve disputes with employers. While any worker may seek redress through the courts, this process places a heavy financial burden on those earning lower incomes.

Businesses operating in the country's free trade zones are exempt from compliance with some federal laws, such as commercial agency laws; however, they are not exempt from compliance with federal labor laws.

c. Prohibition of Forced or Compulsory Labor.—Forced or compulsory labor is illegal. However, some employment agents bring foreign workers to the country under conditions approaching indenture. There are credible reports that some women, who are brought to the country for service sector employment, later are forced into prostitution (see Section 6.f.). The Government prohibits forced and bonded child labor and generally enforces this prohibition effectively. However, the use of small children as camel jockeys is a problem. There continue to be credible reports of hundreds of underage boys from South Asia, mainly between 4 and 10 years of age, being used as camel jockeys (see Sections 6.d. and 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment.—Labor regulations prohibit employment of persons under the age of 15 and have special provisions for employing those 15 to 18 years of age. The Federal Ministry of Labor and Social Affairs is responsible for enforcing the regulations. Other regulations permit employers to employ only adult foreign workers. The Government does not issue visas for foreign workers under the age of 16 years. With the exception of camel jockeys, child labor is not tolerated.

There continue to be credible reports that hundreds of underage boys from South Asia, mainly between 4 and 10 years of age, continue to be used as camel jockeys (see Sections 6.d. and 6.f.). Since 1993 the Government has prohibited the use of children under the age of 15 as camel jockeys and the use of jockeys who do not weigh more than 99 pounds. However, credible sources report that almost all camel jockeys are children under the minimum employment age. Relevant laws in some cases are enforced against criminal trafficking rings, but not against those who own racing camels and employ the children, because such owners come from powerful local families that are in effect above the law. According to credible sources, there were at least 25 cases during the year of underage camel jockeys who were repatriated to their countries of origin, mainly Pakistan and Bangladesh.

In April a 7-year-old Bangladeshi boy working as a camel jockey was injured during a camel race in Dubai. After being repatriated to Bangladesh, the boy died from kidney damage resulting from those injuries. In September 2000, the Abu Dhabi police took into protective custody and repatriated a 10-year-old Pakistani boy who allegedly had been kidnaped from his village in Pakistan and brought to the country to work as a jockey in camel races. Police reportedly are investigating several such cases; however, by year's end, no charges against those who employed the boys had been filed.

The Government prohibits forced and bonded child labor and generally enforces this prohibition effectively (see Section 6.c.).

The Government ratified ILO Convention 182 on the worst forms of child labor on June 28.

e. Acceptable Conditions of Work.—Approximately 98 percent of the private sector workforce consist of foreigners. There are a considerable number of skilled foreign nationals in the country who are employed under favorable working conditions. However, it also is a destination for a large number of unskilled workers, including up to 250,000 domestic servants, most of them women from South and East Asia, and an even larger number of unskilled male workers, mostly from South Asia.

These unskilled laborers actively compete for jobs in the country and other Gulf countries, and many are willing to work under poor conditions because salaries are significantly higher than in their home countries.

The standard workday is 8 hours per day; the standard workweek is 6 days per week; however, these standards are not enforced strictly. Certain types of workers, notably domestic servants, may be obliged to work longer than the mandated standard. The law also provides for a minimum of 24 days per year of annual leave plus 10 national and religious holidays. In addition manual workers are not required to work outdoors when the temperature exceeds 112 degrees Fahrenheit.

There is no legislated or administrative minimum wage; rather, supply and demand determines compensation. Compensation depends on occupation and employer and ranges from \$109 (400 dirhams) per month) for domestic or agricultural workers working for local individual employers to \$164 (600 dirhams per month) for construction workers working for companies to much higher salaries for highly skilled employees working for multinational companies. Compensation packages generally provide housing or housing allowances.

The Government reportedly is concerned about the low standard of living of some foreign workers and was engaged during the year in discussions to implement a minimum wage range. The Labor and Social Affairs Ministry reviews labor contracts and does not approve any contract that stipulates a clearly unacceptable wage (see Section 6.b.).

Most foreign workers receive either employer-provided housing or housing allowances, medical care, and homeward passage from their employers. Most foreign workers do not earn the monthly minimum salary of \$1,090 (3,924 dirhams) or \$817 (2,941 dirhams), when a housing allowance is provided in addition to the salary required to obtain residency permits for their families.

There are frequent local newspaper reports regarding the non-payment of wages to foreign workers. In March the local press reported that 61 laborers from India and Bangladesh had filed a case with the Ministry of Labor and Social Affairs claiming that their employer had not paid them for 11 months. In June 500 South Asian employees of a large Dubai construction company gathered in front of the Labor Ministry in Dubai to protest nonpayment of wages for a period of 3 months. Also in June, the Abu Dhabi Department of Labor reportedly resolved 3 separate labor disputes involving nonpayment of wages to teachers in a private school, mistreatment of 25 construction company employees, and nonpayment of wages for 2 months to 150 workers at an industrial company.

In an attempt to safeguard workers' rights, the Government in May introduced a new law requiring some employers to deposit monetary guarantees with third-party banks. The purpose of the guarantee was to decrease the growing number of cases in which employees work, sometimes for months, without wages. The amount of the guarantee increases according to the number of workers employed by the depositor. In theory the greater the number of workers employed by a company, the more money will be deposited and the greater the likelihood that workers will be paid in a timely manner. However, the law does not protect all workers. The law exempts from this requirement those companies in which the Government owns a share, banks, insurance firms, petroleum firms, certain hotels, and most large companies fully owned and managed by nationals. However, companies in certain sectors, even if fully owned and managed by citizens, must deposit bank guarantees.

Resident and nonresident foreign nationals are restricted significantly in changing employment. Foreign nationals in specific occupations, primarily professional, may not change employers without first leaving the country for 6 months. Some foreign nationals involved in disputes with employers, particularly in cases in which the employee has signed a contract containing a clause not to compete, may be blacklisted by the employer with immigration authorities, effectively preventing their return for a specified period of time. Employers also have the option to petition to ban from the work force for 6-months any foreign employee who leaves his job without fulfilling the terms of his contract (see Section 2.d.).

The Government is attempting to decrease the incidence of abuse by employers of laws regarding the sponsorship of foreign national employees. In March the Minister of Social Affairs and Labor issued an order granting workers sponsored by closed or bankrupt companies a 6 month grace period in which to transfer their sponsorship to another company. In December 2000, the Government announced that regulations governing applications for work permits would be rigorously enforced. Under the regulations, a company that has one or more employees whose work permit has expired and not been renewed during the 60-day grace period will be barred from employing new staff. However, the rule is enforced unevenly.

The Ministry of Health, the Ministry of Labor and Social Affairs, municipalities, and civil defense units enforce health and safety standards, and the Government re-

quires every large industrial concern to employ a certified occupational safety officer. However, health and safety standards are not observed uniformly. Press reports in June noted a recently released report of a study conducted by the Ministry of Labor that stated that many industrial establishments fail to observe health and safety regulations, and more than half provide substandard housing and unclean environments, with sometimes as many as 15 workers living in a single room.

Workers' jobs are not protected if they remove themselves from what they consider to be unsafe working conditions. However, the Ministry of Labor and Social Affairs may require employers to reinstate workers who were dismissed for not performing unsafe work. Injured workers are entitled to fair compensation, and all workers have the right to lodge grievances with Ministry officials, who make an effort to investigate all complaints. However, the Ministry is understaffed and underfunded; complaints and compensation claims are backlogged. Rulings on complaints may be appealed within the Ministry and ultimately to the courts. However, many workers choose not to protest for fear of reprisals or deportation.

Abuse of domestic servants, particularly women, by their employers is prevalent. Allegations include excessive work hours, nonpayment of wages, and verbal, physical, and sexual abuse. In February a housemaid attempted to commit suicide because of abuse received from her employer of about 2 months, including beatings and confinement to a room for 8 days without proper food or bathroom facilities. In March a housemaid was allegedly raped by her employer of about a month.

Domestic servants and agricultural workers are not covered by labor laws and thus face considerable difficulty in obtaining assistance to resolve disputes with employers. Sponsorship and residency laws do not permit most foreign national employees to change employers, and employers normally hold their employees' passports. Because the law does not prohibit this practice, servants do not have the recourse of leaving their employment and returning to their home country or finding another job.

The Emirate of Dubai has taken greater measures than the other emirates in improving working conditions. In April the Emirate of Dubai began enforcing an order banning transport in or through the Emirate of laborers in pick-up trucks and truck trailers that are not designed to transport persons and lack safety features. The measure is aimed at improving worker and traffic safety by requiring employers to transport employees in buses. In 2000 accidents involving such trucks resulted in the deaths of 32 workers and injuries to 340 workers. Twenty-one workers were injured in a single accident in January.

Truck owners who transport workers in violation of the order are subject to fines of \$35 (100 dirhams) and the seizure of their truck for at least a week. Repeat violators will be subject to increased fines and truck seizure periods. Police seized about 351 trucks during the first 2 weeks after the law went into effect.

In May the Emirate of Dubai also announced a plan to increase inspections of construction worksites and factories to ensure that safety regulations are being implemented throughout the Emirate. This measure followed a series of recent accidents at construction sites throughout the country. For example, three workers in Dubai died after a concrete wall fell on them while they were eating breakfast. In Sharjah three workers died from toxic gas inhalation while they were cleaning a sewer. A worker in Sharjah died by falling from the 15th floor of a building. A farm worker in Al-Ain died after being buried alive in sand while digging a well. Five workers were injured and one died in Abu Dhabi after being trapped in sand for 2 hours when a trench collapsed at a construction site. In Ajman a worker died after falling into a well that was under construction. Two workers in Abu Dhabi died after falling from separate high rise buildings that were under construction. A worker in Dubai was crushed to death by a road-rolling machine.

f. Trafficking in Persons.—The law does not prohibit specifically trafficking in persons, although child smuggling, prostitution, and pornography are crimes. And trafficking in women and children is a problem.

Trafficking in persons involves young boys used as camel jockeys, and women. There reportedly are as many as hundreds of underage camel jockeys working in the country who are subjected to harsh conditions. Some press reports claim that 2,000 boys have been trafficked to the country over the last 2 years, although this figure appears to be inflated. The largest concentration of camel jockeys is located in Abu Dhabi Emirate, which is home to the country's largest camel racing tracks and associated stables and training facilities.

Credible sources report that almost all camel jockeys are children under the minimum employment age. Reports indicate that small, organized gangs provide the stables with the young boys, who generally are between the ages of 4 and 10. The gangs obtain the youths, usually from poor families in Pakistan and Bangladesh, by kidnaping or, in some instances, buying them from their parents or taking them

under false pretenses, and then smuggling them into the country. The boys are often underfed and subjected to crash diets to make them as light as possible. Boys of 4 to 5 years of age are reported to be preferred, although older boys aged 6 to 8 also are used, depending on their size. Some children have reported being beaten while working as jockeys, and others have been injured seriously during races.

Labor regulations prohibit the employment of persons under the age of 15, and a 1993 Presidential Decree prohibits camel jockeys under the age of 15 or who weigh less than 99 pounds (see Section 6.d.).

However, these laws are not enforced. Rather, the Government defers control of camel racing events and the enforcement of rules concerning camel racing, including labor laws prohibiting child labor, to the Camel Racing Association, which is under the chairmanship of Shaikh Hamdan bin Zayid Al-Nahyan, Minister of State for Foreign Affairs. Many persons who own the camels and employ the children come from powerful local families who have ties to the Government and are in effect above the law. The camel owners are not prosecuted for violations of the labor laws; consequently, the demand for child jockeys continues unrestricted.

There are also other reported types of cases of trafficking in children. According to newspaper reports, in June police rescued an 11-year-old Pakistani boy from an unknown employment situation in Beda-Zayid, a town in the Abu Dhabi Emirate. The boy reportedly was kidnaped from his family by a Pakistani woman in 1998 and brought to Abu Dhabi through Iran under a false name. There is no information that any action was taken by the authorities against the boy's employer. According to a newspaper report published in May, a 6-year old Pakistani boy who had been trafficked to the country along with his family died of severe head injuries allegedly caused by "a fall"—an excuse sometimes given to hospital personnel when injuries are sustained from camel jockeying. The boy's father claimed that an agent who promised them an attractive salary had brought the family to the country. Upon arrival, the family allegedly was informed that a childless family would adopt their children for the sum of \$600 (1,000 dirhams). The family reportedly lived in a makeshift camp in the city of Al-Ain; the couple's daughters and baby born in the country were not given residence visas to remain in the country. The family reportedly approached the Pakistani Embassy, which facilitated their repatriation.

There are credible reports of trafficking in women and girls to the country. There are reports of women and girls who are brought to the country under the false pretense of working in the service sector or as domestic servants, but then are forced into prostitution. It is unclear whether this activity is conducted with the full complicity of the women's citizen sponsors, or whether the women's generally noncitizen agents are exploiting the sponsorship system to engage in illicit activity (see Section 5).

In January Abu Dhabi police rescued a Pakistani woman who had been trafficked to the country with the promise of employment as a domestic servant but who was instead tortured, raped, and forced into prostitution. In April a young Bangladeshi woman who was trafficked to the country was admitted to the Iranian hospital in Dubai after having been raped repeatedly and tortured. The woman allegedly was brought to the country on the promise that she would be employed as a housemaid. A 17-year old Bangladeshi girl sought refuge at the Bangladeshi Embassy after being forced into prostitution by the agent who brought her to the country.

Unconfirmed international press reports have indicated that the country is the destination for trafficking of young women and girls from Iran. Two separate press reports in October 2000 and in February described the break-up by Iranian authorities of a smuggling ring whose members allegedly kidnaped runaway girls and sold them to wealthy men in the Gulf region. One of the press reports cited the sale of the ringleader's own daughter to a citizen for \$11,000.

Prostitution has become an increasingly open phenomenon in recent years, particularly in Dubai (see Section 5). No accurate statistics are available. However, substantial numbers of women and girls appear to be arriving from the countries of the former Soviet Union (including, but not limited to, Azerbaijan, Kazakhstan, Ukraine and Russia), Egypt, Lebanon, Iran, Africa, East Asia, and Eastern Europe for temporary stays, during which they engage in prostitution and possibly other activities connected with organized crime. Unconfirmed international press reports suggest there are several thousand prostitutes working in Dubai and the northern emirates, with a somewhat lower number working in Abu Dhabi. There are reports that some hotels bring young women, particularly from Uzbekistan and Kazakhstan, to fill low-paying jobs as dancers. Signing 6-month contracts promising work in the hospitality industry, the women often are required to dance in the local bars of three- and four-star hotels. With little income, encouragement from management, and constant pressure from male customers, many of these women begin supplementing

their salaries through prostitution. Those who wish to quit and return home often find it hard to do so because hotel management maintains control of their passports.

The Government does not address specifically the problem of trafficking in women; victims are arrested and prosecuted for violations of prostitution and other laws. While prostitution is acknowledged widely to exist, the Government does not address the issue publicly because of societal sensitivities. In an effort to combat prostitution, the Dubai police conduct special patrols in areas frequented by prostitutes, and the immigration and police forces have formed special units that conduct raids and sting operations in areas known to be frequented by prostitutes. In addition the authorities restrict the number of visas issued to single women between the ages of 30 and 40. However, press reports indicated that airlines and tourism companies continue to obtain visit visas for single women between the ages of 30 and 40.

The punishment for prostitution is lashing, followed by imprisonment. However, there are reports that those arrested for prostitution generally are detained only for a brief period before being deported and blacklisted from reentering the country. When they are made aware of a smuggled child, the police and immigration authorities attempt to repatriate the child and to prosecute or detain, and then deport, those involved in the trafficking ring.

In May three Central European women claimed that they were recruited to work in the country in the hotel business. However, upon their arrival, their local sponsor seized their passports and locked them in a villa with iron grates on the windows. The women claimed that then they were forced to work as prostitutes. The three women eventually escaped and obtained protection at their country's embassy in Abu Dhabi. They remained under their embassy's protection for approximately a month, after which their passports were returned, and they were permitted to depart the country.

The Kazakhstan Government reported in June that it broke up a trafficking ring that specialized in sending women to the country for prostitution. Five members of the ring were arrested while attempting to board a woman and a 15-year-old girl on a flight to Dubai.

The police and immigration authorities, working together with foreign governments and NGO's have provided shelter for and assistance with the repatriation of underage camel jockeys. Victims of trafficking may seek shelter in their embassies; the Government does not provide assistance to victims. Women arrested as prostitutes are detained, deported, and blacklisted from reentering the country.

YEMEN

The Republic of Yemen, comprising the former (northern) Yemen Arab Republic (YAR) and (southern) People's Democratic Republic of Yemen (PDRY), was proclaimed in 1990. Following a brief but bloody civil war in mid-1994, the country was reunified under the Sana'a-based government. President Ali Abdullah Saleh is the leader of the General People's Congress (GPC), which dominates the Government. He was elected by the legislature to a 5-year term in 1994, and was elected to another 5-year term in the country's first nationwide direct presidential election in September 1999, winning 96.3 percent of the vote. The Constitution provides that the President be elected by popular vote from at least two candidates endorsed by Parliament, and the election was generally free and fair; however, there were some problems, including the lack of a credible voter registration list. In addition the President was not opposed by a truly competitive candidate because the candidate selected by the leftist opposition did not receive the minimum number of votes required to run from the GPC-dominated Parliament (the other opposition party chose not to run its own candidate, despite its seats in Parliament). The President's sole opponent was a member of the GPC. The first Parliament elected by universal adult suffrage was convened in 1993. Parliamentary elections were held again in 1997, with the Yemeni Socialist Party (YSP), formerly the main party of the PDRY and a previous coalition partner of the GPC, leading an opposition boycott. The GPC won an absolute majority in the 1997 Parliament, with the opposition Islamist and tribal Yemeni Grouping for Reform (Islaah) as the only other major party represented. International observers judged that the elections were reasonably free and fair, while noting some problems with voting procedures. The Parliament is not yet an effective counterweight to executive authority, although it increasingly demonstrates independence from the Government. Real political power rests with the executive branch, particularly the President. The country's first local elections were held in February, with all major opposition parties participating. The judiciary is

nominally independent, but is weak and severely hampered by corruption, executive branch interference, and the frequent failure of the authorities to enforce judgments.

The primary state security apparatus is the Political Security Organization (PSO), an independent agency that reports directly to the President. The Criminal Investigative Department (CID) of the police reports to the Ministry of Interior and conducts most criminal investigations and makes most arrests. The Central Security Organization (CSO), also a part of the Ministry of Interior, maintains a paramilitary force. The civilian authorities do not maintain effective control of the security forces. Members of the security forces, particularly the PSO, committed numerous, serious human rights abuses.

Yemen is a very poor country with a population of approximately 18 million; about 40 percent of the population live in poverty. Its embryonic market-based economy, despite a major economic reform program, remains impeded by excessive government interference and widespread corruption. Annual per capita gross national product (GNP) rose to \$403 in 2000, up from \$373 in 1999. Agriculture accounts for approximately 22 percent of GNP; industry, including construction and trade, for approximately 45 percent; and services for approximately 33 percent. Oil is the primary source of foreign exchange. Other exports include fish, livestock, coffee, and detergents. Remittances from citizens working abroad (primarily in Saudi Arabia and other Arab Persian Gulf states) also are important. However, remittances were reduced sharply after Saudi Arabia and other Gulf states expelled up to 850,000 Yemeni workers during the Gulf War because of the Government's lack of support for the U.N. coalition. The Gulf states also suspended most assistance programs, and much Western aid was reduced. Foreign aid has begun to reemerge as an important source of income, with Saudi Arabia and Kuwait resuming soft loan programs during the year. The unemployment rate is estimated at 35 percent, and is highest in the southern governorates, where, prior to unity, most adults were employed by the PDRY Government.

The Government generally respected its citizens' human rights in some areas and continued to improve its human rights performance; however, its record was poor in several other areas, and serious problems remain. There are significant limitations on citizens' ability to change their government. Members of the security forces killed a number of persons during the year. Members of the security forces tortured and otherwise abused persons, and continued to arrest and detain citizens arbitrarily, especially oppositionists in the south and other persons regarded as "secessionists." Directives intended to align the country's arrest, interrogation, and detention procedures more closely with internationally accepted standards generally were implemented during the year. Prison conditions were poor, and some detainees were held in private prisons not authorized by the Government. However, during the year, the Government conducted prison inspections, released prisoners being held after their sentences had been completed, and cooperated with international nongovernmental organizations (NGO's) to study and improve conditions for female prisoners. PSO officers have broad discretion over perceived national security issues. Despite constitutional constraints, security officers routinely monitor citizens' activities, search their homes, detain citizens for questioning, and mistreat detainees. The Government usually failed to hold members of the security forces accountable for abuses; however, there were two convictions of security officials for abuses in late 2000. Prolonged pretrial detention is a serious problem, and judicial corruption, inefficiency, and executive interference undermine due process. The Government continued to implement a comprehensive long-term program for judicial reform. The law limited freedom of speech and of the press, and the Government continued to harass, intimidate, and detain journalists. Journalists practiced self-censorship. The Government at times limited freedom of assembly. The Government imposed some restrictions on freedom of religion, and placed some limits on freedom of movement. The Government adopted measures to decentralize government authority by establishing locally elected governorate and district councils; the first elections to the councils were held in February. The new Minister of State for Human Rights was the country's first female minister. The Government displayed official receptiveness to and support for donor-funded democracy and human rights programs, and in April created a new human rights ministerial portfolio. Violence and discrimination against women were problems. Female genital mutilation (FGM) was practiced on a limited scale, primarily along the coastal areas of the Red Sea. The Government publicly discouraged FGM, and in January the cabinet issued a decree making it illegal for public or private health service practitioners to perform it. There was some discrimination against persons with disabilities and against religious, racial, and ethnic minorities. The Government influences labor unions. Child labor was a problem.

The number of tribal kidnappings of foreigners has steadily decreased over the past 4 years, which is at least in part the result of the Government's establishment of a special court to try kidnapers and other violent offenders. The campaign of bombings—the devices sometimes were little more than noise makers—that had continued for several years, particularly in the southern governorates, appeared to have abated, although there were several explosions during the year, including the detonation of three small bombs in Aden early in the year. Observers attributed these bombings to tribal disputes, religious extremists, and antigovernment political groups based in the country and abroad.

RESPECT FOR HUMAN RIGHTS

Section 1. Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life.—Members of the security forces killed a number of persons during the year. There were some reports during the year that security forces at checkpoints killed or injured persons whom they believed were engaging in criminal activity and resisting arrest.

In January the human rights organization Forum for a Civil Society reported that Mohammed al-Yafia, who was convicted in 1996 for his involvement in a series of bombings in Aden and who had complained of being tortured in 1997, had died under suspicious circumstances in al-Mansura Prison in Aden (see Section 1.c.).

In April a demonstrator was killed and another wounded when a soldier fired into a crowd protesting a zoning decision in the al-Dalah governorate. The soldier reportedly was arrested, but at year's end there was no information about whether he was disciplined (see Section 2.b.).

On December 18, military and security forces conducted armed operations in Marib and Shebwa governorates in an attempt to apprehend terrorists affiliated with the al-Qaida organization. The operation began peacefully, but, due to circumstances that were unclear, the confrontation escalated into a shootout when tribal members opened fire on security forces. Nineteen security forces personnel were killed and 30 wounded; reportedly four tribal members were killed and seven wounded. The al-Qaida suspects escaped and were still being sought by the Government at year's end.

In August 2000, Sabah Seif Salem reportedly died while being detained in a prison in the al-Udain district of Ibb governorate. Her family claimed that security officials tortured her to extract a confession of adultery (see Section 1.c.).

No security officials were tried or convicted for abuses committed during the year. However, in December 2000, the penal court in Hodeidah governorate found two security officials guilty of torturing a citizen to death in 1995. The officials were demoted, dismissed, and sentenced to 3 years in prison (see Section 1.c.).

On October 12, 2000, terrorists in a small bomb-laden boat attacked the USS Cole, a U.S. naval ship, as it refueled in Aden harbor. The explosion killed 17 sailors and wounded 39 others. The investigation into the attack was ongoing, and several suspects were in custody at year's end (see Section 1.e.).

Approximately 28 persons were killed in election related violence in February (see Section 3).

Tribal violence resulted in a number of killings and other abuses, and the Government's ability to control tribal elements remained limited. In addition tensions between the Government and various tribes periodically escalated into violent confrontations (see Section 5).

Persons continued to be killed and injured in unexplained bombings and shootings that occurred during the year. In most cases, it was impossible to determine who was responsible for such acts or why they occurred, and there were no claims of responsibility. The Government accused southern oppositionists of perpetrating some incidents, but the opposition denied any involvement. Some cases appeared to have criminal, religious, or political motives; others appeared to be cases of tribal revenge or land disputes. In June 1998, the President established a committee to study the phenomenon of revenge killings and to make recommendations on how to combat the problem. Presumably in response to the committee's inability to produce results, the President in May gave the new Shura Council (see Section 3) the task of developing a strategy to address the phenomenon of violent tribal revenge. In November the Dar al-Salam Arbitration Organization, a local NGO, held the country's first "anti-revenge conference."

b. Disappearance.—Members of the security forces continue to arrest and detain citizens for varying periods of time without charge or notification to their families. Many detainees are associated with the YSP or other opposition parties and are accused of being "secessionists." Such detentions are temporary; detainees typically

are released within weeks or, at most, months. Those who are not released eventually are charged.

In 1998 at the invitation of authorities, delegations from the UNHRC and Amnesty International (AI) visited the country to investigate the whereabouts of persons who allegedly have disappeared in custody since unification. In 1997 the Government had promised AI that it would look into 27 cases of persons who died after they allegedly disappeared while in government custody during the violence associated with the civil war in 1994. In its follow-up report issued in July 1999, AI criticized the Government for not keeping this promise. The Government claims that it responded to AI and passed the results of its investigations to the UNHRC, but that the information AI provided was inadequate for effective investigation and conclusive action. Both the U.N. Committee on Disappearances and AI also continue to allege that there are hundreds of unresolved disappearances dating from the preunity period in the former PDRY, particularly from its 1986 civil war. The Government asserts that it cannot be held responsible for cases that took place within the former PDRY prior to unity; however, it has set up a computer database in the Ministry of Foreign Relations to track disappearances, including those dating from the preunity period. The Government states that the scarcity of records, resulting from the country's lack of an effective national registry, hindered its attempts during the year to create database files, especially for persons who disappeared in the PDRY in the 1970's. AI has received no credible reports of new disappearances in the last 7 years.

Some tribes seek to bring their political and economic concerns to the attention of the Government by kidnaping and holding hostages. Foreign businessmen, diplomats, and tourists are the principal targets. During the year, seven foreigners were kidnaped (six men and one woman), as well as a much higher number of citizens. There also were two failed kidnaping attempts against foreign diplomats. A total of 166 foreigners have been kidnaped since 1992. In a 1998 study, the legal magazine *al-Qistas* found that Sana'a, Marib, and Shabwa are the areas in which a foreigner is most likely to be kidnaped. Kidnaping victims rarely are injured, and the authorities generally have been successful in obtaining the negotiated release of foreign hostages. However, in 2000 a Norwegian diplomat on vacation was killed near Sana'a during an exchange of fire between checkpoint police and his abductors.

There has been a marked decline in tribal kidnapings of foreigners, from 10 cases involving 27 persons in 1998 to 9 cases involving 21 persons in 1999 to 6 cases involving 8 persons in 2000, to 7 cases involving 7 persons during the year. Kidnapings had been a persistent problem in the past, due to the judiciary's frequent failure to impose sentences against accused kidnapers because some persons linked to kidnapings were members of prominent tribes or had links with such tribes. In most cases, the kidnapings were settled out of court, with no suspects facing trial; however, this practice has changed. In August 1998, the Government issued by presidential decree a law that stipulated severe punishments up to and including capital punishment for persons involved in kidnaping, "carjacking," attacking oil pipelines, and other acts of banditry and sabotage. In October 1999, the Government announced the establishment of a special court in Sana'a to implement this law and created a special prosecutor to investigate and try those charged under its provisions.

In December a court convicted four men who had kidnaped a German citizen in November. The perpetrator received a 25-year sentence, and the others received 20-year sentences. In 2000 the court sentenced an individual who had kidnaped three German tourists in 1999 to 12 years in jail; the kidnaper of an American and a group of Europeans (in 1997) to 20 years; and two additional kidnapers to 15 years. In February the kidnaper of three American tourists (in 1999) received a 12-year jail sentence. The arrests, trials, and convictions continue. The Government's prosecution of persons charged with kidnaping appears to have had a deterrent effect. There were no reports of tribal opposition or interference in the arrests or the judicial process connected with these cases.

c. Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.—The Constitution is ambiguous regarding the prohibition of cruel or inhuman punishment, and members of the security forces tortured and otherwise abused persons in detention. Arresting authorities are known to use force during interrogations, especially against those arrested for violent crimes. Detainees in some instances are confined in leg-irons and shackles, despite a 1998 law outlawing this practice.

The Government has acknowledged publicly that torture takes place, but it has claimed that the use of torture is not government policy. Nevertheless, the Government has not taken effective steps to end the practice or to punish those who commit such abuses. A government prosecutor has cited illiteracy and lack of training among police and security officials as reasons for the persistence of the use of undue

force in prisons; a human rights activist has suggested that corruption and pressure from superiors to produce convictions also plays a role. The immunity of all public employees from prosecution for crimes allegedly committed while on duty also hinders accountability; prosecutors must obtain permission from the Attorney General to investigate members of the security forces, and the head of the Appeals Court formally must lift their immunity before they are tried. Low salaries for police officers, about \$35 to \$53 (6,000 to 9,000 riyals) per month, also contribute to corruption and police abuse.

In January the human rights organization Forum for a Civil Society reported that Mohammed al-Yafia, who was convicted in 1996 for his involvement in a series of bombings in Aden and who had complained of being tortured in 1997, died under suspicious circumstances in al-Mansura Prison in Aden on December 16, 2000.

In August 2000, Sabah Seif Salem reportedly died while being detained in a prison in the al-Udain district of Ibb governorate. Her family claimed that security officials tortured her to extract a confession of adultery. The director of Ibb security directed that an autopsy be performed and summoned the head of al-Udain's security office for questioning. The investigation found that Salem was pregnant when she was detained for questioning and went into labor while in police custody. She was transported to a clinic, but died as a result of complications during childbirth. Salem's baby also died. The investigation concluded that Salem had not been tortured (see Section 1.a.).

There were no reported prosecutions or convictions of security officers for abuses committed during the year. However, in December 2000, the penal court in Hodeidah governorate found two security officials guilty of torturing a citizen to death in 1995 (see Section 1.a.). The officials were demoted, dismissed, and sentenced to 3 years in prison.

There have been numerous allegations and credible evidence that in past years the authorities tortured and abused suspects and detainees, in cases resulting in death, in order to attempt to coerce confessions before or during trial. However, there were no such allegations during the year.

The Constitution may be interpreted as permitting amputations in accordance with Shari'a (Islamic law). In January authorities amputated the right hand of Ahmed Mohammed Sharaf, a repeat offender convicted of murder (he was also sentenced to death, but had not been executed by year's end). However, the use of amputations as punishment is extremely rare. Prior to the Sharaf case, there had been no reports of amputations since 1991, although a small number of persons who have been found guilty of theft and sentenced to amputation remain in jail awaiting the implementation of their sentences. The Shari'a-based law permits physical punishment such as flogging for some crimes. For example, in July 2000, two individuals convicted of kidnaping were sentenced to 80 lashes (the penalty for the consumption of alcohol) in addition to a period of imprisonment because they had been intoxicated during the commission of their crime. In Ibb governorate in January 2000, Mohamed Tahbit al-Su'mi, after being tried and convicted, was stoned to death for the 1992 rape and murder of his 12-year-old daughter. Capital punishment usually is carried out by firing squad; stoning is almost unheard of, but was approved in this case due to the unusual brutality of the crime. In rare cases involving particularly egregious crimes, such as the rape and murder of children, the law permits the ritual display in public of the bodies of executed criminals. The ostensible purpose of this practice is to demonstrate to the families of victims that justice has been served and to prevent blood feuds between tribes.

The Government at times uses excessive force to put down demonstrations and riots. In April a soldier killed a demonstrator and wounded another when he fired into a crowd protesting a zoning decision in the al-Dalah governorate (see Section 2.b.).

Tribal violence continued to be a problem during the year, causing numerous deaths and injuries (see Section 5).

Prison conditions are poor and do not meet internationally recognized standards. Prisons are overcrowded, sanitary conditions are poor, and food and health care are inadequate. Inmates depend on relatives for food and medicine. Many inmates lack mattresses or bedding. Prison authorities often exact bribes from prisoners or refuse to release prisoners who have completed their sentences until family members pay a bribe. Tribal leaders misuse the prison system by placing "problem" tribesmen in jail, either to punish them for noncriminal indiscretions or to protect them from retaliation or violence motivated by revenge. Authorities in some cases arrest without charge and imprison refugees, persons with mental disabilities, and illegal immigrants and place them in prisons with common criminals.

Conditions are equally poor in women's prisons, where children likely are incarcerated along with their mothers. By custom and preference, babies born in prison

generally remain in prison with their mothers. At times female prisoners are subjected to sexual harassment and violent interrogation by male police and prison officials. The law requires male members of the families of female prisoners to arrange their release; however, female prisoners regularly are held in jail past the expiration of their sentences because their male relatives refuse to authorize their release due to the shame associated with their alleged behavior. In 2000 the Government's Supreme National Committee for Human Rights initiated a project with the National Women's Committee to establish a shelter in Sana'a to house 50 of these abandoned women and provide them with vocational education; however, at year's end, the National Women's Committee was still seeking donor funding for the project.

There was increased attention focused during the year on the circumstances of women prisoners. Several NGO's, often with Government support, undertook activities to address the legal and other problems of female prisoners (see Section 4). For example, in March the Human Rights Information and Training Center (HRITC) organized a workshop to improve conditions for women in Taiz Central Prison, an initiative that it hopes to expand to other cities. In April the al-Afif Young Girls Forum organized a seminar to discuss legal and cultural obstacles to reforming women's prisons. In June under the patronage of the new Minister of State for Human Rights and in association with the International Human Rights Legal Group, the Arab Human Rights Forum, al-Shakiq, conducted a 3-day program on protecting the rights of female prisoners. The program was attended by women's rights activists from Tunisia, Egypt, Pakistan, Malaysia, and the United States, as well as Yemen.

Unauthorized "private" prisons are a problem. Most such prisons are in rural areas controlled by tribes, and many are simply a room in a tribal sheikh's house. Persons detained in such prisons often are held for strictly personal or tribal reasons and without trial or sentencing. There are credible reports of the existence of private prisons in government installations, although these prisons are not sanctioned by senior officials. In July 2000, Mohamed Naji Alao, a parliamentarian and founder of the human rights NGO the Organization for the Defense of Human Rights, discovered that several private prisons were being operated at government facilities in Sana'a. He reported them to the President, who immediately ordered the unlawful prisons closed and the offenders arrested. In April 1999, the chairman of the Sana'a governorate prosecutor's office, Salem Ahmed al-Shaiba, inspected several illegal prisons operated by the Sana'a governor's office and sent his findings to the Attorney General. According to al-Shaiba's findings, 19 individuals had been imprisoned beyond their legal sentence; several prisoners were detained in handcuffs illegally; numerous individuals were detained illegally in connection with civil or commercial cases or because they had disobeyed a tribal sheikh; and 43 persons from the Shibam al-Gharas region were being detained on the same charge (shooting at a truck).

In 2000 the Government issued directives intended to align the country's arrest, interrogation, and detention procedures more closely with internationally accepted standards. For example, the Ministry of Interior created detention and interrogation centers in each governorate (including four in Sana'a), to prevent suspects from being detained with convicted criminals. The Government also formally instructed police and prison officials that detainees be provided adequate food, that prisoners be released upon completion of their sentences, and that juveniles (with the exception of those convicted of murder) be incarcerated in facilities separated from adults. In addition the Government created a female police force and developed regulatory guidance for their activities to better respond to the needs of female prisoners and female victims of crimes. The Government's directives generally were implemented in practice.

In November the President celebrated the Islamic holy month of Ramadan by arranging for the release of a reported 3,500 prisoners. All of those prisoners had been released by year's end. Other releases began in January 2000, when the Government's Supreme National Committee for Human Rights led a government initiative to establish and finance, along with private sector contributions, a special "charity fund" to be used to enable the release of prisoners who, in keeping with tribal or Islamic law, were being held in prison pending payment of restitution to their victims, despite having completed their sentences. In 2000 the President appointed a high-level interministerial committee, chaired by the Minister of Interior, to inspect all major prisons in the country, both to identify prisoners whom the fund could help and to investigate conditions. The inspection committee immediately released persons being held illegally, developed recommendations for reform, and arranged for the eventual release during 2000 of over 1,000 prisoners who had been held beyond their sentences (in violation of the law) until they could pay restitution.

The Government tightly controls access to detention facilities by NGO's, although in some cases it permits local and international human rights monitors access to

persons accused of crimes. In 2000 the International Committee of the Red Cross (ICRC), with the Government's full cooperation, conducted a comprehensive inspection of the country's major prisons. While serious problems remain, the ICRC acknowledged the Government's commitment to penal reform and noted that the Government had made significant improvements since the 1995 ICRC inspection, especially with regard to the incarceration of persons with mental disabilities.

The PSO does not permit access to its detention centers.

d. Arbitrary Arrest, Detention, or Exile.—The law provides due process safeguards; however, security forces arbitrarily arrest and detain persons. Enforcement of the law is irregular and in some cases nonexistent, particularly in cases involving security offenses. According to the law, detainees must be arraigned within 24 hours of arrest or be released. The judge or prosecuting attorney must inform the accused of the basis for the arrest and decide whether detention is required. In no case may a detainee legally be held longer than 7 days without a court order. Despite these constitutional and other legal provisions, arbitrary arrest and prolonged detention without charge are common practices. In April 2000, Parliament passed a revised Police Law, which established the mandate, duties, and procedures for police.

During the year, the Government continued to detain journalists briefly for questioning concerning articles that were critical of the Government or that the Government considered sensitive. In May the PSO detained journalist Hassan al-Zaidi and held him incommunicado for 16 days, at times in solitary confinement. In September the PSO again detained al-Zaidi for 2 weeks (see Section 2.a.). However, the decline in the number of such incidents from 1999 continued.

The law prohibits incommunicado detentions. The law provides detainees with the right to inform their families of their arrests and to decline to answer questions without an attorney present. There are provisions for bail. In practice many authorities abide by these provisions only if bribed.

Citizens regularly claim that security officials did not observe due process procedures when arresting and detaining suspects, particularly those accused of involvement in political violence. There also were claims that private individuals hired lower-level security officials to intervene on their behalf and harass their business rivals. Security forces at times detained demonstrators (see Section 2.b.).

The Yemeni Institute for Democratic Development (YIDD) reported that Amar Mahmoud Ali Abdo al-Madhagi was arrested by CID officials in May and held without charge for approximately 6 weeks. Al-Madhagi's family claimed that security officials detained al-Madhagi as he was walking down the street in Sana'a, coerced a confession from him regarding his purported involvement in terrorist activities, and then held him incommunicado. The Government denied the family's version of al-Madhagi's arrest. The Ministry of State for Human Rights looked into the YIDD report and stated that al-Madhagi had approached the authorities, claiming to have information regarding the October 2000 terrorist attack against the USS Cole (see Section 1.a.). The authorities determined that the information provided by al-Madhagi was a hoax, and arrested him for "intentionally providing inaccurate and misleading information." According to the Ministry, al-Madhagi was in prison and awaiting trial at year's end.

In cases in which a criminal suspect is at large, security forces in some instances detain a relative while the suspect is being sought. The detention may continue while the concerned families negotiate compensation for the alleged wrongdoing. Arbitration, rather than the court system, commonly is used to settle cases.

The Government failed to ensure that detainees and prisoners are incarcerated only in authorized detention facilities. The Ministry of Interior and the PSO operate extrajudicial detention facilities. A large percentage of the total prison population consists of pretrial detainees. There have been allegations that a large number of persons have been imprisoned for years without documentation concerning charges against them, their trials, or their sentences.

Aziz Mohamed Musaid, who was arrested in Taiz in September 1998 and charged with intent to commit adultery, was released on bail in December 2000; however, his trial remained pending. Musaid's case had languished and he remained in jail because the presiding judge, Abdul Jabar Taha al-Kharasani, refused to adjudicate the case. The charges did not appear to be supported by solid evidence. In October 1999, the Minister of Interior ordered al-Kharasani to turn over his cases, including Musaid's, to another judge, but he refused to do so. Al-Kharasani was finally compelled to do so in December 2000, and another judge has taken the case.

While some cases of those being held without charge have been redressed through the efforts of local human rights groups and government inspection missions (and some illegally detained prisoners released), the authorities have not investigated nor resolved these cases adequately.

Unauthorized private prisons also exist in tribal areas in which the Government does not exercise authority effectively. Persons detained in such prisons often are held for strictly personal reasons and without trial or sentencing (see Sections 1.c. and 1.e.).

The law does not permit forced exile. The Government does not use forced exile. However, at the end of the 1994 civil war, the Government denied amnesty to the 16 most senior leaders of the armed, secessionist Democratic Republic of Yemen (DRY) who fled abroad. Although they were not forced into exile, they are subject to arrest if they return. The trial of the so-called "16" concluded in March 1998. During the year, with the encouragement of the Government, prominent southern journalists, military officers, and their families who fled the country during the 1994 civil war returned to the country (see Section 1.e.).

In December the Government deported approximately 100 foreigners, many of whom were studying at Muslim religious schools, who allegedly were in the country illegally. The Government claimed that these persons were suspected of inciting violence or engaging in criminal acts by promoting religious extremism. The Government deported them using existing laws that require all foreigners to register with the police or immigration authorities within a month of arrival in the country.

e. Denial of Fair Public Trial.—The Constitution provides for an "autonomous" judiciary and independent judges; however, the judiciary is not fully independent, and it is weak and severely hampered by corruption, executive branch interference, and the frequent failure of the authorities to enforce judgments. Judges are appointed by the executive branch, and some have been harassed, reassigned, or removed from office following rulings against the Government. For example, there were credible reports that in 1999 then-governor of Sana'a Naji al-Sufi repeatedly interfered with and attempted to intimidate members of the judiciary, including assault on a defense lawyer, detaining at least two judges, and harassing the chairman of Sana'a governorate's prosecutor's office. Many litigants maintain, and the Government acknowledges, that a judge's social ties and susceptibility to bribery at times have greater influence on the verdict than the law or the facts of the case. Many judges are poorly trained; some closely associated with the Government often render decisions favorable to it. The judiciary is hampered further by the Government's frequent reluctance to enforce judgments. Tribal members at times threaten and harass members of the judiciary. For example, in August 2000, members of the Bani Dhubian tribe kidnaped judge Abdu Rahman Abu Taleb, who was presiding over a land dispute case involving the tribe.

There are five types of courts: Criminal; civil and personal status (for example, divorce and inheritance); kidnaping/terrorism; commercial; and court-martial.

All laws are codified from Shari'a, under which there are no jury trials. Criminal cases are adjudicated by a judge, who plays an active role in questioning witnesses and the accused. Under the Constitution and by law, the Government must provide attorneys for indigent defendants; however, in practice this never occurs. Despite a stipulation that the Government provide legal aid to indigent defendants, the law does not explicitly prohibit trying criminal defendants without a lawyer, and the judicial budget currently does not allow for defense attorneys. Judges at times "appoint" attorneys present in their courtrooms to represent indigent defendants; however, such attorneys legally are not required to take the case, although most accept in order to avoid displeasing judges before whom they must appear later.

By law prosecutors are a part of the judiciary and independent of the Government; however, in practice prosecutors consider themselves as an extension of the police. They do not receive the normal judicial training that judges do, nor do they fulfill their legal obligation to prosecute police who delay reporting arrests and detentions.

Defense attorneys are allowed to counsel their clients, address the court, and examine witnesses. Defendants, including those in commercial courts, have the right to appeal their sentences. Trials generally are public; however, all courts may conduct closed sessions "for reasons of public security or morals." Foreign litigants in commercial disputes have complained of biased rulings. However, some foreign companies have won cases against local defendants, and some such decisions have been enforced.

In addition to regular courts, the law permits a system of tribal adjudication for noncriminal issues, although in practice tribal "judges" often adjudicate criminal cases as well. The results of such mediation carry the same if not greater weight as court judgments. Persons jailed under the tribal system usually are not charged formally with a crime but stand publicly accused of their transgression.

In October 1999, the Government established a special court to try persons charged with kidnaping, "carjacking," attacking oil pipelines and other acts of banditry and sabotage (see Section 1.b.). Several persons tried by this special court have

received lengthy jail sentences, which appears to have had a deterrent effect on tribal kidnappings.

Prior to unification, approximately half of the judges working in southern Yemen were women. However, after the 1994 civil war, conservative leaders of the judiciary reassigned many southern female judges to administrative or clerical duties. Although several female judges continue to practice in Aden, there are no female judges in northern courts.

The Government continued the program it began in late 1997 to reform the judiciary. This comprehensive, long-term reform program is intended to improve the operational efficiency and statutory independence of the judiciary by placing reform-minded personnel into the courts; forming an interministerial council to oversee the reform project; publishing a judicial code of ethics; and making the Supreme Court smaller, more efficient, and less corrupt. Foreign donors have offered to provide assistance in implementing judicial reform, which the Government has accepted. While the program has not yet been completed, some attorneys cite improvements, including a reduction in the number of Supreme Court justices from 90 to 40 in 1998, an increase in judges' salaries in order to deter corruption, an increase in the Ministry of Justice's budget in 2000, and participation by judges in workshops and study tours conducted by foreign judicial officials. However, there have not yet been any tangible results.

In August the country's Higher Judicial Council, chaired by the President, dismissed 20 judges and prosecutors for violating the law and forced 108 others to retire. The council also strengthened the Ministry of Justice's authority to investigate and prosecute allegations of judicial abuse, and instructed the Accountability Council to accelerate its investigation of pending cases. Also in August, the Minister of Justice led an inspection tour of courts in several governorates to review the performance of officials, identify problems and take corrective action, if necessary.

In September the Cabinet approved a package of judicial reform measures aimed primarily at improving the country's commercial and public finance courts, which deal with taxes, customs, and foreign exchange law. Later in the month, the Ministry of Justice initiated a project to upgrade the country's judicial infrastructure, including construction of 55 new courthouses, prosecution offices, and residences for judges in several governorates. The Ministry completed 20 facilities by year's end.

In 1999 a U.N. Development Program (UNDP) team visited the country to conduct an assessment that would serve as the basis of a second judicial reform program, which originally was scheduled to begin in January 2000 and end in 2002. The team noted the Government's willingness to address long-standing issues of accountability and transparency and to implement laws more effectively. The program's goals would be to modernize Ministry of Justice equipment, improve the country's legal libraries, provide special training for the Attorney General's office, enhance public awareness of the rule of law, and secure a building for the Supreme Court. The UNDP continues to seek donor funding for the program, which had not begun by year's end.

A third judicial reform program, financed by international assistance, was initiated in January 2000 and is to last through March 2002. The program focuses on the Ministries of Justice and of Legal and Parliamentary Affairs and is to provide training in business and commercial law for judges; a diagnostic study of judicial education curriculum; training on drafting of legislation; and a review of the country's commercial laws to identify and correct inconsistencies or close gaps. The program is ongoing.

The security services continued to arrest and prosecutors to charge and try persons alleged to be linked to various shootings, explosions, bombings, and other acts of violence. Citizens and human rights groups alleged that the judiciary did not observe due process standards in these cases.

In February the lawyer for two suspects detained in connection with the investigation into the October 12, 2000, terrorist attack against the USS Cole in Aden harbor (see Section 1.a.), claimed that authorities denied him access to his clients. There also were expressions of concern that the prosecution has postponed proceeding to trial to give security officials more time to investigate with their U.S. counterparts. There have been no reports of allegations of torture from persons detained in connection with the investigation.

On January 1 and 2, explosive devices were detonated in Aden outside the Anglican Christ Church, which is used as a transient hotel by seamen, and the official SABA News Agency office. Authorities attributed the bombings to religious extremists, possibly affiliated with the AAIA (see Section 1.a.). Five persons were arrested in January; their trial began in April and had not concluded by year's end. The accused leader, Abu Bakr Said Jayul, was convicted in July along with three others for planting a bomb at the British Embassy in Sana'a in October 2000. Jayul and

a second defendant received a 15-year jail sentence; the remaining defendants were given 6 and 4 years. They appealed their sentences, and in October the Sana'a Penal Appeals Court reduced them to 10, 4, and 2 years, respectively. There were claims that there were procedural irregularities in the trial.

The trial of seven AAIA members on terrorism charges, which began in October 1999, ended in June 2000. Two were found guilty and given jail sentences; the remaining five were acquitted. Two of the defendants were tried in absentia. Four claimed that the prosecution coerced and tortured them into making self-incriminating statements and confessions (see Section 1.c.). The judge issued a ruling prohibiting the publication of details about the trial. The convicted leader, Hatem bin Fareed, appealed his 7-year jail sentence, but in April the Sana'a Appeals Court upheld it. Authorities maintain that bin Fareed was the putative successor to AAIA leader "Abu Hassan," who was executed in 1999.

The Government claims that it does not hold political prisoners. Local opposition politicians and human rights activists generally accept this claim; however, some international human rights groups and members of the opposition-in-exile dispute it.

At the end of the 1994 civil war, the President pardoned nearly all who had fought against the central Government, including military personnel and most leaders of the unrecognized DRY. The Government denied amnesty to the 16 most senior leaders of the DRY (1 of whom is presumed dead), who fled abroad. The DRY leaders are subject to arrest if they return. In 1997 and 1998, the so-called "16" were tried in absentia on various charges, including forming a secessionist government, conspiracy, and forming a separate military. All but two were found guilty, and in March 1998, a judge sentenced five of the defendants to death and 3 others to 10 years in jail. Six persons received suspended sentences, and two were acquitted. Many opposition figures have urged the President to issue an amnesty for those who received sentences in the interest of promoting reconciliation between the north and south. The President has stated that it is up to the judicial system to pass judgment. Defense attorneys appealed to a higher court, but by year's end the court had made no judgment on whether it would hear the appeal.

With the encouragement of the Government, in June and July, eight prominent southern journalists who fled the country during the 1994 civil war returned and have resumed their careers (see Section 2.a.). A number of southern military officers and their families who fled during the civil war reportedly returned in September.

f. Arbitrary Interference with Privacy, Family, Home or Correspondence.—Despite constitutional provisions against government interference with privacy, security forces routinely search homes and private offices, monitor telephones, read personal mail, and otherwise intrude into personal matters for alleged security reasons. Such activities are conducted without legally issued warrants or judicial supervision. Security forces regularly monitor telephone conversations and interfere with the telephone service of government critics and opponents. Security forces sometimes detain relatives of suspects while the suspect is being sought (see Section 1.d.). Government informers monitor meetings and assemblies (see Section 2.b.).

The law prohibits arrests or the serving of a subpoena between the hours of sundown and dawn. However, persons suspected of crimes in some instances are taken from their homes in the middle of the night, without search warrants. Jews traditionally face social (but not legal) restrictions on their residence and their employment (see Section 5).

According to a 1995 Ministry of Interior regulation, no citizen may marry a foreigner without Interior Ministry permission (see Section 5). This regulation does not carry the force of law and appears to be enforced irregularly. However, some human rights groups have raised concerns about the regulation.

The Government reportedly blocks sexually explicit web sites, but does not block politically oriented sites (see Section 2.a.). The Government claims that it does not monitor Internet usage, but some persons suspect their e-mail messages are read by security authorities. There have been no reports that the Government has taken action against Internet users.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press.—The Constitution provides for freedom of speech and of the press "within the limits of the law;" however, the Government influences the media and restricts press freedom. Some security officials attempt to influence press coverage by threatening, harassing, and detaining journalists. Although most citizens are uninhibited in their private discussions of domestic and foreign policies, some are cautious in public, fearing harassment for criticism of the Government. The Penal Code criminalizes, with fines and up to 5 years in jail, "the humiliation of the State, the Cabinet, or parliamentary institutions," the publication of "false in-

formation" that "threatens public order or the public interest," and "false stories intended to damage Arab and friendly countries or their relations with Yemen."

The relative freedom of the press permitted between unification (1990) and the civil war (1994) has not been reestablished. An atmosphere of government pressure on independent and political party journals continues at a higher level than before the civil war. The international human rights group the Committee to Protect Journalists continued to criticize the Government for restrictions, harassment, and arbitrary detention directed at journalists. However, in June with the Government's permission and encouragement, eight prominent southern journalists who fled the country after the 1994 civil war returned to the country and resumed their careers.

The Ministry of Information influences the media through its control of most printing presses, subsidies to certain newspapers, and its ownership of the country's sole television and radio outlets. Only one newspaper, the thrice-weekly Aden independent al-Ayyam, owns its own press. The Government selects the items to be covered in news broadcasts, and it often does not permit broadcast reporting critical of the Government. However, during the 1999 presidential election campaign, the media extensively covered both candidates and reported in full the many critical comments made by the President's opponent. The Government televises parliamentary debates, but it may edit them selectively to remove criticism.

Press Law regulations specify that newspapers must apply annually to the Government for licensing renewal, and that they must show continuing evidence of about \$4,375 (700,000 riyals) in operating capital. Some journalists claim that the regulations were designed to drive some opposition newspapers out of business.

Although newspapers ostensibly are permitted to criticize the Government, journalists at times censor themselves, especially when writing on such sensitive issues as government policies toward the southern governorates, relations with Saudi Arabia and other foreign governments, and official corruption. The penalties for exceeding these self-imposed limits may be arrest for libel, dismissal from employment, or extrajudicial harassment. Editors in chief legally are responsible for everything printed in their newspapers, regardless of authorship. Some journalists have reported being threatened by security officials to change the tone and substance of their reporting. Journalists must have a permit to travel abroad, although there were no reports that this restriction was enforced during the year (see Section 2.d.). Following what it deemed was irresponsible reporting on an alleged military helicopter crash, in May the Ministry of Information issued a circular to local newspapers and magazines prohibiting publication of information or news pertaining to the armed forces before "consulting" with the Ministry of Defense.

During the year, journalists continued to be detained for questioning for short periods of time for writing articles that were critical of the Government or that the Government considered sensitive, primarily issues involving Saudi Arabia. However, the decline in the number of such incidents from 1999 continued, and most individual journalists and the Yemeni Journalists Syndicate agree that extralegal governmental harassment is less of a problem than it was in the past. Some journalists claim that most harassment comes from the police, in particular the CID, and no longer the PSO. Cases and ongoing trials involving journalists often are not resolved formally, but rather are settled through unofficial agreements between the Government and the journalists, or languish indefinitely.

In January a Sana'a court found al-Shumu' newspaper guilty of libeling Egyptian President Hosni Mubarek and ordered it to suspend publication for a month. The article in question, which was published in October 2000, accused Mubarak of not being adequately responsive to the plight of the Palestinians. Al-Shumu's editor in chief, Seif al-Hadhri was also fined \$59 (10,000 riyals). In April al-Hadhri was detained for questioning by the PSO. In May, al-Shumu' again was closed for a month following its publication of allegations of corruption in the Ministry of Education. The court, finding no basis in fact for his allegations, also fined al-Hadhri \$6,471 (1.1 million riyals). Al-Hadhri appealed the verdict, but the appeals court not only upheld the lower court's decision, but also gave al-Hadhri a (suspended) 6 months prison sentence and banned him from practicing journalism for 10 months. Al-Hadhri again appealed, this time to the Supreme Court; the case was pending at year's end.

In May the PSO detained journalist Hassan al-Zaidi and held him incommunicado for 16 days, at times in solitary confinement, in the detention center under the PSO headquarters in Sana'a. Authorities never formally charged al-Zaidi with any crime, but told him that he had "exceeded the red lines." In addition to being a reporter for the Yemen Times, al-Zaidi is a member of the Islamist opposition party Union of Popular Forces (UPF) and belongs to the al-Zaidi tribe, which has been responsible for kidnappings of foreigners and other destabilizing activity. In September the PSO in Marib arrested him again, and held him for about 2 weeks. At the time of

his second arrest, al-Zaidi's Marib-based tribe was holding a Western diplomat whom it had kidnaped in July. Al-Zaidi denied knowledge of or complicity in kidnappings or other acts, claiming that security authorities had detained him because they wanted to punish the al-Zaidi tribe, because of his contacts with foreigners and because he had published interviews with kidnap victims. Al-Zaidi also claimed that when members of his tribe kidnaped a Swedish national in Marib governorate in 2000, security forces surrounded his house and impounded his car, which they have yet to return.

In June the Supreme Court upheld a lower court's 1997 decision to suspend publication of al-Shoura, the newspaper of the Islamist opposition party UPF, for 6 months for slandering an important sheikh and leader of the Islaah party. The Supreme Court also upheld the lower court's sentence of \$588 (100,000 riyals) fine for the newspaper and suspension for the editor in chief (who died in 1999). The Court also sentenced the editor and the author of the article (the editor's brother, Abd al-Jabbar Saad), to flogging with 80 strokes of a lash and 1 year journalistic suspension. Al-Shoura's new editor criticized the verdict, claiming that he believed that mediation and a published apology effectively had ended the case in 1999. The sentence had not been carried out by year's end; Saad continues to practice journalism. In May Al-Shoura resumed publication as Sawt al-Shoura, which the Ministry of Information recognizes as a new and legal newspaper.

In February 1999, the Ministry of Information closed al-Shoura as well as a new, competing version of the same newspaper. The second version of al-Shoura appeared following an ideological split in the UPF. Under the Press Law, it is illegal for more than one newspaper to use the same name. Some journalists allege that the Government financed the second al-Shoura in order to create a pretext to shut down the outspokenly critical original al-Shoura. A court allowed the original al-Shoura to resume publication and upheld the suspension of the second al-Shoura, but an appeals court later ordered the original newspaper to cease publication pending the Supreme Court's decision as to which faction had the right to al-Shoura's name. The original al-Shoura resumed publication in August 2000; at year's end, the Supreme Court had still not issued a verdict.

In June Sawt al-Mu'arada, the official publication of the National Opposition Council, one of the country's two coalitions of opposition parties, resumed publication after being inactive for 5 years.

Two cases involving articles that criticized the Government of Saudi Arabia, one from 2000 and one from 1999, were pending at year's end. In February 2000, the Ministry of Information referred a complaint from the Ministry of Foreign Affairs to the Sana'a Court against Dr. Qasim Sallam, the secretary general of the opposition Arab Socialist Baath Party, and the party's newspaper, al-Ihya al-Arabi, for an article Sallam wrote entitled "The Danger-dom of Saudi Arabia," which alleged that there were supporters of Israel in the Saudi leadership. In August 1999, Jamal Ahmed Amer, a journalist for al-Wahdawi newspaper and member of the opposition Nasserist Party, was detained and held incommunicado for 6 days for writing an article critical of Yemeni-Saudi relations and considered offensive to the Saudi royal family. Al-Wahdawi's editor, Abdelaziz Sultan, was called in for questioning. In February 2000, Amer was tried and found guilty of "harming national interests" and "publishing an article not based on accurate documents." The judge suspended publication of al-Wahdawi for one month, banned Amer from practicing journalism for one year, and fined Amer \$31 (5,000 riyals). The editors of al-Wahdawi and al-Ihya al-Arabi claimed that the actions taken against them by the Ministry of Information were a direct result of pressure by the Government of Saudi Arabia. Amer's lawyer appealed the case. Amer continues to write for another newspaper, al-Ushbu'. He has filed a suit against the Minister of Interior; this suit also remained pending at year's end.

In May 2000, Hisham Ba Sharahil, the editor of al-Ayyam, was charged with "instigating the use of force and terrorism" and "publishing false information" for publishing an interview with Islamic militant Abu Hamza al-Masri (see Section 1.e.) in August 1999. He also was charged with "insulting public institutions" for publishing an article critical of the Director of Aden Security. The trial was suspended to allow Ba Sharahil to undergo medical treatment. In February 2000, Ba Sharahil also was called in for questioning in connection with an article published in al-Ayyam criticizing the Aden municipal government's allowing the destruction of a building that once had been a synagogue. He again was called in for questioning in April 2000 following publication in al-Ayyam of a letter of support for Ba Sharahil in his dispute with the Director of Aden Security from the secessionist Movement of Self-Determination for South Arabia (HATAM). Ba Sharahil's case was ongoing at year's end, but in abeyance pending his recovery from illness.

In August 2000, Saif al-Hadhri, the editor in chief of al-Shumu newspaper, was convicted of libel in connection with a series of articles reporting high-level corruption in the Ministries of Electricity, Agriculture, Education, and Finance. The judge fined al-Hadhri \$437 (70,000 riyals) and suspended him for 7 months. Al-Hadhri also was ordered to pay the Minister and Deputy Minister of Education's legal fees and \$12,500 (2 million riyals) in compensation. Al-Hadhri appealed the judgment; the case remained pending at year's end. In July 2000, al-Hadhri was abducted from his office for a day by 30 armed men; he claimed they were security officials.

In August 1999, journalist and lawyer Nabil al-Amoudi was brought before the Abyan preliminary court for writing an article critical of the Government and the human rights situation in the country. The case remained pending at year's end.

The Yemeni Journalists Syndicate defends freedom of the press and publicizes human rights concerns. For example, in February they organized a seminar regarding legislation pertaining to journalism. Critics claim that the syndicate is ineffective because it has too many nonjournalist members who support government policy. In 1999 several independent and opposition party journalists formed a rival union, the Committee for the Defense of Journalists, under the leadership of Hisham Ba Sharahil, the publisher of al-Ayyam newspaper, to defend more vigorously journalists harassed by the Government.

Customs officials confiscate foreign publications regarded as pornographic or objectionable because of religious or political content. In April PSO officials in Taiz detained Faysal Said Fara'a, the director of a private cultural center, for a day of questioning following his alleged receipt of banned books dealing with the opposition. There were no reports during the year that the Ministry of Information delayed the distribution of international Arabic-language dailies in an effort to decrease their sales in the country, as had occurred in previous years. However, authorities monitor foreign publications, banning those that they deem harmful to national interests. For example, in 2000 the owner of a Sana'a bookstore was arrested by the PSO for selling banned copies of an edition of the London-based Arabic magazine al-Magalal, which featured a cover story on President Saleh's son Ahmed, the Commander of the Republican Guard.

An author must obtain a permit from the Ministry of Culture to publish a book. Most books are approved, but the process is time-consuming for the author. The author must submit copies of the book to the Ministry. Officials at the National Library must read and endorse the text. Then it is submitted to a special committee for final approval. If a book is not deemed appropriate for publication, the Ministry simply does not issue a decision. Publishers usually do not deal with an author who has not yet obtained a permit.

Internet use has increased significantly. An estimated 30,400 persons use the Internet, and 7,600 persons subscribe to it. There are over 70 Internet cafes in Sana'a and approximately 30 in other cities. The Government does not impose restrictions on Internet use, but most persons claim that equipment and subscriptions costs are prohibitively high. Teleyemen, a parastatal company under the Ministry of Telecommunications, is the country's sole Internet service provider. The Government does not block politically oriented web sites; mowj.com, the web site of the Yemeni National Opposition Front, which had been the only political site blocked by the Government, apparently has ceased operating (see Section 1.f.).

Academic freedom is restricted to some extent because of the extreme politicization of university campuses. A majority of professors and students align themselves with either the ruling GPC party or the opposition Islaah party. Each group closely monitors the activities of the other. Top administrative positions usually are awarded to political allies of these two major parties. There were several clashes between GPC- and Islaah-affiliated students during the year, but no serious violence.

b. Freedom of Peaceful Assembly and Association.—The Constitution provides for freedom of peaceful assembly; however, the Government limited this right in practice. The Government claims that it bans and disrupts some demonstrations to prevent them from degenerating into riots and violence. The Government requires a permit for demonstrations, but it issues them routinely. Government informers monitor meetings and assemblies. The opposition claims that the Government sometimes detains activists for questioning in order to prevent them from organizing demonstrations, for example, in April 2000, the Government held 19 opposition activists in Abyan governorate for questioning for several days to prevent a demonstration. Draft provisions of a Police Law enacted in 2000 would have permitted police to open fire on gatherings of five or more persons if police suspected imminent violence or criminal activity; however, the provisions were removed after a campaign by human rights organizations, opposition political parties, and the press (see Section 1.d.).

In April a demonstrator was killed and another wounded when a soldier fired into a crowd protesting a zoning decision in the al-Dalah governorate. The dispute reportedly centered around a local official's decision to prevent a resident from building an extension on his house. According to press reports, the homeowner had obtained an official permit from municipal officials to build the extension and refused to stop work. Security officials were dispatched to enforce the official's decision, a crowd gathered, and tensions escalated. After the shooting, there was a brief spontaneous demonstration. Authorities reportedly arrested the soldier, but there was no information regarding whether he was disciplined. Residents of al-Dalah long have resisted central government authority, and the governorate for many years has been the scene of frequent (and at times violent) clashes between often armed residents and security forces.

In October police in Hajja governorate broke up a Nasserist Party-organized student demonstration protesting U.S. military strikes in Afghanistan. Several of the organizers were detained briefly for questioning; it is unclear whether they had a permit.

There were a number of small, peaceful demonstrations during the year, most of which were to protest U.S. foreign policies in the Middle East. In February a small group of Baathist demonstrators in Sana'a marched to U.N. Development Program headquarters in Sana'a and presented a letter condemning U.S. actions against the Palestinian and Iraqi persons. There were small pro-Palestinian demonstrations in April in Taiz governorate. In Sana'a in May, there was an "oratorical festival" at the Palestinian Embassy to commemorate the 53rd anniversary of "al-Nakbah," the 1948 Palestinian defeat. In September there were several demonstrations in Sana'a and other cities commemorating the first anniversary of the al-Aqsa Intifada. Also in September, students in Taiz governorate demonstrated against an increase in university fees. In October thousands of persons in Amran governorate protested peacefully against U.S. actions in Afghanistan; during the month, there were additional small demonstrations in other governorates.

The Constitution provides for the freedom of association, and the Government generally respects this right in practice. Associations must obtain an operating license from the Ministry of Social Affairs or the Ministry of Culture, which usually is a routine matter. Government informants monitor meetings and assemblies.

The Government cooperates with NGO's, although NGO's complain that there is a lack of response to their requests from government officials. The Government's ability to be responsive is limited in part by a lack of material and human resources. In January the Parliament passed the controversial Law for Associations and Foundations, which regulates the formation and activities of NGO's (see Section 2.b.). The Government introduced the proposed law in 1998, but as it typically does with Government initiatives with which it disagrees, Parliament indirectly asserted its legislative prerogative by refusing to take action. While more liberal than the law it was designed to replace, the 1998 proposal still contained significant limitations on NGO's. For example, the draft law would have made it illegal for NGO's to seek and obtain foreign funding, required that all NGO's be members of a national federation of NGO's, and prohibited nonmember participation in NGO deliberations or administration. Claiming that the bill, if passed, would severely restrict the development of civil society, a group of human rights activists and journalists vigorously campaigned against it. Parliament finally passed the new NGO law, but removed all the most problematic provisions.

All political parties must be registered in accordance with the Political Parties Law, which stipulates that each party must have at least 75 founders and 2,500 members (see Section 3).

c. Freedom of Religion.—The Constitution declares that Islam is the official religion and also provides for freedom of religion, and the Government generally respects this right in practice; however, there are some restrictions. Followers of other religions are free to worship according to their beliefs and to wear religiously distinctive ornaments or dress; however, the Government forbids conversions, requires permission for the construction of new places of worship, and prohibits non-Muslims from proselytizing and holding elected office. The Government does not designate religion on passports or identity cards. The Constitution states that Shari'a is the source of all legislation.

Under Islam the conversion of a Muslim to another religion is considered apostasy, a crime punishable by death. There were no reports of cases in which the crime was charged or prosecuted by government authorities. In January 2000, the director of the Aden office of the U.N. High Commissioner for Refugees (UNHCR) received a report that authorities arrested a Somali refugee, who allegedly had converted from Islam to Christianity after his arrival in the country, on charges of apostasy. The UNHCR's investigation found that police in Aden previously had de-

tained the refugee on criminal charges in Aden and at the UNHCR's al-Jahin camp. Although the refugee was registered with the UNHCR under a Christian name, he maintained an address in Sana'a under a Muslim name, was married to a Muslim woman, and possessed an Islamic marriage certificate. The UNHCR believed that authorities detained the refugee on criminal rather than religious grounds. The refugee was not charged formally and his trial was canceled. Authorities remanded him to immigration detention, then released him in July 2000. With the Government's knowledge, the UNHCR arranged for the refugee to be resettled in New Zealand; he and his family departed the country in August 2000.

Official government policy does not prohibit or prescribe punishment for the possession of non-Islamic religious literature. However, there are unconfirmed reports that foreigners, on occasion, have been harassed by police for possessing such literature. In addition some members of the security forces occasionally censor the mail of Christian clergy who minister to the foreign community, ostensibly to prevent proselytizing.

There are unconfirmed reports that some police, without the authorization or knowledge of their superiors, on occasion have harassed and detained persons suspected of apostasy in order to compel them to renounce their conversions.

The Government does not allow the building of new non-Muslim public places of worship without permission; however, in 1998 the country established diplomatic relations with the Vatican and agreed to the construction and operation of a "Christian center" in Sana'a. The Papal Nuncio, resident in Kuwait, presented his credentials to the Government in March. The country's ambassador to Italy was accredited to the Vatican in July 1999. President Saleh paid an official visit to the Vatican at the time of his state visit to Italy in April 2000. Weekly services for Catholic, Protestant, and Ethiopian Christians are held in the auditorium of a private company in Sana'a without government interference. Christian church services are held regularly in other cities without harassment in private homes or facilities such as schools, and these facilities appear to accommodate the small numbers involved.

Public schools provide instruction in Islam but not in other religions. However, almost all non-Muslims are foreigners who attend private schools.

In 2000 the Government suspended its policy (enacted earlier that same year) of allowing Yemeni-origin Israeli passport holders to travel to Yemen on laissez-passer documents. However, Yemeni, Israeli, and other Jews may travel freely to and within Yemen on non-Israeli passports.

The Government has taken steps to prevent the politicization of mosques in an attempt to curb extremism. This includes the monitoring of mosques for sermons that incite violence or other political statements that it considers harmful to public security. Private Islamic organizations may maintain ties to pan-Islamic organizations and, in the past, have operated private schools, but the Government monitors their activities. In May the Government mandated the implementation of a 1992 law to unify educational curriculums and administration of all publicly funded schools. Publicly funded Islamic schools will be absorbed into the national system. This process had begun by year's end, but the full implementation of the law is ongoing.

Following unification of North and South Yemen in 1990, owners of property previously expropriated by the Communist government of the former People's Democratic Republic of Yemen, including religious organizations, were invited to seek restitution of their property. However, implementation of the process, including for religious institutions, has been extremely limited, and very few properties have been returned to any previous owner.

A small bomb blasted a 12-foot hole in the wall of Christ Church in Aden on New Year's Day; there were no reported injuries. A few weeks later, the authorities arrested five individuals, whom they believe are linked to extremist Islamic groups. Their trial began in April but had not concluded by year's end (see Section 1.e.). Also in January, in the village of Dhabyan in Amran governorate, an armed (Muslim) individual opened fire on worshipers during evening prayers at the local mosque. Four men were killed and 17 wounded, 7 critically. The shootings appeared to be criminally rather than religiously motivated.

Nearly all of the country's once sizable Jewish population have emigrated. There are no legal restrictions on the few hundred Jews who remain, although there are traditional restrictions on places of residence and choice of employment (see Section 5).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration and Repatriation.—The Government places some limits on freedom of movement. In general the Government does not obstruct domestic travel, although the army and security forces maintain checkpoints on major roads. There were a few reports during

the year that security forces at checkpoints killed or injured persons whom they believed were engaging in criminal activity and resisting arrest (see Section 1.a.).

In certain areas, armed tribesmen occasionally man checkpoints alongside military or security officials, and subject travelers to physical harassment, bribe demands, or theft.

The Government does not routinely obstruct foreign travel or the right to emigrate and return. However, journalists must have a permit to travel abroad. There were no reports that the restriction on journalists was enforced during the year (see Section 2.a.). Women must obtain permission from a male relative before applying for a passport or departing the country.

Immigrants and refugees traveling within the country often are required by security officials at government checkpoints to show that they possess resident status or refugee identification cards.

During the year, in an intensified effort to address terrorism and perceived religious extremism, the Government enforced existing laws that previously had been applied only erratically, and deported foreigners who were in the country illegally or whom it suspected of inciting violence or engaging in criminal acts. The new initiative was not applied to refugees and there were no reports of due process violations.

The law does not include provisions for granting refugee or asylee status in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. However, the Government continues to grant refugee status on a group basis to Somalis who have arrived in Yemen after 1991.

In 2000 the Government offered asylum to 8,043 Somalis, who fled the fighting in that country. This brought the total number of registered Somali refugees in the country to 56,524. The Government also cooperated with the UNHCR in assisting refugees from Eritrea (2,560 persons), Ethiopia (1,203 persons), and various other countries (252 persons). The Government permitted the UNHCR to monitor the situation of an estimated 2,000 Iraqis in Yemen.

Approximately 42,532 Somali refugees have been integrated into society and no longer are receiving food or financial assistance from the UNHCR. However, they remain eligible for medical treatment at UNHCR facilities in Aden and Sana'a. In addition the UNHCR provides small loans to refugee women who wish to initiate income-generating activities. Somali-language education is provided in urban areas of Aden.

The UNHCR provides food and medical assistance for up to 14,265 Somalis and Ethiopians at the new al-Kharaz refugee camp in Lahaj governorate. (Construction of the al-Kharaz camp was completed in December 2000; the UNHCR relocated all refugees to al-Haraz from the old al-Jahin camp in Abyan governorate in June, and al-Jahin is now closed.) Children receive schooling in the camp, and adults are eligible for vocational training.

The UNHCR, in coordination with the Government, issues identification cards to Somali refugees. The UNHCR is discussing with the Government the registration of Somali refugees, who are currently granted refugee status on a prima facie basis upon their arrival in the country. Other nationalities must apply for refugee status at UNHCR's offices in Sana'a or Aden. If accepted, they are issued a mandate refugee certificate, which is respected by the Government. In January the Government established the National Committee for Refugee Affairs, which is composed of the Ministries of Interior and Foreign Affairs, the Immigration Authority, and the Political Security Organization.

The UNHCR reports that the Government consults with it prior to returning illegal immigrants to their countries of origin in order to avoid the involuntary repatriation of refugees with a credible fear of persecution. There were no reports of the forced return of persons to a country where they feared persecution. The UNHCR facilitated the voluntary repatriation of some Eritrean and Ethiopian refugees, as well as the voluntary return of 395 Somali refugees to areas of Somalia that are considered safe. Additionally, the UNHCR in Yemen resettles vulnerable refugees in collaboration with several foreign governments.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government; however, there are significant limitations in practice. The Government by law is accountable to the Parliament; however, the Parliament is not yet an effective counterweight to executive authority. Decisionmaking and real political power still rest in the hands of the executive branch, particularly the President. In addition the Constitution prohibits the establishment of parties that are contrary to Islam, op-

pose the goals of the Yemeni revolution, or violate the country's international commitments.

The President appoints the Prime Minister, who forms the Government. The cabinet consists of 35 ministers. Parliament is elected by universal adult suffrage; the first such election was held in 1993. International observers judged the parliamentary elections (held in 1997) as "reasonably free and fair," despite some problems associated with the voting.

Ali Abdullah Saleh, the President and leader of the GPC, was elected to a 5-year term in the country's first nation-wide direct presidential election in September 1999, winning 96.3 percent of the vote. The Constitution provides that the President be elected by popular vote from at least two candidates endorsed by Parliament, and the election was generally free and fair; however, there were some problems, including the lack of a credible voter registration list. In addition the President was not opposed by a truly competitive candidate because the candidate selected by the leftist opposition coalition did not receive from the GPC-dominated Parliament the minimum number of votes required to run (the other opposition party chose not to run its own candidate, despite its seats in Parliament). The President's sole opponent was a member of the GPC. There was no significant violence associated with the election.

Although the Constitution permits Parliament to initiate legislation, to date it has not done so. Parliament generally is relegated to debating policies that the Government already has submitted, although it increasingly and successfully revises or blocks draft legislation submitted by the Government. In addition the Government routinely consults senior Parliamentary leaders when it drafts important national legislation. Despite the fact that the President's party enjoys an absolute majority, Parliament has rejected or delayed action on major legislation introduced by the Government and has forced significant modification. The Parliament also has criticized strongly the Government for some actions, including the lifting of subsidies and other economic reform measures mandated by the International Monetary Fund (IMF). Ministers frequently are called to Parliament to defend actions, policies, or proposed legislation, although they may and sometimes do refuse to appear. Parliamentarians at times are sharply critical during these sessions. Parliamentarians and parliamentary staff attend foreign NGO-sponsored training workshops designed to increase their independence and effectiveness. Following a constitutional referendum in February, the President no longer has the authority to introduce legislation and promulgate laws by decree when Parliament is not in session.

In a national referendum held in February, citizens approved several amendments to the Constitution, including amendments that would extend the terms of Members of Parliament from 4 to 6 years and the President from 5 to 7 years, allow the President to dissolve Parliament without a referendum in rare instances, and abolish the President's ability to issue decrees while Parliament was in recess. Another approved amendment transformed the 59-member Consultative Council, an advisory board to the President, into a 111-member Shura Council. The new Council, like the old, advises the President on a range of issues and consists of presidentially appointed members chaired by a former prime minister. However, unlike its predecessor, which had no constitutional role, the Shura Council has limited legislative and candidate approval powers.

Formal government authority is centralized in Sana'a; many citizens, especially in urban areas, complain about the inability of local and governorate entities to make policy or resource decisions. Responding to these concerns, in January 2000, the Parliament passed the government-submitted Local Authority Law. The law, considered by the Government as an important part of its ongoing democratization program, decentralizes authority by establishing locally elected district and governorate councils. The councils are headed by government-appointed governors. The first elections for the councils were held concurrently with the constitutional referendum in February.

In some governorates, tribal leaders exercise considerable discretion in the interpretation and enforcement of the law. Central government authority in these areas often is weak.

In general the elections and referendum appeared to be free and fair; however, there were several problems. Approximately 28 persons were killed and 47 wounded in election-related violence. On February 25, a reported shootout between GPC and Islaah supporters in Ibb governorate left 6 persons dead and 10 injured. In two separate incidents in Taiz governorate on February 21, four persons were killed in the GPC-Islaah exchange of gunfire, and four security officials were wounded when a dispute over vote counting reportedly turned violent. There were some reports of fraud, as well as logistical problems in voting procedures. Human Rights Watch (HRW) reported on claims that the Supreme Elections Committee issued a directive

advising and monitoring candidates to prevent campaigning for a “no” vote in the referendum; however, this allegation could not be confirmed. There were unconfirmed reports that some authorities harassed opposition candidates during the time leading up to the elections.

The multiparty system remains weak. The GPC dominates the Parliament, and Islaah is the only other party of significance. All parties must be registered in accordance with the Political Parties Law of 1991, which stipulates that each party must have at least 75 founders and 2,500 members. Some oppositionists contend that they are unable to organize new parties because of the prohibitively high legal requirements regarding the minimum number of members and leaders. Twelve parties participated in the 1997 elections, compared with 16 in 1993. The YSP and several smaller parties boycotted the 1997 elections, leading to lower voter turnout in the south. These same parties also boycotted the country’s first nationwide direct presidential election in September 1999, but they returned to active political life by participating in the February local elections and constitutional referendum.

The Government provides financial support to political parties, including a small stipend to publish their own newspapers. However, the YSP claims that the Government has yet to return the assets that it seized from the party during the 1994 civil war.

An extensive cabinet change in April expanded the Cabinet from 24 to 35 ministers, restructured existing ministries, and created several new ministries to place greater emphasis on important national issues, such as population, the environment, and human rights. The new government program focuses on domestic reform, with particular attention to human development, including education, economic development, electoral reform, political decentralization, judicial reform, and human rights.

Although women vote and hold office, cultural norms and religious customs often limit these rights, and the numbers of women in Government and politics does not correspond to their percentage of the population. Two women were elected to the Parliament in 1997 (the same number as in 1993), and an increasing number hold senior leadership positions in the Government or in the GPC. The country’s first female minister was appointed in April (see Sections 4 and 5), and 35 women were elected to the local councils. Voter registration of women is less than half that of men.

Many Akhdam, a small ethnic minority who may be descendants of African slaves, are not permitted to participate in the political process, mainly due to their inability to obtain citizenship. There no longer are any credible reports that citizen members of religious minorities are not permitted to participate in the political process.

Section 4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The concept of local nongovernmental human rights organizations is relatively new, with the first groups forming only in the years since unification. During the year several groups held workshops and other activities without government interference and often with government support.

The Government cooperates with NGO’s, although NGO’s complain that there is a lack of response to their requests from government officials. The Government’s ability to be responsive is limited in part by a lack of material and human resources (see Section 2.b.).

The Taiz-based HRITC, perhaps the country’s most respected domestic human rights NGO, places particular emphasis on education and NGO training. During the year, the HRITC sponsored numerous public lectures, training workshops, and conferences, and participated in several meetings of the international human rights community. For example, in January it conducted a workshop on public participation in the electoral process to encourage and educate citizens on the February local elections and constitutional referendum. In March the HRITC organized a seminar to develop ways to address the legal and other problems of female prisoners in Taiz Central Prison, an initiative it hopes to expand to include other cities (see Section 1.c.). In February and May, it conducted NGO management training workshops. In October it held a forum to discuss women’s rights. The HRITC publishes the quarterly human rights journal *Our Rights* and regularly prints and distributes a brochure entitled “Know Your Rights.” Several donors have supported the HRITC. The HRITC did not conduct any investigations into alleged human rights abuses during the year.

The Sana’a-based NGO Forum for a Civil Society focuses on human rights within the context of establishing a legal framework for prosecuting violators and helping to reconcile draft legislation that is inconsistent with the Government’s human

rights policy or stated responsibilities. The forum was instrumental in raising public opinion and opposition to problems within the draft NGO and police laws (see Section 2.b.). The forum also is reviewing the Personal Status and Civil Procedure Laws to investigate how the laws affect women's rights (see Section 5). The forum also is involved in anticorruption endeavors. The group publishes the monthly *Al-Qistas*.

In June the reenergized Yemen Institute for Developing Democracy (YIDD), which had been relatively inactive in the past few years, organized the Yemeni Democratic Forum, an ad hoc group of political party, government, and NGO officials to debate and discuss the Government's draft Elections Law. The YIDD's objective for creating the group was to create a mechanism that would promote democratic participation and government-civil society engagement.

In 2000 the Organization for the Defense of Human Rights, a lawyers' group formed in 1999 by attorney and parliamentarian Mohamed Naji Alao, discovered that several illegal private prisons were being operated at government facilities in Sana'a. He reported them to the President, who immediately ordered the unlawful prisons closed and offenders arrested (see Section 1.c.).

The Aden-based Yemeni Organization for the Defense of Liberties and Human Rights continued to suffer from a lack of funds, which limited its activities. It continued to publicize human rights abuses, particularly in the south.

During the year, al-Nushataa, or The Activists, a group formed in 1999 by former members of the Yemeni Human Rights Organization (YHRO), with financial assistance from a foreign embassy, established a human rights journal, which published its first edition in April. As it did in 2000, al-Nushataa also organized a children's parliament and other activities to familiarize secondary school children with electoral procedures and processes.

The National Center for Human Rights and Democratic Development (NCHRDD) participated with other organizations in prison inspection tours.

During the year, several NGO's, often with government support, focused on prison reform (see Section 1.c.). In addition to the March HRITC workshop, in April the al-Afif Young Girls Forum organized a seminar aimed at improving conditions in the country's women's prisons. In June under the patronage of the new Minister of State for Human Rights and in association with the International Human Rights Legal Group and the Arab human rights forum al-Shaqiq conducted a 3-day program on protecting female prisoners' rights. Women's rights activists attended the program from Tunisia, Egypt, Pakistan, Malaysia, and the United States, as well as Yemen.

In 1998 and 1999, Penal Reform International (PRI), a London-based NGO, conducted a fact-finding mission to Yemen and, with the support of a foreign embassy and the Government and with the assistance of the HRITC, organized prison management training workshops for prison and security officials. PRI identified several issues of concern, including the mistreatment of prisoners, lack of education and resources for prison officials, and unsanitary and overcrowded conditions.

AI, HRW, the Parliament of the European Union, and the Committee to Protect Journalists observe the country closely. The ICRC maintains a resident representative. The Government has given these groups broad access to government officials, records, refugee camps, and prisons. The Government had acknowledged some abuses that were alleged in a 1997 AI report and rejected other allegations. AI's follow-up report, issued in July 1999, criticized the Government for not keeping its promise to investigate some of these abuses. The Government claims that it responded to AI and passed the results of its investigations to the UNCHR, but that the information the organization provided was inadequate for effective investigation and conclusive action.

The Yemeni Human Rights Organization (YHRO), which was founded by the Government, is headquartered in Sana'a, with branches in seven other cities. Oppositionists as well as some human rights experts have viewed its findings as unobjective. The YHRO appeared to be inactive during the year.

The Supreme National Committee for Human Rights (SNCHR), which was formed in 1997 and reported to the Deputy Prime Minister who is also Minister of Foreign Affairs, was dissolved in June, reconstituted, and then placed under the authority of the new Minister of State for Human Rights. The SNCHR had been responsible for ensuring that the country met its obligations with respect to implementing international human rights conventions and investigating specific instances of abuse. The committee viewed as its highest priority education as a means to effect cultural change. It undertook several human rights educational projects, including incorporating human rights education into secondary school curriculums and providing human rights workshops for police officers and other security officials. The committee was less active in investigating specific cases of abuse. Some observers be-

lieve the dissolution of the SNCHR and the reassignment of its experienced staff will impede human rights progress and delay action while a new committee begins to function within government bureaucracy after a complicated transition. Others believe that human rights issues will be more effectively addressed by activists and professionals in the field as opposed to Ministry of Foreign Affairs personnel.

The Government created a new Human Rights Ministry in April. The country's first Minister of State for Human Rights, Dr. Wahibah Fare'e, is a prominent women's rights activist and the founder of Queen Arwa University. She is the country's first female minister. Dr. Fare'e has identified women's rights, the rights of children and persons with disabilities, and prison reform as her priorities. Since her appointment, she has attended a number of human rights conferences and workshops.

In October 2000, the Human Rights Committee of the President's Consultative Council (now the Shoura Council), in cooperation with the NCHRDD, inspected several police stations in Sana'a to determine whether police were following proper procedures and to develop recommendations for the Minister of Interior regarding training for police officers (see Section 1.c.).

The Parliament's human rights committee participated in prison inspections in Hodeidah, Hadramaut, Abyan, and Lahaj governorates during the year. The committee publicized its findings and developed a set of reform recommendations for the Government. The committee's chairman claims that he would prefer to increase the activities of the committee, especially in the area of press freedoms, but cites lack of official and financial support as constraints. The committee has no authority except to issue reports.

The Committee to Combat Torture is composed of 100 senior parliamentarians and party leaders, including some opposition members, but apparently was inactive during the year.

The Center for Future Studies, a think tank affiliated with the Islaah Party, issues an annual report on human rights practices, providing a wide-ranging overview of human rights. There is little follow-up to the report.

Section 5. Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution states that "all citizens are equal in general rights and duties," and that society "is based on social solidarity, which is based on justice, freedom, and equality according to the law;" however, discrimination based on race, sex, disability, and, to a lesser extent, religion, exists. Entrenched cultural attitudes often affect women's ability to enjoy equal rights.

Women.—The law provides for protection against violence against women; however, such provisions rarely are enforced. Although spousal abuse reportedly is common, it generally is undocumented. Violence against women and children is considered a family affair and usually is not reported to the police. In the country's traditional society, an abused woman is expected to take her complaint to a male relative (rather than the authorities), who should intercede on her behalf or provide her sanctuary if required. One survey conducted by Sana'a University and the Dutch Ministry of Justice found that nearly 50 percent of the 120 women interviewed stated that they had been beaten; 1 in 5 claimed to have been threatened with death. Despite the high incidence rates reported, only 3 percent of women had ever sought help from an outsider or the police. The only institutionalized aid program for victims is a small shelter for battered women in Aden.

Rape is prohibited by law; however, it is a widespread problem.

The press and women's rights activists only recently have begun to investigate or report on violations of women's rights. NGO-sponsored conferences in April and September attempted to raise the media's awareness of violence against women. The Women's Forum on Research and Training, with assistance from a foreign embassy, conducted a workshop on domestic violence for security and NGO officials in September. The issue of violence against women became a topic of heated public debate in 2000 following the murder of two female students at Sana'a University's medical school and extensive press reports documenting the authorities' dismissive treatment of the female students' concerns and inadequate attention to their security.

Prostitution is illegal; however, it occurs in practice.

The Penal Code allows for leniency for persons guilty of committing a "crime against honor," a euphemism for violent assaults or killings committed against a female for her perceived immodest or defiant behavior. Legal provisions regarding violence against women state that an accused man should be put to death for murdering a woman. However, a husband who murders his wife and her lover may be fined or imprisoned for a term not to exceed a year. Despite the apparent sanctioning of honor killings, most citizens, including women's activists, believe the phe-

nomenon is not widespread. Some Western NGO's claim that the practice is more prevalent, but admit to a lack of evidence to support such claims.

Female genital mutilation (FGM), which is condemned widely by international health experts as damaging to both physical and psychological health, is practiced by some citizens. According to a 1997 demographic survey conducted by the Government, nearly one-fourth (23 percent) of women who have ever been married have been subjected to FGM. However, the prevalence of the practice varies substantially by region. Citizens of African origin or those living in communities with heavy African influence are more likely to practice FGM. For example, according to the survey, approximately 69 percent of women living in coastal areas were subjected to FGM, compared with 15 percent in mountainous regions, and 5 percent in the plateau and desert regions. The procedure mainly is confined to excision, with infibulation being practiced only among East African immigrants and refugees. FGM rarely is reported among Shafai Sunnis, and the Zaydi Shi'a reputedly do not practice it at all. The Government's publication of the data on FGM was an important first step in addressing this problem. In January the Cabinet issued a decree making it illegal for public or private health service practitioners to practice FGM, and some government health workers and officials continue to discourage the practice actively and publicly. However, FGM technically remains legal, and local women's groups have not adopted the problem as a major concern.

Women face significant restrictions on their role in society. The law, social custom, and Shari'a, as interpreted in the country, discriminate against women. Men are permitted to take as many as four wives, although very few do so. By law the minimum age of marriage is 15. However, the law largely is not enforced, and some girls marry as early as age 12.

The law stipulates that the wife's "consent" to the marriage is required; "consent" is defined as "silence" for previously unwed women and "pronouncement of consent" for divorced women. The husband and the wife's "guardian" (usually her father) sign the marriage contract; in Aden and some outlying governorates, the wife also signs. The practice of bride-price payments is widespread, despite efforts to limit the size of such payments.

The law provides that the wife must obey the husband. She must live with him at the place stipulated in the contract, consummate the marriage, and not leave the home without his consent. Husbands may divorce wives without justifying their action in court. A woman has the legal right to divorce; however, she must provide a justification, such as her husband's nonsupport, impotence, or taking of a second wife without her consent. However, the expense of hiring a lawyer is a significant deterrent, as is the necessity for rural women to travel to a city to present their case. A woman seeking a divorce also must repay the mahr (a portion of her bride price), which creates an additional hardship. As a woman's family usually retains the mahr, the refusal by a family to pay the mahr effectively can prevent a divorce. The family's refusal to accept the woman back into the home also may deter divorce, as few other options are available to women. When a divorce occurs, the family home and older children often are awarded to the husband. The divorced woman usually returns to her father's home or to the home of another male relative. Her former husband must continue to support her for another 3 months, since she may not remarry until she proves that she is not pregnant.

Women who seek to travel abroad must obtain permission from their husbands or fathers to receive a passport and to travel (see Section 2.d.). They also are expected to be accompanied by male relatives. However, enforcement of this requirement is not consistent.

Shari'a-based law permits a Muslim man to marry a Christian or Jewish woman, but no Muslim woman may marry outside of Islam. Women do not have the right to confer citizenship on their foreign-born spouses; however, they may confer citizenship on children born in the country of foreign-born fathers.

According to a 1995 Interior Ministry regulation, any citizen who wishes to marry a foreigner must obtain the permission of the Ministry. A woman wishing to marry a foreigner must present proof of her parents' approval to the Interior Ministry. A foreign woman who wishes to marry a citizen man must prove to the Ministry that she is "of good conduct and behavior," and "is free from contagious disease." There are no corresponding requirements for men to demonstrate parental approval, good conduct, or freedom from contagious diseases. Although the regulation does not have the force of law and is applied irregularly, some human rights groups have raised concerns about it.

The Government consistently supports women's rights and the expansion of the public role of women. The President frequently speaks publicly about the importance of women in politics and economic development. In 1999 the Prime Minister mandated that all ministries must promote at least one woman to the director gen-

eral level; during the year, the Interior Ministry, which in 2000 was the only Ministry without a female director general, appointed one. In addition in late 2000, the Ministry of Interior initiated an aggressive campaign to recruit and train female police officers; the new officers completed training and were deployed in March. Several ministries have a number of female directors general. In 2000 the Prime Minister established the Supreme Council for Women, an independent governmental body charged with promoting women's issues in the Government. With the Government's active support, bilateral and multilateral donors have initiated long-term (1994–2004) projects worth \$31 million (4.96 billion riyals) aimed at advancing vocational education and reproductive health for women and girls.

According to 2000 Government statistics, approximately 68 percent of women are illiterate, compared with approximately 28 percent of men. The fertility rate is 6.5 children per woman. Most women have little access to basic health care. Only approximately 22 percent of births are attended by trained health-care personnel. In some cases, women do not use clinics because they are unable to afford them or reach them from their remote villages, have little confidence in them, or their male relatives or they themselves refuse to allow a male doctor to examine them. Donor-funded maternal and child health programs attempt to address these issues through programs designed to train midwives who serve rural populations.

In general women in the south, particularly in Aden, are better educated and have had somewhat greater employment opportunities than their northern counterparts. However, since the 1994 civil war, the number of working women in the south appears to have declined, due not only to the stagnant economy but also to increasing cultural pressure from the north. According to the UNDP, female workers account for 19 percent of the paid labor force. There are no laws prohibiting sexual harassment, and it occurs in practice.

The National Women's Committee (NWC), a government-sponsored semi-independent women's association, promotes women's education and civic responsibility through seminars and workshops and by coordinating donors' programs. The committee's chairwoman sits on the Prime Ministerial Supreme Council for Women. In July the NWC, in a legal reform project financed by the World Bank, completed a 6 month review of 58 significant national laws to find and rectify provisions that discriminated against women or violated equal status requirements agreed to by the Government in international conventions. The NWC's 7-member legal committee, consisting of lawyers, women's rights experts, and Islamic scholars, found that 10 laws contained discriminatory language or "negligence with respect to women" and that 15 others were ambiguous because the laws used the masculine impersonal pronoun when the statutes governed women as well as men. The team identified sections of the law with such problems, developed revised language, provided a legal justification, and offered an Islamic interpretation to validate the change. The Cabinet has approved the recommended changes in principle, with some revisions; the NWC is working with Parliament to formally change the law; however, Parliament passed no legislation regarding this matter by year's end.

There are a number of recently formed NGO's working for women's advancement, including the Social Association for Productive Families, which promotes vocational development for women; the Women and Children's Department of the Center for Future Studies, which organizes seminars and publishes studies on women and children; the Woman and Child Development Association, which focuses on health education and illiteracy; and the Yemeni Council for Motherhood and Childhood, which provides microcredit and vocational training to women.

Children.—While the Government asserts its commitment to protect children's rights, it lacks the resources necessary to ensure adequate health care, education, and welfare services for children. The Government does not provide free medical care to children. The UNDP estimates that 30 percent of children are malnourished; a 1997 demographic study by the Government put this figure at 50 percent, and indicated that half of all children under 5 years of age exhibit stunted growth. The infant mortality rate in 1999 was 75 deaths per 1,000 births, down from 105 per 1,000 in 1998. Male children receive preferential treatment over female children; after the age of a year, male children have a 12 percent greater chance of survival than females, a result of the comparative neglect of female children.

The law provides for universal, compulsory, and free education from ages 6 to 15; however, the provision regarding compulsory attendance is not enforced. Many children, especially girls, do not attend primary school. According to a UNDP report released during the year, average student attendance in primary schools is 76 percent for boys and 40 percent for girls. In rural areas, 52 percent of children attend school; the rate in urban areas is 81 percent. Education for females is not encouraged in some tribal areas, where girls often are kept at home to help their mothers with childcare, housework, and farm work. According to UNICEF's "Report on Children

and Women in Yemen: 1998," an estimated 40 percent of primary-school-age children (ages 6 to 15) do not attend school. Some rural areas have no schools for their school-age population. In 1998 to encourage girls' attendance at school, the Government passed a law that eliminated school fees and the requirement of uniforms for girls. According to the UNICEF report, enrollment of girls in school increased by 4 percent in 1998.

In 1999 following an inspection of Sana'a central prison, the Supreme National Committee for Human Rights arranged for minors who previously had been incarcerated with adults to be incarcerated separately in two age groups: 11 to 14 years old; and 15 to 18 years old. Fifty juvenile inmates were moved from the prison to an orphanage run by the Ministry of Social Affairs, where they attend school and participate in other activities (see Sections 1.c. and 4). The committee also initiated a project, with the support of local businessmen, to build the country's first youth reformatory (see Section 4). In February the U.N. High Commission on Human Rights and the Government entered into a mutual agreement to develop specific programs to address the problem of juvenile delinquency by establishing a national mechanism for the administration of juvenile justice.

Child marriage is common in rural areas. Although the law requires that a girl be 15 years of age to marry, the law is not enforced, and marriages of girls as young as age 12 occur.

Child abuse is not prohibited by law, and it was a problem.

Child labor was common (see Section 6.d.).

Female genital mutilation (FGM) was practiced mainly on young girls (see Section 5, Women).

The new Minister of State for Human Rights stated in April that the issue of children's rights would be at the top of her agenda. In 2000 the Prime Minister established the Higher Council of Motherhood and Childhood (HCMC), a semiautonomous interministerial entity responsible for formulating policy and programs to improve the status of children. The HCMC participates in the World Bank's Child Development Program and the Arab Council for Childhood and Development's program for street children.

Persons with Disabilities.—Persons with mental and physical disabilities face distinct social prejudices, as well as discrimination in education and employment. In 1998 the Government mandated the acceptance of persons with disabilities in universities, exempted them from paying tuition, and required that schools be made more accessible to persons with disabilities; however, it is unclear to what extent these laws have been implemented. There is no national law mandating the accessibility of buildings for persons with disabilities. Some persons with disabilities are reduced to begging to support themselves. Patients with mental illness, particularly those who commit crimes, are imprisoned and even shackled when there is no one to care for them. In some instances, authorities arrest persons with mental illness without charge and place them in prisons alongside criminals (see Section 1.c.). The ICRC, in cooperation with the Yemeni Red Crescent Society, built and now staffs separate detention facilities for prisoners with mental illness. These facilities are located in Sana'a, Ibb, and Taiz, and collectively are able to care for a population of about 300 persons.

Public awareness regarding the need to address the concerns of persons with disabilities appears to be increasing. For example, during the year a privately-funded center for persons with hearing and speaking impairments was established in Taiz. In 2000 donors financed the establishment of three new schools for persons with disabilities in Taiz governorate.

The Handicapped Society, the country's largest NGO involved in assisting persons with disabilities, was founded in 1988 and has branches in 13 governorates. Funded by international donors (primarily the Swedish organization Radda Barnen) and a modest annual grant from the Government, the Handicapped Society provides rehabilitation assistance and vocational training, and sponsors cultural and sports activities. The Ministry of Education has assigned three teachers to teach students at the disabled-accessible classrooms at the Society's Sana'a branch. Believing that the needs of women with disabilities were not being addressed adequately by the Handicapped Society, concerned citizens in 1998 established, with government support, the Challenge Society. The Challenge Society provides 85 females with disabilities between the ages of 6 and 30 with medical care, support services, and vocational training. In 2000 three teenagers with disabilities toured the country on specially adapted bicycles and, supported by the Ministry of Youth and Sports and private sector contributions, took their bike tour to several Arab countries.

Religious Minorities.—Apart from a small but undetermined number of Christians and Hindus of South Asian origin in Aden, Jews are the only indigenous religious minority. Their numbers have diminished significantly—from several tens of thou-

sands to a few hundred—due to voluntary emigration over the past 50 years. Although the law makes no distinction, Jews traditionally are restricted to living in one section of a city or village and often are confined to a limited choice of employment, usually farming or handicrafts. Jews may, and do, own property.

Non-Muslims may vote, but they are prohibited from holding elective office. Christian clergy who minister to the foreign community are employed in teaching, social services, and health care. Occasionally the security authorities harass such clergy by censoring their mail, ostensibly to prevent proselytizing (see Section 2.c.).

National/Racial/Ethnic Minorities.—Citizens with a noncitizen parent, called “muwalladin,” at times face discrimination in employment and in other areas. Persons who seek employment at Sana’a University or admission to the military academy by law must demonstrate that they have two citizen parents. Nonetheless, many senior government officials, including Members of Parliament and ministers, have only one citizen parent. In some cases, naturalization of the non-Yemeni parent is sufficient to overcome the “two-Yemeni-parent” requirement.

A small group of persons claiming to be the descendants of ancient Ethiopian occupiers of Yemen who later were enslaved, are considered the lowest social class. Known as the “Akhdam” (servants), they live in poverty and endure persistent social discrimination. Beginning in September 1999, the Government’s Social Fund for Development (SFD) initiated a program for “special needs groups,” which focused particularly on the Akhdam. During the year, the SFD continued to conduct an education project for Akhdam children in Hodeidah governorate, provided support to an NGO conducting field research on Akhdam needs in Sana’a governorate, improved the quality of the water supply and built two classrooms for the Akhdam community in Taiz governorate, and coordinated with NGO’s in Sana’a, Taiz, and Dhamar governorates on issues regarding education and Akhdam street children. In July several Akhdam-origin citizens in Taiz governorate established the Free Black People’s Charitable Organization to fight discrimination and improve conditions for their community.

There have been reports by human rights groups that some immigrants of African origin have difficulty in securing Interior Ministry permission to marry citizens. An Interior Ministry regulation requires that marriages of citizens and foreigners be approved in advance by the Ministry (see also Section 1.f.).

Tribal violence continued to be a problem during the year, and the Government’s ability to control tribal elements responsible for kidnappings, shootings, and other acts of violence remained limited. During March persons were reported killed and 11 wounded in tribal disputes between the al-Usaimat and Wadeah tribes in Amran governorate. In January ten tribesmen were killed and seven injured in confrontations between the Dahma and Wa’ila tribes in Sa’ada governorate. In May five persons were killed in a drive-by shooting in Sana’a. Witnesses said that the incident involved the Abu Nashtun and al-Faqih tribes and was related to an incident between the two tribes that had occurred 10 years previously. Also in May, in the ongoing feud between the Marib-based al-Zaydi tribe and the Sana’a-based Sanhan tribe, a child was killed and two adults injured in Marib when security forces were dispatched to rescue five kidnaped Sanhani children. In July in Marib governorate, 15 tribesmen were killed when a reported land dispute between the Jahm and Nahm tribes escalated into violence. Also in Marib in July, 11 soldiers and 2 tribesmen were killed when security forces were deployed in the region to arrest 2 Jahm tribesmen suspected of bombing the country’s main oil pipeline. In October 6 tribesmen were killed and 16 injured during 2 days of tribal violence stemming from a land dispute in Hajja governorate. Tensions, which periodically escalate into violent confrontations, continue between the Government and the Khowlan, al-Zaydi and Jahm tribes in Marib governorate.

Section 6. Worker Rights

a. The Right of Association.—The Constitution and Labor Law provide that citizens have the right to form and join unions; however, this right is restricted in practice. The Government seeks to place its own personnel in positions of influence inside unions and trade union federations.

The General Federation of Trade Unions of Yemen (GFWTUY) remains the sole national umbrella organization. The GFWTUY claims approximately 350,000 members in 14 unions and denies any association with the Government, although it works closely with the Government to resolve labor disputes through negotiation. Observers suggest that the Government likely would not tolerate the establishment of an alternative labor federation unless it believed such an establishment to be in its best interest.

Only the General Assembly of the GFWTUY may dissolve unions. The law provides equal labor rights for women, and it confirms the freedom of workers to asso-