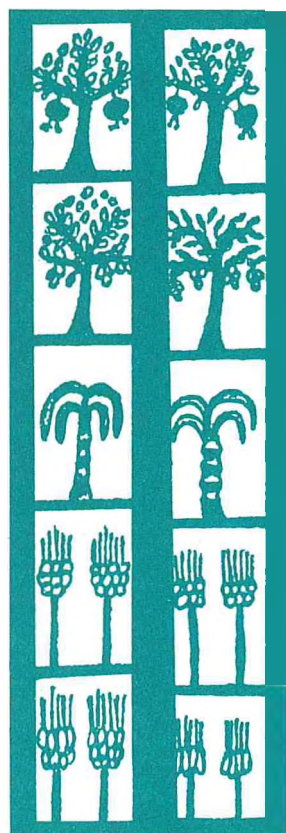


Middle East Human Rights Advocacy Handbook



Churches for Middle East Peace

HRE/HRP/2R/21

Middle East Human Rights Advocacy Handbook

Churches for Middle East Peace
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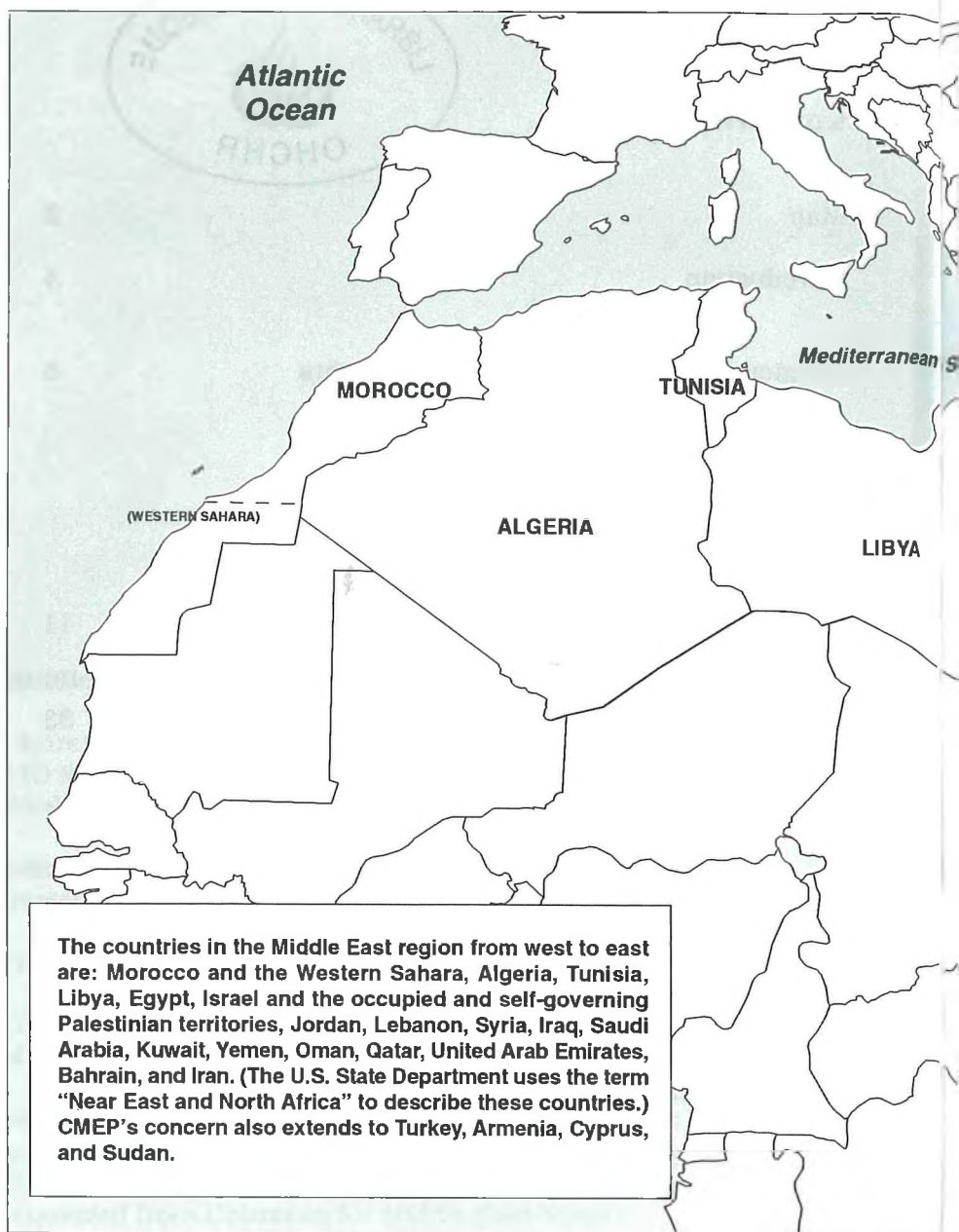


Contents

Map	2
Introduction <i>Corinne Whitlatch</i>	4
Religious Understanding of Human Rights	5
An Islamic Perspective <i>Hassan Hathout</i>	
A Jewish Perspective <i>Ehud Bandel</i>	
A Christian Perspective <i>Paul Wee</i>	
The Middle East: A Human Rights Overview <i>Virginia N. Sherry</i>	11
Religious Freedom in the Middle East <i>Dale L. Bishop</i>	33
Human Rights Groups in the Middle East Region <i>Neil Hicks</i>	38
Focusing Advocacy on the U.S. Government <i>Terence Miller</i>	44
Advocacy Before the United Nations <i>Mark B. Brown</i>	50
Resources for Advocacy	55
Human Rights Organizations in the Middle East	56

HRE/HRA/2 R/21

The Middle East Region





Introduction

Corinne Whitlatch
Director, Churches for Middle East Peace

This is an exciting time in the Middle East — a time of historical changes in the relations not only between states, but between governments and the people they govern. People throughout the region have rising expectations of humane and responsible leadership and increasing confidence in their own ability to change oppressive practices and unrepresentative governments. The demand for an end to human rights abuses has become an indigenous movement.

Meanwhile, the U.S. government and Western governments in general have shifted their policy priorities from championing human rights to promoting market development. Our government is reluctant to exert pressure on its allies in the region to end human rights abuses. But the dynamic of change within these countries is unstoppable. Whether this trend results in chaos or in more representative and open civil societies will depend significantly on the evolution of the human rights movement. U.S. citizen advocacy for constructive leadership by our government and the United Nations on human rights issues in the Middle East has never been more timely or necessary.

Toward this end, Churches for Middle East Peace (CMEP) has published this handbook with financial assistance from the U.S. Outreach Fund of the Middle East Institute and the Franciscan Province of the Immaculate Conception of New York City. We are grateful to our colleagues at the Lawyers Committee for Human Rights and Human Rights Watch/Middle East for contributing their expertise.

CMEP is a Washington coalition of 14 religious organizations that since 1984 has advocated on peace, justice, arms control and human rights issues. In 1991 CMEP published *Middle East Advocacy: A Handbook* that focused on the mechanics of how to be an effective voice with Congress and the Administration. This new handbook guides members of CMEP's churches in the specifics of human rights advocacy. With it, CMEP invites you to be our partner as a voice for the rule of law and an end to human rights abuses in the Middle East.

Religious Understanding of Human Rights: Three Perspectives

An Islamic Perspective

Hassan Hathout

Humankind has been honored by God merely by virtue of being human: "We have honored the Children of Adam" (Quran 17:70). Since members of the human race are uniquely endowed with the concepts of good and evil and the autonomy to choose between them, which is the basis of their accountability, it follows that freedom is the essence of humanity, without which there cannot be accountability, judgment or a day of judgment, all emphasized by the Quran.

The venue to express our choices and fulfill our duties and seek our rights is our life; hence the right to life is the primary right that should not be violated without legitimate legal process. "On this account We decreed upon the Children of Israel that whoever kills a soul for another reason than manslaughter or corruption in the land, it would be as though he killed all mankind, and whoever saves it would be as though he saved all mankind" (Quran 5:32).

After the oneness of God the Quran emphasizes the oneness of humanity and therefore the right to equality and justice unimpeded by considerations of race, color, creed or wealth: "You mankind: We have created you from a single pair of a male and a female, and made you into nations and tribes, that you might get to know and cherish one another and not to despise one another; verily the most honorable of you before God are the most righteous" (Quran 49:13). Oppression and injustice are abominable, and it is both the right and duty of the individual, society and the international community to remove them as a matter of principle and not expediency. In this respect, speaking up the truth or freedom of expression is also a right and a duty. "Whoever is silent



The five objectives of the Islamic Shari'a are the protection of life, religion, mind, ownership, and family.



about the truth is a dumb devil," as prophet Mohammed taught. Rule by *shura* (prototype of current democracy) is the right of the people, and dictatorship is anti-Islamic.

The five objectives of the Islamic *Shari'a* are the protection of Life, Religion, Mind, Ownership, and Family. Protection of religion applies to non-Muslims who, under Islam, should be free according to the

Quranic injunction "There is no compulsion in religion" (2:256). Protection of the mind entails the right to think and research without censorship, the right (and duty) to learn, and freedom from fear and stress. The right to ownership is unlimited provided it abides by lawful means, and heeds the social duties of capital versus its rights. "God has remitted the sustenance of the poor in the wealth of the rich," as the prophet instructed. Gainful employment is therefore a right of the individual, since living on charity is almost a sin, unless for the disabled. Family rights include the right to be born within the institution of legitimate marriage and to enjoy parental love and care and catering for physical and spiritual needs. All these rights apply equally to men and women, whom Islam declared equal (if not similar) and any practices to the contrary are simply anti-Islamic wherever they are perpetrated.

Dr. Hassan Hathout is with the Islamic Center of Southern California.

A Jewish Perspective

Ehud Bandel

"Human rights" is a Western, modern term which does not appear as such in Jewish tradition and sources. Even the concept of "rights" at first seems alien to Jewish thought and the Jewish judicial system. While the concept of "rights" plays a central role in Western and Roman law, in Judaism it is not the "right" which is the center, but rather its opposite: duty. Judaism stresses the

duties of one human towards the other, creating a situation in which "rights" result.

The basic principle from which a human's duty towards another is derived is the recognition that all humans are created in the image of God. The abuse of a human being — any human, anywhere — constitutes an abuse of God. Every

human is a world unto himself or herself. The fact that creation began with a single being, Adam, allows the Sages to deduce that "the preservation of a single life is tantamount to preserving a whole world, and the destruction of any person's life is tantamount to destroying a whole world" (Sanhedrin 4:5). Another lesson that our rabbis learn from this story is that no one will be able to say "my father is greater than yours."

The basic recognition of human equality and the sanctity of human life is stressed in the commandments of the scripture regarding non-Jews, and even regarding those perceived as enemies. There is a rabbinic story about what happened when the Israelites crossed the Red Sea and the Egyptians, who chased after them, drowned in it. According to the tale, the angels wanted to praise God by singing victory hymns. But God silenced them and said: "My creatures are drowning in the sea, and you sing before me?" In the same manner, each year at the Passover Seder when we commemorate our delivery from bondage and recite the ten plagues that God brought upon Egypt, we pour a drop of wine from our cups for each plague. Because our delivery is linked to the destruction of the Egyptians, the rabbis explain, our cup of joy cannot be full.

The Torah compares the "neighbor" to the "non-Jew," and regarding both it instructs: "Love him as yourself" (Leviticus 19:18, 19:33). The reason for this instruction is especially important: "... for you know the feelings of the stranger, having yourself been strangers in the land of Egypt" (Exodus 23:9). The Jewish people were born from the experience of alienation and humiliation which surrounded them as slaves in Egypt. This is why the Torah stresses time and again: "You shall not wrong a stranger or oppress him, for you were strangers in the land of Egypt" (Exodus 22:20) and

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**Judaism stresses the
duties of one human
towards the other.**
”

"When a stranger resides with you in your land, you shall not wrong him. The stranger who resides with you shall be to you as one of your citizens; you shall love him as yourself" (Leviticus 19:33,34). Thirty-six times this commandment is repeated, more than any other in the Torah.

When Hillel the Elder was asked to teach the whole concept of Judaism "in a nutshell," he replied: "What is hateful to you do not do unto others." This excellent summary of Jewish morals is also the essence of Judaism's approach to human rights. Judaism forbids us to harm another human, and demands of us to seek for others what we seek for ourselves. The historical experience of the Jewish people as a minority who suffered through 2,000 years of exile from persecution, oppression, degradation, expulsion and the violation of their basic human rights, must be reflected in the rule of Hillel the Elder. This is the moral lesson which the Torah teaches us: a people who have suffered the abuse of their human rights must show higher moral sensitivity towards the suffering of others.

Rabbi Ehud Bandel is executive director of Rabbis for Human Rights in Jerusalem, Israel.

A Christian Perspective

Paul Wee

Christians believe that God has created all people with equal dignity and worth. This means that each person, irrespective of age, sex, ethnic or national heritage, color, social status or religious belief, is of the same value as every other person. This essential dignity is thus indivisible and inalienable, the common property of everyone born into the world. The Christian faith expresses this fundamental belief in the worth of each individual in many ways, among them the affirmation of Holy Scripture that women and men have been created in God's own image (Genesis 1:26,27).

Christians believe, furthermore, that God created the world for justice. Justice does not mean "conforming to a law" or "giving everyone his/her due." Rather, by justice is meant the harmonious ordering of social life so that all people are included equally as parts of the whole. Justice means that no one is outside the

human family. It demands that great effort be undertaken to insure that the weakest members of society, the stranger, orphans, widows, the disabled, those without political or economic power, be brought within the inclusive human community.



**Christians believe
that God created the
world for justice.**



One important way this happens is through universally defined and protected human rights. Dignity and justice are not human rights in themselves, but are prior to and constitute the foundation for human rights. When Christian churches welcomed and affirmed the Universal Declaration of Human Rights, adopted by the United Nations General Assembly in 1948, they did so not because they believed it to be a set of eternal truths or self-evident principles. Rather they understood it to be a profound expression of the meaning of human dignity and social justice.

Do Christians have a unique contribution to make to the affirmation and protection of human rights based on their belief that God is known through the person of Jesus Christ? Here the churches answer in the affirmative. Jesus Christ is understood by the churches as the supreme sign of God's identification with the human condition. Jesus turned no one away—not the weak, the disabled, the outcast, nor those at the margins of society. In every person Jesus saw worth and dignity. His mission was to “preach good news to the poor ... [and to] set at liberty all who are oppressed” (Luke 4:8,9), to “put down the mighty from their thrones and exalt those of low degree” (Luke 1:52). In the crucifixion of Christ Christians believe that God's suffering love for all people is disclosed. Those who accept the gift of God's love and forgiveness are enabled to accept themselves. They become motivated to carry out acts of compassion; they are committed to work for justice on behalf of others in society. For Christians the supreme sign of God's power to transform and renew life in this way is the resurrection of Christ.

It is because of this commitment to the dignity of all people, but also because of faith in Christ as the bearer of hope for life's renewal, that the churches are actively engaged in the defense of human rights around the world. Because they affirm the essen-

tial equality of all people, the churches work with governments, the United Nations, and groups in civil society to insure that this equality is protected by law. They cooperate with the United Nations Human Rights Commission and other institutions to establish international mechanisms and instruments which protect the rights of disenfranchised groups. They support people who are engaged in a struggle for freedom and self-determination when these people are seen to be suffering from economic, political or military oppression.

The Reverend Paul Wee is senior pastor of the Church of the Reformation - Lutheran, Washington, DC. From 1986 to 1993 he was assistant general secretary for international affairs and human rights of the Lutheran World Federation.

Questions for Discussion

- ? Are there any themes or beliefs in common among the three different perspectives?
- ? What major differences, if any, are there?
- ? How does each religious tradition view the rights of "others" (people of other faiths, strangers, enemies)?

The Middle East: A Human Rights Overview

Virginia N. Sherry

"The Middle East is a dangerous neighborhood," U.S. Assistant Secretary of State for Near Eastern Affairs Robert H. Pelletreau told a House of Representatives subcommittee on March 1, 1994. He cited as an example the bloody rampage that occurred several days earlier when an Israeli gunman opened fire on Muslim worshippers in the Ibrahimi mosque in Hebron on the West Bank, killing 29 and wounding scores more. For Palestinians and the overwhelming majority of people living in other parts of the region, internationally accepted human rights — the bedrock principles that protect the integrity of the person and guarantee civil and political freedoms — are little more than words on paper.

Throughout the Middle East, powerful and feared security forces carry out arbitrary arrests and hold detainees incommunicado, depriving them of contact with lawyers and family members. In many states torture is used in the interrogation of suspects, and victims of such abuse lack effective recourse to justice. Suspicious deaths in custody are not investigated vigorously by authorities, leaving torturers free to operate.

Political and security suspects do not receive fair trials with full due-process guarantees, and defense lawyers themselves have been targeted for harassment and arrest. The stroke of a government official's pen can shut down an independent organization or remove an opposition newspaper from circulation. Outspoken journalists and writers are harassed, detained and prosecuted for expressing their opinions.

Women suffer discrimination based on gender: they are denied equal rights under the law and face state-sponsored restrictions on their movement, personal freedom, and educational and professional options. Ethnic and religious minorities in the region — including Kurds, Christians, Baha'is, and Shi'a Muslims in Iraq and Saudi Arabia — have not been afforded full free-

dom to practice their faiths or enjoy their own cultures and languages, as required under international law.

Throughout the region, organized religious zealots with agendas of intolerance — whether inside the establishment or at odds with it — stoke an atmosphere of intimidation. Personal freedoms, including free expression of opinion, have been increasingly sacrificed to coerced or self-imposed conformity.

Armed Islamist militants have pursued a strategy of violence, seeking to challenge and destabilize the existing political order in Algeria, Egypt, and Israel and the occupied Palestinian territories. These extremists have targeted and killed not only soldiers, policemen and security officials, but also innocent civilians. The Hamas movement claimed responsibility for the suicide attack on a crowded commuter bus in Tel Aviv on October 19, 1994, which killed 22 Israelis as well as the bomber, and injured many more. This was not the first time that Hamas violated one of the key principles of international humanitarian law by targeting civilians.

This chapter examines some of the common human rights problems in the Middle East region, focusing on four major categories of abuse:

- ✧ **Violations against the integrity of the person**, such as politically motivated killings, torture, arbitrary arrest, and denials of fair public trial.
- ✧ **Violations of civil and political liberties**, including freedom of expression, the right of peaceful assembly, and freedom of association.
- ✧ **Violations of minority rights**, including the freedom of religious and ethnic group members to enjoy their own culture, profess and practice their religion, and use their own language.
- ✧ **Violations of the equal rights of women.**

A review of human rights abuses tells us more than simply the ills perpetrated against individuals or groups. Respect for human rights is one measure of a political system's openness and

a government's commitment to the rule of law. Authorities who do little or nothing to investigate and prosecute gross violations such as torture are sending strong signals that such illegal actions are state-sanctioned and that security forces are above the law.

Restrictions on basic civil and political rights are inimical to the development of diverse and tolerant civil societies. And the denial of such rights — in countries such as Saudi Arabia, Iraq, and Libya — means that institutions independent of the state can never be built and entrenched rulers remain insulated from the scrutiny that comes with lively public debate and peaceful dissent. Many states in the region deny that rights abuses are occurring or simply ignore well-documented reports and letters of inquiry. The unwillingness of governments to respond meaningfully to the complaints of domestic and international human rights monitors is often an indicator of a lack of accountability in other spheres of public life as well.

Integrity of the Person

The right to life is protected under international human rights law, which states that "no one shall be arbitrarily deprived of his life" (ICCPR, Article 6).¹ Arbitrary deprivation of the right to life includes three types of abuses: politically motivated killings by the state or opposition groups; the deliberate use of lethal force by police, security or other state agents (known as "extrajudicial executions"); and deaths in custody under suspicious circumstances. In extreme cases, deprivation of the right to life constitutes the crime of genocide.

The most horrific example of extrajudicial killings in the region was the genocidal campaign against the Iraqi Kurds. At least

¹ The International Covenant on Civil and Political Rights (ICCPR), which entered into force in March 1976, is one of the three principal instruments that set forth the international law of human rights. (The other two are the Universal Declaration of Human Rights, adopted and proclaimed by a United Nations General Assembly resolution in 1948; and the International Covenant on Economic, Social, and Cultural Rights, which came into effect in 1976.) Together they comprise what is commonly known as the International Bill of Human Rights.

The ICCPR places an obligation on States Parties to respect and ensure the various political and civil rights of the individual that are recognized in the Covenant. As of December 31, 1994, 129 nations are parties to the ICCPR.

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**Fifty thousand people
died in the genocidal
campaign against the
Iraqi Kurds.**
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50,000 people, many of them women and children, were summarily executed between February and September 1988. What began as a counter-insurgency operation by the Iraqi military against Kurdish guerrillas escalated into a planned, systematic removal of rural residents from “prohibited areas” in the northern Kurdish countryside to detention camps, and then on to

execution sites where they were shot and buried in mass graves.

“No attempt was made to distinguish between those who had borne arms and those who had not; nor was any form of legal process initiated. The victims were guilty of nothing more than being Kurds living in their ancestral villages in the Kurdish countryside,” Human Rights Watch wrote in a 1994 memorandum. The organization solicited support from governments around the world to bring a case of genocide against Iraq in the International Court of Justice.² This attempt to press the international community to hold the Iraqi authorities accountable for ethnically-based mass slaughter, if successful, could bring a measure of justice to the survivors and discourage Baghdad from mounting renewed campaigns against the Kurds in the future.

In Algeria and Egypt today, political killings and extrajudicial executions are aspects of the deteriorating human rights situation. Thousands of people have been killed in Algeria since January 1992, when a military-backed group ousted the president and canceled the parliamentary electoral process, thwarting a widely expected victory by the opposition Islamic Salvation Front.

The coup set the stage for a protracted confrontation between security forces and armed Islamist groups, with a corresponding increase in human rights violations by both sides. The extremists have targeted foreigners and Algerian civilians, among them writers and journalists viewed as unsympathetic to the Islamist movement. The assassinations of journalists began in

² Article 9 of the Genocide Convention of 1951 gives jurisdiction to the International Court of Justice, the principal judicial organ of the United Nations, to adjudicate claims of genocide.

1993 and continued in 1994. The first journalist targeted was Omar Belhouchet, the editor-in-chief of the respected independent daily *el-Watan*, who had received death threats since 1991. Bullets were fired at his car in May 1993, while he was driving his children to school in an Algiers suburb. Although Belhouchet survived, subsequent attacks claimed the lives of others. As of December 1, 1994, 27 journalists working for independent or government-owned media have been killed in Algeria. This violence — coupled with the state's suspension and banning of publications, and arrest and prosecution of journalists — has created an atmosphere of fear, self-censorship and silence that has forced many journalists into semi-hiding.

In Egypt, members of military wings of clandestine Islamist opposition groups have targeted police and security officials, foreigners, Coptic Christians and other civilians. In October 1994 Naguib Mahfouz, the 83-year-old writer and Nobel laureate, was stabbed by an assailant in Cairo. His novel *The Sons of Gaballawi* has been banned since 1959 because the Egyptian Muslim religious establishment deems it heretical. In 1989, Sheikh Omar Abdel Rahman — the spiritual leader of the underground Islamic Group — declared that Mahfouz should be killed unless he repented for writing the novel. Mahfouz also received death threats following his condemnation of Iran's call for the killing of Salman Rushdie. "Mahfouz is a symbol for all writers. This is an act of intimidation against all of us," said a prominent Egyptian author who himself has openly criticized Islamist militants and fears for his life.

Given unjustifiable attacks such as the one on Mahfouz, the Egyptian government has enjoyed public support for its "war on terrorism." But in the pursuit of suspected militants, security forces have trampled on human rights. There is evidence that their abuses include extrajudicial executions. On February 14, 1994, three men were killed in Cairo in what the government news agency described as "a good preemptive strike" against terrorists by security forces. Neighborhood residents interviewed by the Egyptian Organization for Human Rights (EOHR) filled in the details. They first heard screams of young men and then saw a large number of men in plainclothes holding four people. Three of the four were moved into a truck, and the residents then heard shooting coming from inside the vehicle. "According to eyewitnesses," EOHR reported, "the bodies of the victims were moved out on to the street where a

machine gun and some bombs were placed beside the bodies."

Under the principles of international humanitarian law, abuses by armed opposition groups in a situation of internal strife, no matter how egregious, never justify the state's own violations of human rights. Acts of murder and attempted murder by extremists do not give the state license to abandon human rights principles and engage in gross abuses such as extrajudicial executions.

Torture

International law unequivocally forbids torture and other forms of cruel, inhuman or degrading treatment or punishment, regardless of the accusations against a suspect or the prevailing security conditions (ICCPR, Article 7). The right to be free from torture is absolute; under international law, no derogation is allowed from the state's obligation to protect this right (ICCPR, Article 4). This means that states cannot cite exceptional circumstances, such as war or a public emergency, to escape their obligation to ensure that individuals not subjected to torture.

Despite these clear standards, torture remains pervasive in the Middle East. It is used primarily during interrogation of suspects to obtain confessions or information. It is extremely rare for authorities to investigate thoroughly allegations of torture, much less to prosecute and punish members of police and security forces who commit offenses. According to the U.S. State Department, "a climate of impunity" exists in Saudi Arabia, where beating detainees on the soles of their feet to cause intense pain reportedly continues to be practiced by agents of the interior ministry.

Palestinian detainees under interrogation by the Israeli military (IDF) and internal security forces (Shin Bet) are routinely tortured and ill treated. The techniques used by the Shin Bet are sophisticated, designed to inflict severe pain without leaving physical traces or permanent injury; examples include forcing detainees to maintain awkward and painful body positions for long periods. Since the signing of the Declaration of Principles by Israel and the Palestine Liberation Organization (PLO) in September 1993, abusive methods continue to be used in Israeli interrogation centers, although the number of detainees held because of support for PLO Chairman Yasser Arafat has declined, while the number suspected of affiliation with Hamas, Islamic Jihad and anti-Arafat political factions has increased.

Torture has emerged as an issue for Palestinians ruled since May 1994 by the Palestinian National Authority in the Gaza Strip. In late June 1994, Farid Jarbou, a driver in his twenties from Gaza suspected of collaborating with Israeli authorities, was arrested by Palestinian armed security forces in plainclothes. He died in the interrogation wing of Gaza prison on the night of July 4-5. Palestinian authorities conceded that Jarbou's autopsy revealed that his death "had been caused by the use of violence."

This admission was an important first step by the PNA, but other efforts are necessary to demonstrate commitment to the rule of law. A full investigation of the circumstances of Jarbou's death should be carried out and made public. Those members of Palestinian security forces found responsible must be held accountable and prosecuted. Such a process will send an unmistakable message that Palestinian authorities will not tolerate torture and abusive treatment of suspects in their custody.

In Egypt, as in Algeria, thousands of suspected members of Islamist opposition groups have been rounded up and detained. Confessions and information have been extracted under torture, and state prosecutors have systematically failed to adequately investigate allegations of abuse. In Egypt, it is not only suspected militants who are tortured. Violence in police stations is rampant, and some detainees have died in custody.

In August 1994, a 48-year-old Egyptian, Fatheh el-Bab Abdel Monem Sha'aban, and his 18-year-old son were arrested by police during a routine search for unlicensed weapons. They were beaten in front of their house, then brought to the police station in Helwan, south of Cairo, and beaten again. Police officers then stripped the father and son and hanged each of them from a door. The son watched as his father was beaten until he lost consciousness and died. A forensic medical examination by physicians from the Ministry of Justice revealed that the cause of death was severe blows to all parts of the body and bleeding on the surface of the brain. According to lawyers at the nonprofit Center for Human Rights Legal Aid (CHRLA) in Cairo, the case is under investigation by the prosecutor. The victim's wife is seeking justice and wants her husband's assailants to stand trial. If the state fails to bring criminal charges against the police officers, CHRLA attorneys say that they are prepared to take legal action on behalf of the family.

Governments in the region are not receptive to independent

medical evaluations of torture allegations. In July 1994, Lebanese authorities resisted outside efforts to examine complaints of torture made by eight defendants against military intelligence agents. The suspects, on trial before the Permanent Military Court for unlawful "dealings with the Israel enemy," claimed that their confessions were extracted under torture. An assistant military prosecutor denied a team of independent pathologists from the International Federation of Human Rights and SOS Torture access to the defendants. This move foreclosed an independent assessment of their allegations by forensic experts. The court sentenced the defendants to prison terms ranging from one month to seven and a half years.

In May 1994, Egyptian government officials spurned the Cairo Bar Association, the Egyptian Medical Association, and local and international human rights groups seeking to arrange an independent second autopsy of the body of 30-year-old Islamist defense lawyer Abdel Harith Madani, who authorities said had died in custody one day after his arrest by security forces. There are strong suspicions that Madani was tortured to death, despite a claim by the interior minister that the healthy lawyer died of an asthma attack. The government has not made public its own autopsy report nor, as of this writing, has it released any information about the official investigation of Madani's death.

Arbitrary Arrest and Detention

"Everyone has the right to liberty and security of person," Article 9 of the ICCPR states. "No one shall be subjected to arbitrary arrest or detention." But security forces throughout the region arbitrarily arrest political suspects and detain them without charge. The problem is worse for detainees who are held incommunicado — in interrogation centers, prisons, or secret facilities — and denied contact with family members and lawyers for periods ranging from several days to several months or longer. It is during this time — when there is no formal acknowledgment by authorities that a detainee is in official custody — that torture and other forms of mistreatment typically occur. Such a system shields the abusive behavior of interrogators seeking confessions or information.

A major protection against arbitrary arrest and detention is the right to prompt judicial review of the lawfulness of a detention (ICCPR, Article 9). This guarantee is widely disregarded in

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**Detainees are held
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 facilities.**
 ”

Syria and Iraq, where unlawful arrest of political suspects by security forces has been the longstanding norm. In other states, lengthy periods of incommunicado detention are specified by the law.

In the Israeli-occupied territories, authorities were permitted to detain a Palestinian suspect for 18 days before presenting him or her to a mili-

tary judge for a hearing to review the detention order. For those suspected of minor security offenses, the length of time for judicial review was shortened from 18 to 8 days in 1992 — an improvement, but still much longer than the 48 hours that Israeli and Arab suspects detained in Israel can be held before seeing a judge. For other Palestinian suspects in the territories, the 18-day period of incommunicado detention remains in effect.

In 1992, a legislative decree in Algeria extended the legal limit for incommunicado detention to 12 days for cases of “terrorism” and “subversion.” Islamist suspects are often held under interrogation well beyond this time without access to the outside world, and police have been known to falsify dates of arrest in order to maximize the period of incommunicado detention.*

Egyptian authorities circumvent their obligations under international law by providing detainees with judicial review of detention orders after an initial 30-day period but ignoring the court’s decision. If a judge rules that a detention is unwarranted, his order to release the suspect is simply disregarded. Suspects are “released” on paper, but in fact remain in the custody of security forces, incommunicado, until new detention orders are issued. Some political and security suspects have been held without charge for over three years this way, accumulating essentially meaningless court-ordered releases.

Unfair Trials

The right of defendants to a fair trial by an independent and impartial court is enshrined in international law (ICCPR, Article 14). The minimum elements of a fair trial include presumption of innocence, prompt notification of charges, the right to counsel,

adequate time to prepare a defense and communicate with counsel, and the right to appeal the conviction and sentence to a higher tribunal.

Trials of political and security suspects in the Middle East often do not meet minimum due-process standards. The admissibility of confessions coerced under torture — and the failure of judges to order the investigation of allegations of torture — violate international law, which specifies that anyone charged with a criminal offense shall “not be compelled to testify against himself or to confess guilt” (ICCPR, Article 14).

Lengthy periods of incommunicado detention interfere with the right of defendants to have adequate and timely access to lawyers, and the parallel right to be represented by counsel at trial. In the Israeli-occupied territories, many, if not most, Palestinian detainees do not meet with attorneys until after they have confessed or have been released. In Saudi Arabia, defendants have access to lawyers before trial, but attorneys are not present during sessions before the presiding judge.

In an alarming development, Tunisia and Egypt in 1992 began to refer civilian Islamist security suspects to military courts. In the same year, Algeria organized Special Courts to try suspected Islamist militants quickly and hand down harsh sentences, including the death penalty.

Military courts do not afford civilian defendants full due-process rights before an independent tribunal. The military is part of the executive branch of government, and thus its judicial system lacks the greater independence of civilian courts. International law states that anyone convicted of a crime has the right to review of the conviction and sentence by a higher tribunal (ICCPR, Article 14). The Egyptian government's decision to try civilian “terrorists” before three-judge military courts, whose decisions cannot be appealed to a higher court, violates this standard. Similarly, the verdicts of Tunisia's five-judge military courts cannot be appealed on the merits to a higher court. The right to appeal is especially important given the severity of the punishments that these military courts have imposed, including the death penalty and life imprisonment. Military court judges in Egypt and Tunisia have disregarded defendants' allegations of torture, and failed to investigate the claims. A Tunisian judge responded to one defendant this way: “You tried to overthrow the government and you complain about being hit?”

The Special Courts in Algeria, which have handed down death sentences and which tried over 3,000 suspected militants in 1994, do not meet international fair trial standards. Suspects have been brought before investigating judges in pre-trial proceedings without their lawyers present, and judges have not investigated complaints about torture during incommunicado detention. The decree that created the courts mandates a one-month deadline for the trial court to reach a verdict; some trials, involving multiple defendants, have been concluded after only several sessions of a few hours each, with no opportunity for the examination of claims that confessions had been coerced.

Civil and Political Rights

Internationally recognized civil and political rights — including freedom of expression, freedom of association, and the right of peaceful assembly — are denied or tightly circumscribed in many countries in the Middle East. In most countries in the region, television and radio stations — important means of communication, given high levels of illiteracy — are owned, regulated and censored by the state. In Libya, Iraq and Syria, independent political parties and other popular institutions simply do not exist, and manifestations of political dissent are harshly repressed. The ruling family in Saudi Arabia does not allow its citizens to express views critical of the monarchy and the government. Political parties are not allowed, and by law privately owned newspapers cannot criticize the state.

The absence or profound weakness of institutions of civil society — a free press, independent broadcast media, political parties, and civic and professional associations unhindered by state control — perpetuates the absolute power of monarchs and dictators. It also ensures the continued domination of public life and legislative affairs by the ruling parties in ostensibly “democratic” countries such as Egypt and Tunisia.

Another troubling dimension of the human rights picture in the Middle East is the growing strength of Islamist political groups with agendas antithetical to the tolerance and diversity that mark a thriving civil society. In the name of religious orthodoxy, these groups have vocally criticized and called for censure, and sometimes death, of other Muslims — particularly writers, academics, and artists — for exercising freedom of expression. The Egyptian

Organization for Human Rights, the country's leading human rights organization in Egypt, described the problem this way in 1994:

[T]he increasing pressures within Egyptian society for imposing clerical surveillance over freedom of thought, opinion, expression and belief [have] been paralleled [by] an increase in apostasy campaigns and religious death edicts promulgated by some 'moderate' symbols of the Islamist trend. This has left leading intellectuals and artists a target for the guns of extremist fanatics.

Freedom of Expression

International law guarantees freedom of thought and conscience (ICCPR, Article 18), and the right to hold opinions without interference and to communicate such opinions to others (ICCPR, Article 19). Freedom of expression is broadly defined, and encompasses the right to seek, receive and share information and ideas through any means including speech, writing or other media. The state must justify restrictions on free expression as necessary to protect the rights or reputations of others, or to protect national security, public order or public health or morals. In practice, however, curbs on freedom of expression rarely meet such criteria. Violations of the right to free expression most typically represent self-interested moves by governments to suppress information and silence dissenting voices.

The Tunisian government in 1994 responded to the critical reporting of the foreign media by banning issues of the French daily newspapers *Le Monde* and *Liberation*, expelling the BBC's correspondent in Tunis, and declaring a special correspondent from *Le Monde* persona non grata. Egyptian authorities continue the harassment of journalists and editors of opposition newspapers and magazines, in some cases detaining and interrogating them solely because they have expressed views or published information critical of state policies and practices. The newly formed Palestinian National Authority (PNA) also has targeted an opposition newspaper. On July 25, 1994 the PNA confiscated and banned the pro-Jordanian daily *an-Nahar* because — according to the head of internal security in Jericho — the newspaper was advocating "a line that contradicts the national interests of the Pales-

tinian people." The newspaper did not publish again until September 5. That issue included an announcement that managing editor Isam al-Anani was no longer with the paper, and an editorial declaring that *an-Nahar* was "Palestinian to the bone" and backed the "national line."

In Iran, individuals have suffered severely for exercising their right to freedom of expression, and some have paid with their lives. One is writer Ali-Akbar Saidi-Sirjani, who was widely known for his essays and social criticism. When 17 of his books were banned by the Iranian authorities in 1989, he courageously began to write open letters to authorities, condemning censorship, the suppression of dissent, and restrictions on personal freedom in Iran.

Saidi-Sirjani's home was raided on March 14, 1994 by agents of the anti-vice department of the Islamic Revolutionary prosecutor's office. His papers were confiscated and his library was seized. The search and arrest warrant was blank where his name should have been listed. The state-controlled daily newspaper *Keyhan* in June 1994 published a letter allegedly written by Saidi-Sirjani, in which he confirmed that the charges against him included use of drugs and alcohol, links with espionage networks, and receiving funds from Western "counter-revolutionary" circles. Since he had not been seen by his family or lawyers, there was no way to verify the statements made in the letter. On November 27, 1994, the Iranian government announced that the 63-year-old writer had died of a heart attack while in detention at an undisclosed location.

In 1994, three Christian clergymen in Iran were killed in suspicious circumstances. On January 19, 48-year-old Bishop Haik Hovsepian-Mehr, head of the Church of the Assemblies of God and the Evangelical Council of Pastors in Iran, disappeared as he traveled from his home to Tehran airport. The bishop had actively campaigned on behalf of a colleague, Reverend Mehdi Dibaj, who had converted from Islam to Christianity over 40 years earlier but was sentenced to death for apostasy by a religious court in December 1993, after serving nine years in prison. Rev. Dibaj was released by judicial authorities three days before the bishop disappeared.

It was not until eleven days after Bishop Hovsepian-Mehr's disappearance that his family was notified that his body was in the morgue of the coroner's office in Tehran. Authorities said that

the cleric had been dead since January 20; the cause of death was not stated. The government has not responded to international pressure for an independent autopsy and a full public accounting of the circumstances of the bishop's death.

The Christian community was rocked by two additional deaths later in the year. On July 2, the body of Rev. Tatavous Michaelian, chairman of the Council of Protestant Ministers in Iran, was found with gunshot wounds to the head. The body of Rev. Dibaj was found in west Tehran three days later.

Freedom of Association

The right to freedom of association with others is a precondition for building and sustaining strong civil societies. It encompasses the freedom to organize and join political parties, trade unions, professional associations, student and women's groups, human rights organizations, locally-based development and service organizations, and other organizations independent of the state. Although guaranteed in Article 22 of the ICCPR, this right has been tightly circumscribed by authoritarian regimes in the region. Governments have used state power — through administrative procedures, decrees and other mechanisms — to block the legal formation of independent organizations and opposition political parties, and to shut down or "reorganize" groups that have openly criticized state practices or the prevailing political order.

Saudi Arabia took harsh action in 1993 and 1994 to suppress peaceful dissent by Islamist groups in the kingdom. In May 1993, the government banned the Committee to Defend Legitimate Rights (CDLR) ten days after the independent group had been formed by six respected Islamist jurists and university professors.

**Governments use
state power to shut
down or 'reorganize'
dissenting groups.**

CDLR leaders said that one impetus for creating the organization had been the arrest without charge or trial of hundreds of suspected supporters of popular Islamist leaders who publicly criticized government policy. In addition to banning the organization, the state acted quickly to punish CDLR's founders and supporters. Measures included dismissals from

government jobs, bans on travel, and the closure of law offices. On May 15, the group's spokesperson, physicist Dr. Muhammed al-Mas'ari, was arrested after he defied an order not to talk to the foreign press about the committee, according to Human Rights Watch. In April 1994, following his escape from Saudi Arabia, Dr. Mas'ari reactivated CDLR from exile in London. Saudi security forces then arrested his relatives in a blatant attempt at intimidation.

In Syria, there is no space for opposition political parties independent of the ruling Ba'ath Party and its National Progressive Front (NPF). Political activity outside the narrow band of the state-controlled NPF is not permitted, and suspected members of banned political organizations continue to be tried and sentenced to long prison terms by the State Security Court.

Similarly, professional associations in Syria do not operate independently but on the short leash of the state. When the Bar Association began to vocally criticize policies of the Assad regime in 1976, advocating an end to the state of emergency and human rights abuses, repression followed; it culminated in April 1980 with the mass arrest of lawyers and other professionals and the dissolution of all professional associations. The Bar Association was transformed into an arm of the ruling party in 1981, when a new law stipulated that the association must act "in conformity with the principles and resolutions of the Ba'ath Arab Socialist Party."

Right of Peaceful Assembly

Throughout the region, authorities do not recognize the right of peaceful assembly, which is set forth in Article 21 of the ICCPR. Military and security forces have forcibly dispersed peaceful protestors, causing the death and injury of individuals whose only offense was exercise of this internationally recognized right.

In Lebanon, guidelines for public assembly were issued by the interior ministry in 1970. Licenses were required to hold demonstrations, and permission was granted only selectively. In August 1993 the government banned by decree all demonstrations, reportedly in anticipation of expected opposition to the imminent peace accord between Israel and the PLO. On September 13, 1993 — the day the Declaration of Principles was signed — Lebanese Army troops opened fire on demonstrators in Beirut who had gathered after noon prayers to protest the accord. Peacefully march-

ing and chanting, the protestors ignored army officers' demands to disperse. Troops first fired shots in the air, then fired into the crowd, killing eight and wounding over 30 others.

In 1994, authorities in Egypt prevented students, political activists, lawyers, and workers from exercising the right of peaceful assembly. Following the February massacre of Palestinians at the mosque in Hebron, Egyptian authorities deployed riot police to break up numerous protest demonstrations. On May 17, security forces used tear gas and rubber bullets to block hundreds of lawyers who had assembled at the bar association headquarters in downtown Cairo from marching peacefully to the presidential palace to protest the suspicious death in detention of defense attorney Abdel Harith Madani. Twenty-seven lawyers were arrested; the next day, another ten lawyers, including three officers of the bar association, were detained and charged with inciting the demonstration.

On October 2, 1994, four Egyptians, including a young child, were killed and dozens of others injured by security forces in the industrial city of Kafr el-Dawwar. Days earlier, some of the 23,000 workers at the huge state-owned textile factory had started a peaceful sit-in to protest unfair actions by management. Anti-riot forces were deployed around the factory and in the adjacent residential areas. Security forces then attempted to disperse relatives who had gathered near the factory and prevent them from bringing food to the workers. Tensions escalated; police fired tear gas, rubber bullets and buckshot into the factory and at the crowds, and then stormed a nearby residential area. Nine people, including a child, were seriously injured by buckshot in one or both eyes. After the violence, over 70 workers and their relatives were arrested.

Minority Rights

Under international law, the rights of religious and ethnic minorities are fully protected. Freedom of religion, including the freedom to choose or adopt a religion, and to observe, practice, and teach one's faith, is guaranteed (ICCPR, Article 18). States are also specifically instructed not to deny rights to their ethnic, religious or linguistic minorities, and to allow members of such groups the right collectively "to enjoy their own culture, to profess

and practice their own religion, and to use their own language" (ICCPR, Article 27).

The ICCPR also sets forth a clear standard of equal protection of the law without discrimination on any grounds, including religion and ethnicity. It mandates that discrimination should be prohibited by law, and that the law should guarantee to all persons equal protection against discrimination (Article 26). These international standards are ignored by some states in the Middle East, where the rights of religious and ethnic minorities are restricted and equal rights under the law are denied.

Egypt is the most populous country in the Middle East, and Christians constitute the largest religious minority in the country — an estimated six to ten million people. The government imposes unreasonable restrictions on Christian places of worship. Special regulations — applying only to churches and not to mosques — require permission of the president of the republic in order to build a church or carry out even the most minor repairs, pursuant to an 1856 Ottoman imperial edict that remains in force. Congregations have faced inordinate delays in securing this permission. In some cases, lack of action over many years on requests to build or repair churches has amounted to arbitrary denial of permission and thus — indirectly — denial of the freedom to worship. Mosque construction, in contrast, is regulated by completely different and less complex procedures.

In Iran, some 300,000 Baha'is — the largest group of non-Muslims in the country — do not enjoy freedom of religion. Adherents of the faith are considered apostates, and the state does not officially recognize the religion. Baha'is are not permitted to teach their faith, in violation of international standards. In Saudi Arabia, citizens do not have the freedom to choose a religion other than Islam, and apostasy is punished by death. Non-Muslim places of worship are not permitted, nor is any form of worship by non-Muslims allowed in public or private. The Shi'a religious minority faces state-sanctioned discrimination, and private construction of Shi'a mosques is tightly restricted.

Syria's large Kurdish population, estimated at over one million people, suffers blatant denials of cultural expression. The Kurdish language is banned from use in schools and the media, and it is illegal to hold public discussions or to publish materials about the Kurdish question or even about the existence of a Kurdish minority in Syria. Kurdish cultural centers, book stores,

publishing houses and other independent associations are prohibited; four Kurdish political parties are banned and Kurdish activists are subject to arrest for membership in illegal organizations. In a further assault on Kurdish culture, the government decreed in 1992 that children with Kurdish first names cannot be legally registered. Such restrictions run fully counter to international human rights standards.

It should be noted that governments are obligated to take affirmative action to protect the identities of religious, cultural and linguistic minorities, and to protect members of such groups from incursions on their rights by the state itself or by private individuals. "Positive measures of protection are ... required not only against acts of the State party itself, whether through its legislative, judicial or administrative authorities, but also against the acts of other persons within the State party," the U.N. Human Rights Committee declared in April 1994. The committee also noted that circumstances can dictate that a state undertake action "to protect the identity of a minority and the rights of its members to enjoy and develop their culture and language and to practice their religion, in community with the other members of the group."

A government may not sidestep its obligations simply by denying the existence of minorities within its borders.³ "The existence of an ethnic, religious or linguistic minority in a given State party does not depend upon a decision by that State party but requires to be established by objective criteria," the U.N. Human Rights Committee stated in 1994.

Women's Rights

Under international human rights law, women are granted equality before the law and equal protection of the law without discrimination with respect to gender (ICCPR, Article 26). States are also required to use the law to prohibit discrimination on any grounds, including gender, and "guarantee to all persons equal and effective protection against discrimination" (ICCPR, Article

³ Such denial, for example, has been the official position of the Egyptian government with respect to the country's Christian minority. "Egypt has not promulgated any special legislation concerning minorities, which do not exist in Egyptian territory," the government wrote in a September 1992 submission to the U.N. Human Rights Committee.

26).

Women in many countries in the Middle East face discrimination under the law, along with various state-sanctioned restrictions on their movements, activities and personal freedom. The most extreme situation is in Saudi Arabia, where women are prohibited from driving cars and bicycles, and are compelled to cover fully their faces and entire bodies. Women are barred from studying certain subjects in college, including engineering, architecture and journalism. In neighboring Kuwait, women are still denied the right to vote. In Iran, women are forced to conform to the Islamic dress code in public, and unmarried women are not permitted to study abroad.

In Egypt, human rights and women's rights groups have focused attention on various laws that contain gender-based distinctions and that severely limit the rights of women compared to men. A 1975 law bars Egyptian women from passing on their nationality to children born on Egyptian soil of foreign fathers; in contrast, the children of Egyptian men married to foreign women automatically obtain their fathers' nationality. The right of Egyptian women to leave the country and travel is restricted pursuant to a 1959 decree by the Minister of Interior, which states: "A wife may not be granted a passport or add her name to her husband's passport without his written approval."

The Egyptian penal code also contains gross disparities based on gender. Women found guilty of adultery are punished with a two-year sentence, while a maximum sentence of six months is applied to men. In addition, men are convicted only if the action occurred in the marital home, while women are penalized irrespective of where it took place. The law also mandates that a husband who kills his wife in the act of adultery has the charge of murder reduced to a misdemeanor, due to the extenuating circumstances. A woman who kills her husband under the same circumstances is afforded no such relief.

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In Jordan, women have the right to vote and run for office. Legislator Toujan Faisal, who was elected as the first woman in the lower house of parliament in November 1993, has led efforts to reform several laws that discriminate against women. In 1994, Faisal proposed amendments to a 1969 law that requires a woman to obtain the consent of a husband or father in order to obtain a passport. She also sought to remove the marital status information that is included only on women's passports. Another focus for women's rights advocates is amendment of the 1964 nationality law, which permits foreign-born wives of Jordanian men to obtain Jordanian citizenship, but denies nationality to the foreign-born husbands of Jordanian women and the children of these unions.

The influence of religious extremists inside and outside of governments has adversely affected women throughout the region. The situation in Algeria is perhaps the most volatile. Algerian women who work and wear Western clothing have been exposed to threats, intimidation and violence from militant Islamists. An Algerian academic living in exile in New York, who in 1994 formed the Association for Research on Algerian Women and Cultural Change (ARAWOC), says: "Many of us are afraid of speaking up, writing under our names, and actively seeking ways of ending spiralling violence ... The various women's associations that began to flourish in the aftermath of the democratization of the political system have been effectively silenced."

According to ARAWOC, since April 1994 women have become targets of violent attacks because of their gender: "Although some women have been killed by strangulation or had their throats cut just like men, many have been assaulted with razor blades or acid on the streets. Single women making a living as fortune tellers have been killed for un-Islamic activity." The organization says that gender-based violence in 1994 included attacks by Islamist militants on unveiled women and counterattacks on veiled women by anti-Islamist groups. ARAWOC believes that events are transforming Algeria into "a republic of fear, intimidation and forced conformity" with diminished rights for women.



Despite the grim human rights picture, there are courageous efforts in the region to reverse it. A growing community of human rights activists is struggling to document and publicize abuses, using limited resources to reach out locally and globally.⁴ They call upon governments to respect their obligations under international human rights law, and likewise insist that organized Islamist militant groups and their military wings respect the right to life, minimum standards of international humanitarian law, and principles of tolerance.

The work of these local activists is not without risk. The president of the Algerian League for Human Rights, Youcef Fathallah, was assassinated in Algiers in June 1994. Mansour Kikhia, a prominent Libyan political dissident and a board member of the regionwide Arab Organization for Human Rights, disappeared in Cairo in December 1983; as of this writing, the 63-year-old lawyer's whereabouts are unknown. The spokesperson for the independent Committees for the Defense of Democratic Freedoms and Human Rights in Syria (CDF), lawyer Aktham Nouaïssch, is serving a nine-year sentence in a Damascus prison, following a 1992 conviction in a security court for his human rights activities. As of this writing, eleven CDF colleagues are jailed with Nouaïssch, including a university professor, a jurist and several writers.

Support for these local activists and their organizations is an essential component of human rights advocacy work. It is only the success of their efforts that will transform international human rights from words on paper to meaningful principles that guide the conduct of governments and those who aspire to state power in the Middle East.

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⁴ In countries where human rights organizations are not permitted to exist — such as Iran, Saudi Arabia, and Iraq — various exile groups, including organizations affiliated with opposition political parties, attempt to fill the gap and report rights violations from abroad.

Questions for Discussion

? The fundamental human rights mentioned in this chapter are protected by a body of international human rights law. Given that governments in the Middle East and other parts of the world regularly violate these rights with impunity, what is the value of international covenants and treaties on human rights?

? Suppose your church learns about a suspicious death in detention, suggesting the possibility of torture, in a country in the Middle East. You decide to write a letter to the authorities in that country. What would you ask that government to do? Additionally, what could you ask the U.S. government to do?

? Why is it forbidden under international law (and ethically wrong) to try civilians before military courts?

Religious Freedom in the Middle East

Dale L. Bishop

A true story, from which names have been omitted:

In the early 1980s a Christian clergyman, a member of a recognized minority in a self-described secular state in the Middle East, was arrested and imprisoned. The priest, who was to accompany a group of seminarians from his community who were traveling to their seminary in another Middle East country, was held on the charge of violating foreign currency regulations. He was carrying a large sum in U.S. dollars, presumably to pay the tuition and expenses of the students. People in his community, however, speculated that the actual and immediate reason for his arrest was the accusation, which he vehemently denied, that he had named his dog after a venerated ruler of the country. They went on to argue that the underlying problem was that he was a Christian leader in an Islamic society. The priest remained in prison for four years.

This account illustrates some of the realities experienced by religious minorities in the Middle East — realities that may not be reflected in the formulations of more or less secular public law or in the learned expositions of the theologians and jurists of the majority religion, but realities nevertheless.

One of these is that some of the most egregious violations of the right to religious freedom in the Middle East are committed by avowedly secular states. This observation flies in the face of the accepted wisdom that it is the rise of religious extremism, often referred to as "fundamentalism," that poses the greatest threat to religious freedom. While the adoption of *Shari'a* (Islamic law) as the exclusive legal system in such countries as the Sudan, Iran,

and Saudi Arabia is profoundly disturbing to religious minorities, secular regimes have already countenanced significant limitations on religious rights.

Among these are the right to change one's religion, to conduct programs of religious education, and to build, maintain or repair places of worship and religious education. In the story of the priest recounted above, civil authorities had consistently denied permission for the opening of a seminary to train Christian priests. The community was faced with the choice of either breaking the currency and immigration laws in order to arrange for the education of priests in another country, or foregoing the education of its future leaders. In another example, a local church in Egypt had to obtain permission from the president of the republic in order to repair the church bathroom.

Such tendencies, even in the most secular countries, may reflect tradition embedded in Middle Eastern society from the period of the *millet* system in the Ottoman Empire. The basic assumption of this system was toleration of religious minorities as People of the Book. At the same time, however, certain legal disabilities were imposed on minorities to prevent them from achieving equality with their Muslim neighbors. Thus Christians and Jews were barred from certain positions of authority, even from certain professions. They were also at a disadvantage in any legal dispute with Muslims, since Islamic law prevailed in any case involving a Muslim. And while it was easy for a non-Muslim to convert to Islam, a Muslim who wished to become a Christian could be charged with apostasy, a crime punishable by death or ostracism.

There was inherited from Ottoman times, therefore, a culture of inequality which was not fundamentally changed by the adoption of Western secular nationalism. Added to this has been the desire on the part of many states to meet the contemporary Islamist political challenge with measures of accommodation. In Turkey, Egypt and Jordan, for example, ministries of education and internal security have been virtually conceded to more conservative religious parties which, in turn, tend to be less favorably disposed to religious minorities.

A second implication of the priest's story is that freedom of worship is not the same as freedom of religion. The medieval *dhimmah* (protection) system certainly protected the right of religious minorities to worship and to maintain their communal prac-

tices, including family law, within the context of Islamic society, but it expressly prohibited these communities from any kind of expansion of numbers or activities. Hence the continued prohibition of proselytization by non-Muslims in virtually all Middle Eastern societies and the limitations on building or even maintaining or

improving existing religious structures. It should be noted that Israel, too, has enacted an anti-proselytization law that prohibits the offering of inducements to persuade someone to change his or her religion.

Finally, the story demonstrates the complex, and sometimes dangerous, relationship between religion and nationality. Even in nominally secular states, the frequent assumption is that ethnicity is bound up with religious identification. Kemal Ataturk's famous dictum, "How blessed it is to say, 'I am a Turk!'" may have been meant as an affirmation of a much-maligned nationality, but enshrined as a national credo, such a sentiment can be profoundly threatening to those citizens of the state who regard themselves as religiously or ethnically different from their Turkish neighbors. Similarly, the periodic restrictions on the Syrian Jews' right to travel outside Syria reflects both Syrian government antipathy to Israel and the fundamental assumption that no Jew can be a true citizen of Syria. Such a confusion of categories also exists in Israel between the Jewish and non-Jewish (primarily Arab) citizens of the self-defined "Jewish state." Members of a minority who are religiously defined as being outside the predominant nationality are bound to suffer both subtle and overt discrimination.

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The Rise of Islamism

As onerous as the minority status may be in secular states, the rise of Islamist movements in the region poses new uncertainties. Most ominous is the combination of the power of the national security state with religious fervor. In Egypt, scores of Coptic Christians have been killed by extremist Muslim groups intent on demonstrating the weakness of the Egyptian government. In Iran,

three Protestant clergymen were murdered in 1994. Although the government of the Islamic Republic denied any involvement in these assassinations, blaming them instead on the opposition Mojahedin-e Khalq, suspicions persist among local Christians that the government was at some level involved in the activities of death squads that carried out the murders. In Sudan, the imposition of the *Shari'a* law by the Khartoum government has frightened Christians and hindered the process of national reconciliation between the Arab Muslim north and the largely Christian and animist south.

One of the major issues in assessing the impact of Islamist movements lies in different understandings of the very nature of "religious freedom." In the West, religious freedom has been understood primarily to mean freedom from either the domination of any one religious group or from the interference of government in matters of faith. Religious freedom thus has meant the fortification of a "wall" separating church and state. But in societies in which religion is an integral aspect of identity and self-understanding, freedom of religion may also imply the freedom to build the faithful religious community and to employ the considerable powers of the government to create a righteous and moral society.

It is when the freedom to create the faithful society excludes segments of the society from full participation — disabilities imposed on Christian minorities by Muslims, for example, or on non-Orthodox Jews in Israel by the Orthodox rabbinate — that freedom **to** collides with freedom **from**. The discovery of a common vocabulary about human rights remains a challenge not only for human rights activists but for theologians as well.

The Rights of the Majority

The test of any society's respect for human rights is its treatment of its most vulnerable members. A Christian preoccupation with minority rights, particularly those of Christians, however, may lead to the frequently justified perception that in Christian eyes, the rights of Muslims are somehow less important. So it was that when international Christian groups protested the murders of Christian clergy in Iran, an Iranian Ayatollah wondered aloud where international concern had been when 27 Iranian Muslims were killed by a terrorist bomb in a mosque in Mashhad.

Muslims have, in fact, been denied their freedom of religion

in various local situations in the Middle East. During the civil war in Lebanon, for example, Muslims were expelled from East Beirut by Christian militias in an early example of "religious cleansing." Like their Christian neighbors, Muslim Palestinians have periodically been denied access to their holy places in Jerusalem by Israeli authorities.

Further, governments of predominantly Muslim states have not refrained from trampling the rights of their Muslim citizens. Using the justification of national security, the Egyptian government has rounded up and tortured hundreds of suspected "militants," often on the flimsiest evidence. The Turkish government has periodically imprisoned members of the Alevi sect on the suspicion of ties to Iran. The regime of Saddam Hussein conducted a virtual purge of Shi'ite leadership both before and after the Gulf War. Saudi Arabia has jailed dissident Muslim leaders.

It is important that when such violations occur, Christians concerned about human rights make their protests, regardless of ideological and religious differences. Perhaps even more important, Christians must be alert to violations of the right to religious freedom of people of other faiths living in our own society.

Dale L. Bishop is Middle East area executive for the United Church Board for World Ministries and Christian Church (Disciples of Christ).

Questions for Discussion



What does the term "religious freedom" mean to you? Could it have other valid meanings? If so, what?



In what ways is "freedom of religion" different from "freedom of worship"?



Thinking historically, what are some other examples of societies in which ethnicity or nationality has become confused with religious identity? What were the consequences?

Human Rights Groups in the Middle East Region

Neil Hicks

Although human rights abuse remains a regional epidemic, with few improvements over the past decade, during that same period the local human rights movement has burgeoned in many countries. Almost every state in the Middle East now faces criticism of its human rights practices from indigenous human rights activists and monitors. This rapidly growing movement fuels hope that the next decade may not be as abject as the last one for human rights in the Middle East.

Local human rights groups are an excellent source of primary information about conditions in their countries. All of the major international human rights organizations rely extensively on the work of local human rights groups, as do the U.S. State Department and the United Nations for much of their reporting.

Local rights advocates defy stereotypes that Middle Eastern peoples are not temperamentally suited to, or interested in, the basic freedoms the rest of the world regards as essential. The work of local advocates lends legitimacy to the efforts of all international organizations concerned with promoting respect for human rights in the region.

Origins of the Movement

For much of this century, the struggle to throw off colonialism and achieve self-determination dominated the political agenda in the Middle East. Many nationalists viewed colonialism as an obstacle to respect for human rights, and believed that with independence, an array of economic, social, cultural and political rights would flourish. But as states achieved independence in the 1950s, 1960s and 1970s, the hoped-for blossoming of personal freedoms, and indeed broader economic and social development, proved elusive.

The nationalist ideology attributed the failure of human rights norms to take root to continuing neocolonial influence, and especially to the existence of the State of Israel. Nonetheless, an awareness grew among some intellectuals that anti-colonial and nationalist rhetoric was being used as a facade by authoritarian governments primarily concerned with maintaining themselves in power.

These thinkers turned the nationalist formula around, and reasoned that only by reform from within — by establishing respect for human rights within Middle Eastern societies — could the political and economic failures of the region be remedied. Instead of independence creating rights, rights would contribute to independence and empowerment. Human rights should not be sacrificed on the altar of the struggle for national independence.

The Arab Organization for Human Rights (AOHR) was founded in 1983 on the principle that surmounting the constant adversities of the Arab world would require a dramatic improvement in the domestic human rights situation of the Arab countries. AOHR has become the preeminent regional organization working to promote internationally recognized human rights standards in the Arab states.

Political Dimensions

As elsewhere in the world, in the Middle East the topic of “human rights” has become a rhetorical battleground between governments and opposition groups. On the one hand, this has added greatly to the volume of information about rights abuses in Middle Eastern countries and has raised domestic and international awareness. On the other hand, it has also politicized the issue. Opposition movements and parties naturally seek to exploit human rights problems to their own advantage, while many governments have become adept at promoting an image of respect for human rights which is at variance with reality. For international observers reporting on the human rights situation in Middle Eastern countries, great care is required to avoid becoming the unwitting accomplice of one faction or another as it seeks to advance its political goals.

Islamic political opposition groups have recognized that the region’s authoritarian governments are vulnerable to criticism on

the grounds of human rights. And the Islamic opposition indeed has been the target of much human rights abuse in recent years. On the other hand, while it in no way justifies the abuse suffered by their supporters, these groups have themselves been responsible for acts of political violence, sometimes targeted against civilians.

Moreover, the commitment of these groups to international human rights standards may be questioned, partly because of the poor record of self-proclaimed Islamic governments in Iran and Sudan, and partly because of statements made by leading figures in some North African Islamic groups, qualifying their commitment to international standards. There are Islamic political leaders, such as Rached al-Ghannouchi from Tunisia, who have attempted to distance themselves from acts of terrorism and have declared a commitment to human rights and democracy. It is noteworthy that none of the authoritarian states has chosen to give the Islamists an opportunity to demonstrate their commitment to human rights in practice by allowing them to participate in government.

The attitude of the political Islamic movement towards human rights is one of the most highly charged issues in the human rights field at the present time. A challenge for the local human rights movement is to transcend ideological conflict so that it is able to serve as a positive indigenous force for human rights protection.

Country by Country

The local human rights movement, defined as groups and individuals explicitly working for the implementation of international human rights standards in the countries of the Middle East, has the deepest organizational roots in the Maghreb countries. The Tunisian League for Human Rights (LTDH) was formed in 1976. Human rights organizations have existed in Morocco since the early 1980s, but were closely linked to opposition political parties. The Moroccan and Tunisian governments have sought to co-opt and manipulate the local human right movements, involving them in cooperative ventures designed to silence outspoken criticism of government policies. When the LTDH tried to pursue a more independent path in the early 1990s, it found itself obliged to suspend operations in June 1992 after the government changed

the law of associations governing its activities. It was only able to begin working again after the independent leadership had been replaced. In Morocco, the government blocked the registration of the independent Moroccan Organization for Human Rights until 1988.

Despite legal obstacles to their existence, independent human rights groups have flourished in Egypt since the late 1980s. The Egyptian Organization for Human Rights (EOHR), founded in 1985, has become a strong independent critic of human rights abuses perpetrated both by the government and by armed Islamic opposition groups. The EOHR has received considerable coverage in the West, but in Egypt its work is largely ignored by the government-dominated mass media. In recent years, a number of the EOHR's founder members have started their own human rights institutes and centers, but the EOHR remains the most prominent organization of its kind in Egypt.

Some of the most sophisticated human rights organizations in the region are to be found in Israel and the occupied territories. The work of Al-Haq, B'Tselem, the Gaza Center for Rights and Law, the Palestinian Human Rights Information Center, and numerous other groups has received international recognition as a guide to the human rights problems associated with occupation.

These groups have benefitted from a relatively permissive attitude on the part of the Israeli government, although the government has made great effort to sanitize its human rights record in the territories, and has restricted the publication of information about Israeli rights abuses in Palestinian newspapers available in the territories. Israeli critics of their government's practices have periodically been the target of vitriolic attacks in the Israeli media and from politicians. With the changing political circumstances in the occupied territories, the groups which have historically focussed on occupation practices now must also turn their attention to abuses on the part of the nascent Palestinian National Authority (PNA). There are already disquieting signs that



**The fax machine,
satellite television and
electronic mail
confound the censor...**



the PNA may use oppressive measures to evade scrutiny of its human rights record.

Significant independent human rights organizations are also active in Jordan, Kuwait and, somewhat more haltingly, Lebanon. Elsewhere, the activities of previously active independent groups have been interrupted: in Sudan, following the 1989 military coup; in Algeria, since the suspension of the parliamentary elections in 1991 and the descent into political violence; and in Yemen following the brief civil war in 1994.

In the countries of the region not yet referred to, independent human rights organizations are severely repressed. Nevertheless, information about the human rights situations in those countries is increasingly available.

In Saudi Arabia, the primary source of information until 1993 was Shi'ite opposition groups publishing newsletters in London and Washington, DC. The Saudi government acted to remedy some Shi'ite grievances and in response these newsletters ceased publishing. However, a new source of human rights criticism appeared in May 1993 with the formation of the Committee for the Defense of Legitimate Rights. This group of intellectuals from the majority Sunni Muslim community, many of them prominent in Saudi society, has begun to challenge the religious legitimacy of the ruling family. A heavy-handed attempt to silence the group just days after its formation failed, and the group has moved to London, where it publishes a weekly newsletter that receives a wide international circulation and also reaches Saudi Arabia by fax. In recent months, news of a similar religiously based opposition movement, critical of the human rights practices of its government, has emerged from Oman.

In Iraq, Iran, Syria and Libya, major human rights initiatives have been centered in the exile communities. Even in these "closed" countries, exile groups are increasingly able to obtain first-hand information from inside. However, among exiles the distance between political opposition groups and groups publicizing human rights information is often slight. Indeed, many opposition groups, such as the People's Mojahedine Organization of Iran, regularly expose the human rights violations of the governments they oppose as an integral part of their strategies for gaining international support. The fact that human rights information comes from a source with its own political agenda does not necessarily mean that the information is invalid, but it does

demand that international advocates take extra care in verifying the facts before endorsing them.

Human rights advocacy in the Middle East remains a hazardous occupation. Prominent human rights advocates have been assassinated, "disappeared," or imprisoned [see article by Virginia Sherry]. Human rights groups experience denial of the right to register as legal associations, restrictions on their access to official information, and blocking of their access to the local media.

In the face of these obstacles, the energy and courage of local advocates provide ample evidence that the human rights idea has taken root among Middle Eastern peoples. The unelected authoritarian governments which rule in almost all the region's countries are making great efforts to suppress local human rights movements, but are finding it difficult to halt the momentum. The fax machine, satellite television, and electronic mail confound the censor and facilitate the dissemination of information exposing the crimes of governments against their own people. The voices of local advocates are now a major part of the debate on the human rights situation in the region.

Neil Hicks is coordinator of the Middle East and North Africa Program of the Lawyers Committee for Human Rights.

Questions for Discussion

- ❓ In what ways does the information in this chapter challenge common stereotypes about Middle East people?
- ❓ How can observing human rights standards contribute to the broad economic, cultural, and political development of societies?
- ❓ What is an appropriate role for human rights advocates in the West in relation to the local human rights movement in Middle East countries?

Focusing Advocacy Initiatives on the U.S. Government

Terence Miller

The United States government is a major player in Middle East affairs. U.S. assistance to two countries in the region, Israel and Egypt, accounts for almost 40 percent of the entire U.S. foreign aid budget. Since the end of the Gulf War, Washington has announced \$35.3 billion in arms sales and transfers to twelve countries in the region. There is, therefore, ample opportunity for the U.S. government to promote respect for human rights in the region through its aid program as well as through diplomacy. But this is only likely to happen if concerned Americans, including members of the religious community, raise the issue strongly and persistently with their elected officials and the administration.

Advocacy may be directed through either the legislative or the executive branch of government. Following is a brief description of the relevant agencies, along with suggested avenues for raising concerns about human rights in the Middle East.

Executive Branch

Several overlapping agencies have responsibility for monitoring the human rights situation in the Middle East. The most important are the U.S. State Department and the U.S. Agency for International Development (USAID).

The State Department

Within the State Department, the Bureau of Democracy, Human Rights and Labor is charged with promoting freedom, democracy, and respect for human rights and labor rights around the world. The Bureau is supposed to ensure that the President takes human rights into consideration when making foreign policy decisions.

The Assistant Secretary for Democracy, Human Rights and

Labor maintains a liaison with nongovernmental organizations active in the human rights field. The Bureau monitors the human rights activities of the United Nations and other international organizations and assists these organizations by providing policy guidance to them. The Bureau's effectiveness depends on several factors, including the Assistant Secretary's commitment to human rights and the President's willingness to foster a foreign policy based upon human rights concerns.

The Bureau prepares annual "Country Reports on Human Rights Practices," which document the human rights practices of governments around the world. The original intent was that the country reports would be utilized in foreign aid considerations, but they are now consulted more broadly as a respected reference on human rights.

The State Department also has a special division with general overall responsibility for the Middle East region. The Bureau of Near Eastern and South Asian Affairs includes five offices: the Office of Israeli and Arab-Israeli Affairs; the Office of Jordan, Lebanon, Syria and Palestinian Affairs; the Office of Egyptian Affairs; the Office of Morocco, Algeria, Tunisia and Libyan Affairs; and the Office of Arabian Peninsula Affairs. The Assistant Secretary for Near Eastern Affairs maintains overall responsibility for the U.S. government's diplomatic relationships with Middle East countries.

The State Department has the responsibility to ensure that no U.S. foreign assistance goes to gross human rights violators. In the Foreign Assistance Act of 1961, sections 502B and 116, Congress directed the executive branch to prohibit any country which has engaged in a "consistent pattern of gross violations of internationally recognized human rights" from receiving certain U.S. loans, grants or commodities. Although the State Department does not invoke these sections of the law formally, nonetheless the United States on a number of occasions has ended or reduced foreign assistance to governments which violate human rights. The U.S. Congress has also invoked these statutes on many occasions to justify limitations on foreign aid to abusive regimes.

Congress has been frustrated with the reluctance of administrations to make use of this provision. Lawmakers periodically have reacted by enacting country-specific legislation that forces the executive branch to cut off aid to an offending country, or otherwise recognizes a country's serious human rights violations.

U.S. human rights law, in addition to conditioning foreign

aid on human rights criteria, also applies to commercial and government-to-government sales of weapons and military equipment to foreign governments. Whereas Congress in the past has had some success in limiting grant military aid to abusive regimes, there has been relatively little attention to the much larger problem of extensive military sales to such governments. Human rights advocates and peace groups have difficulty working on the issue because there is little transparency. Neither the U.S. public nor Congress has access to information about licensing of such sales. A key advocacy demand should be for the executive branch to resume publishing an annual report on military sales that was discontinued during the Reagan presidency. That report, which was then required under Section 36(b) of the Foreign Assistance Act, could be generated again quite easily, and should be made available as unclassified material.

Advocacy Focus

Write:

Assistant Secretary of State for Democracy,
Human Rights and Labor
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

Assistant Secretary of State for Near
Eastern Affairs
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

U.S. Ambassador to the United Nations
799 United Nations Plaza
New York, NY 10017-3505

Ask that Section 502B be applied to all countries with abusive records, and that military aid and sales be sharply limited. Request transparency in the licensing process, and a presumption to deny licenses to governments which consistently violate human rights.

U.S. Agency for International Development

USAID administers foreign economic assistance programs. In 1995, ten Middle East countries plus the West Bank/Gaza are receiving U.S. loans or economic aid. The vast bulk of this assistance is directed to Israel and Egypt, which between them will receive \$5.2 billion in fiscal 1995 (out of a total U.S. foreign aid budget of \$13.7 billion). Much smaller amounts go to Algeria, Bahrain, Egypt, Israel, Jordan, Lebanon, Morocco, Oman, Tunisia, and Yemen. Some aid is also given to the "bridging" countries of Turkey and Cyprus.

Recently USAID's stated principles have emphasized the promotion of democracy and human rights. This broad goal includes fostering respect for civil liberties and the integrity of the person; peaceful competition for political power; free and fair elections; respect for the rule of law; accountable government; and an environment that encourages participation by all sectors of the population.

As can be seen from the descriptions of human rights violations that are occurring in the Middle East, USAID's stated goals and objectives have not permeated the societies or governments where U.S. foreign assistance is directed. USAID should make a priority of human rights objectives in each of the ten countries and the West Bank/Gaza where assistance is given.

Advocacy Focus

Write:

USAID Administrator
U.S. Agency for International Development
Washington, DC 20523

Express your strong support for foreign aid programs which promote sustainable development and open political systems. In situations where the governments are abusive, such aid should be directed to the maximum extent possible to local nongovernmental organizations.

Legislative Branch

Funding requests for foreign aid to Middle East countries pass through House and Senate authorizing committees and through the Appropriations Committee in each chamber. In general, authorization bills determine policy and funding levels for government programs, while appropriations bills allow funds to be expended. The period in which congressional committees are considering aid requests is a crucial time for advocacy pressure.

In the Senate, the Committee on Foreign Relations and its Subcommittee on Near Eastern and South Asian Affairs write authorizing language for aid to Middle East countries. The Appropriations Committee and its Subcommittee on Foreign Operations appropriate monies that are authorized, including USAID funding. On the House side the International Relations Committee as a whole is responsible for Middle East legislation (the Subcommittee on Europe and the Middle East was eliminated in 1995). The House appropriations structure is similar to that of the Senate.

One way that advocates can help bring visibility to an issue is by encouraging a committee to hold hearings. Committee or subcommittee chairs decide which subjects are accorded a hearing. Some direction is provided by the congressional leadership, and hearings are seldom denied when the executive branch initiates legislation. In general, however, the decision whether or not to hold hearings reflects the committee members' level of interest in the issue. Constituents can help persuade a member to hold hearings in committee by communicating with the member.

“
The period in which aid requests are considered is a crucial time for advocacy pressure.
”

In addition, Congress can serve as a counterweight to the executive branch on human rights cases. Members of Congress can be enormously helpful in raising expressions of concern about U.S. government support for repressive, undemocratic regimes. Lawmakers can be asked to speak out about specific human rights cases, and they frequently do so.

Advocacy Focus

Write the chairs and ranking minority members of the House and Senate committees and subcommittees with Middle East responsibilities, requesting their review of human rights violations as an important consideration in the authorization and appropriations of foreign aid. Ask for hearings on human rights violations in a country of special concern to you.

Terence Miller is director of the Maryknoll Society Justice and Peace Office. Gina Cioffi, a Catholic University law student intern with the Maryknoll Society Justice and Peace Office, assisted with research for this article.

A dvocacy Before the United Nations

Mark B. Brown

This chapter introduces key international agreements adopted by the United Nations which set common human rights standards, and outlines some U.N. procedures for helping nations to meet those standards. Also included are brief descriptions of three units within the U.N. system that can be contacted for information about human rights in the Middle East or to raise concerns about particular violations.

The Universal Declaration of Human Rights was adopted by the U.N. General Assembly in 1948. Although not a treaty or binding agreement, it is the focal point for human rights standards set forth in the U.N. Charter. The Universal Declaration of Human Rights, along with two international covenants and an Optional Protocol, make up what is known as the International Bill of Human Rights.

The International Covenant on Civil and Political Rights and its Optional Protocol and the International Covenant on Economic, Social and Cultural Rights give legal effect to the Universal Declaration. They were adopted by the U.N. in 1966 and entered into force in 1976.¹ At least 24 multilateral treaties addressing specific rights have been added subsequently.

Anyone may report an alleged violation to the United Nations. Various methods of communication within the U.N. system are available for this purpose. The U.N.'s serious consideration of these reports helps to identify chronic abuses and deter any tendency of a state to neglect its obligations under the treaties.

¹The following Middle East states are parties to the ICCPR and the ICESCR: Algeria, Armenia, Cyprus, Egypt, Iran, Iraq, Israel, Jordan, Lebanon, Libya, Morocco, Sudan, Syria, Tunisia, Yemen.

International Covenant on Civil and Political Rights

This Covenant declares the right to life, liberty and security of person, and the right to recognition in court. It promotes freedom of religion and conscience and prohibits advocacy of racial or religious hatred that incites discrimination, hostility or violence.

Implementation of the Covenant is supervised by the U.N. Human Rights Committee. The members have four tasks: (1) review and make reports from States Parties on their efforts to carry out the Covenant; (2) interpret the scope and meaning of Covenant provisions; (3) receive and act upon complaints from one State Party against another State Party; and (4) consider communications from individuals claiming their rights have been violated by a State Party to the Covenant.

Communications under the Covenant on Civil and Political Rights are restricted to states which have ratified the Covenant and its Optional Protocol. These States commit themselves to accept a set procedure for examining claims brought against them for violations of civil and political rights only.

If a State has committed itself to the Covenant and its Optional Protocol, an individual may appeal to the U.N. Human Rights Committee claiming a violation of his or her protected rights by that State. The individual must come from or be under the jurisdiction of a State Party to the Optional Protocol. Any communication must be signed by the individual affected or by someone with legal authority to act on that person's behalf. All domestic remedies must be exhausted before appealing to the U.N.

1503 Procedures

A special procedure established by the Economic and Social Council deals with the thousands of complaints each year which fall outside the mechanisms of the Optional Protocol to the International Covenant on Civil and Political Rights and other human rights treaties. It is known as a "1503 procedure," and is applicable to all States within the United Nations system. Any person, group, or nongovernmental organization may voice its concern to the U.N. under this procedure.

The Sub-Commission on Prevention of Discrimination and Protection of Minorities of the U.N. Commission on Human Rights reviews these communications. It decides whether there is reli-

able evidence to determine that a consistent pattern of gross violations of human rights and fundamental freedoms exists — in effect, whether the situation has affected a large number of people over a protracted period of time.

The 1503 procedure depends upon the voluntary cooperation of States Parties. The United Nations maintains contact with governments where human rights violations are alleged in an effort to reconcile the situation, and in some cases a special envoy is appointed. The State is sent a copy of a petition citing the alleged violation, and is encouraged to respond in writing. Recommendations for further action are made by a Working Group on Situations and are based on the 1503 petition and the response from the State.

International Covenant on Economic, Social and Cultural Rights

This Covenant declares the right to determine political status and to freely pursue economic, social and cultural development. It also promotes the right to work in just and favorable conditions, the right to social protection addressing living conditions, physical and mental well-being, and the right to education, including the enjoyment of cultural and scientific progress.

States which are parties to this Covenant submit periodic reports to the U.N. A committee established by the Economic and Social Council assists states in implementing the Covenant and may also offer recommendations to the Council based on its assessment of individual reports.

Other Related Treaty Bodies

In addition to the two covenants, there are five international human rights instruments of the United Nations for which there are treaty bodies to monitor implementation. They are:

- ✧ The International Convention on the Elimination of All Forms of Racial Discrimination
- ✧ The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

- ❖ The Convention on the Elimination of All Forms of Discrimination Against Women
- ❖ The Convention on the Rights of the Child
- ❖ The International Convention on the Suppression and Punishment of the Crime of Apartheid

One way that the United States can promote human rights globally is by going on record in support of these key treaties. U.S. ratification of a U.N. covenant or convention enables the United States to join the U.N. committee which monitors implementation of that treaty. Since ratification requires a majority vote in the Senate as well as the President's signature, you should encourage your Senators to work for approval of those human rights covenants which the United States has not yet ratified. As of January 1995, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination Against Women, and the Convention on the Rights of the Child were **not yet ratified by the United States**.

At the same time, you can write to the U.S. embassies of Middle Eastern states, urging them to ratify those U.N. human rights treaties that they have not yet ratified. To find out which nations are party to each treaty, contact the U.N. Centre for Human Rights [see below].

Special U.N. Units

U.N. Commission on the Status of Women: This was established in 1946 to develop recommendations for the promotion of women's rights. It has been designated as the preparatory body for the world conference on women to be held in Beijing in 1995.

The U.N. Centre for Social Development and Humanitarian Affairs maintains two lists annually compiled for the U.N. Commission on the Status of Women. One list is non-confidential and concerns the status of women in the political, economic, social, civil and educational fields. A confidential list summarizes communications received on alleged human rights violations which specifically affect the status of women.

Division for the Advancement of Women
DC2-1270, United Nations
New York, NY 10017

U.N. Centre for Human Rights: This center serves the General Assembly, the Economic and Social Council, the Commission on Human Rights and other parts of the U.N. in the promotion of human rights. It receives communications about human rights violations, carries out research, publishes information, and maintains a liaison with nongovernmental, intergovernmental and governmental organizations.

Centre for Human Rights
United Nations Office at Geneva
Palais des Nations
CH - 1211 Geneva 10
Switzerland
Tel. 011-41-22-917-1234

Division for Palestinian Rights: This unit responds to public inquiries on Middle East issues and/or the question of Palestine. Its publications include monthly bulletins covering actions by U.N. agencies and nongovernmental organizations; a monthly chronological review of events; periodic compilations of documents related to the peace process; and a compilation of actions taken by the General Assembly and the Security Council on the question of Palestine.

Division for Palestinian Rights
Room S-3362, United Nations
New York, NY 10017

Accessing Public Information from the U.N.

For e-mail users: There is a 'mail-enabled' interface to information on the Gopher of the U.N. Development Programme (UNDP). To receive instructions on how to use it, send a message to: gopher@undp.org. For those with gopher access to the Internet, telnet to: gopher.undp.org.

Mark B. Brown is assistant director for advocacy, international affairs and human rights at the Lutheran Office for Governmental Affairs. Gina Cioffi, a Catholic University law student intern, assisted with research for this article.

esources for Advocacy

ABC: Teaching Human Rights: Practical Activities for Primary and Secondary Schools. Classroom activities to show the significance of the Universal Declaration of Human Rights and its principles concerning life, justice, freedom, and equality. 56 pages, \$3.00. U.N. sales number E.90.I.5. United Nations Publications, Sales Section, 2 U.N. Plaza, Room DC2-853, Dept. 421, New York, NY 10017. (212) 963-8302, fax (212) 963-3489.

Note: The U.N. offers many other resources on human rights. A catalog of publications is available from the address above.

Amnesty Action. Reports on human rights abuses around the world and on activities of Amnesty International chapters in the United States. 8 pages, 6 issues/yr. Included with annual AI membership. Amnesty International USA, 322 Eighth Ave., New York, NY 10001.

Article 19 Bulletin. Monitors suppression of freedom of expression in religious, governmental, and academic contexts. 8 pages, 3 issues/yr. plus short country reports. Article 19 International Center Against Censorship, 1601 Connecticut Ave. NW, Suite 700, Washington, DC 20009.

Human Rights Watch. Published by the Watch Committees, citizen organizations that promote human rights worldwide. 12 pages, 4 issues/yr. Human Rights Watch, 485 Fifth Ave., New York, NY 10017.

Lawyers Committee for Human Rights Bulletin. Reports on activities of the Lawyers Committee and related legal developments in the human rights field. 12 pages, 4 issues/yr. Lawyers Committee for Human Rights, 330 Seventh Ave., New York, NY 10001.

Human Rights: A Global Ecumenical Agenda. Presents the main statements and positions of the World Council of Churches on human rights over the last 20 years, and provides regional perspectives on current human rights issues. 46 pages. World Council of Churches, Commission of the Churches on International Affairs, 150 route de Ferney, P.O. Box 2100, 1211 Geneva 2, Switzerland.

Human Rights Organizations in the Middle East

Arab Organization for Human
Rights
17 Midan Aswan
Muhandessin,
Giza, Cairo, EGYPT
Fax: 011 202 344 8166

Tunisian League for Human
Rights
c/o Arab Institute for Human
Rights
23 Avenue Mohieddine Klibi
El Manar III
1004 Tunis, TUNISIA
Fax: 011 216 1 750 911

Moroccan Organization for
Human Rights
24 Avenue de France-Agdal
Rabat, MOROCCO
Fax: 011 212 7 774 615

Egyptian Organization for
Human Rights
D8/10 Mathaf al Manial Street
Cairo, EGYPT
Fax: 011 202 362 1613

Al Haq
P.O. Box 1413
Ramallah, West Bank
via ISRAEL
Fax: 011 972 2 955 194

B'Tselem
43 Emek Refaim Street, 2nd
floor
Jerusalem 93141, ISRAEL
Fax: 011 972 2 610 756

Rabbis for Human Rights
P.O. Box 32225
Jerusalem 91999, ISRAEL
Fax: 011 972 2 782 441

Gaza Centre for Rights and
Law
Imam Building
P.O. Box 1274
Rimal, Gaza
Gaza Strip, via ISRAEL
Fax: 011 972 7 866 287

Committee for the Defense of
Legitimate Rights in Saudi
Arabia
BM Box CDLR
London WC1N 3XX,
UNITED KINGDOM
Fax: 011 44 81 830)4716

Committee for the Defense of
Democratic Freedoms and
Human Rights in Syria
FRANCE
Fax: 011 33 1 46 54 19 13

Churches for Middle East Peace

Corinne Whitlatch, Director
221 Constitution Avenue NE, #21
Washington, DC 20002
202/546-8425, fax 202/543-7532

CMEP Members:**American Baptist Churches**

Robert Tiller
110 Maryland Avenue NE, #511
Washington, DC 20002
202/544-3400, fax 202/544-0277

American Friends Service Committee

James Matlack
1822 R Street, NW
Washington, DC 20009
202/483-3341, fax 202/232-3197

Church of the Brethren

Timothy A. McElwee
110 Maryland Avenue NE, #201
Washington, DC 20002
202/546-3202, fax 202/544-5852

Roman Catholic Conference of Major Superiors of Men

Ted Keating, S.M.
8808 Cameron Street
Silver Spring, MD 20910
301/588-4030, fax 301/587-4575

Episcopal Church

Robert J. Brooks
110 Maryland Avenue NE, #309
Washington, DC 20002
202/547-7300, fax 202/547-4457

Lutheran Office for Governmental Affairs

Mark B. Brown
122 C Street NW, Suite 125
Washington, DC 20001-2172
202/783-7507, fax 202/783-7502

Friends Comm. on National Legislation

Joe Volk
245 Second Street NE
Washington, DC 20002
202/547-6000, fax 202/547-6019

Maryknoll Justice and Peace Office

Terence Miller
P.O. Box 29132
Washington, DC 20017
202/832-1780, fax 202/832-5195

Mennonite Central Committee

Daryl Byler
110 Maryland Avenue NE, #502
Washington, DC 20002
202/544-6564, fax 202/544-2820

National Council of Churches

Dale Bishop
475 Riverside Drive, 16th floor
New York, NY 10115
(212) 870-2835 (direct line: 870-2170)
fax 202/932-1236

Presbyterian Church (U.S.A.)

Walter Owensby
110 Maryland Avenue NE, #104
Washington, DC 20002
202/543-1126, fax 202/543-7755

Unitarian Universalist Association

Robert Z. Alpern
100 Maryland Avenue NE, #106
Washington, DC 20002
202/547-0254, fax 202/544-2854

United Church of Christ

Office for Church in Society
Jay Lintner
110 Maryland Avenue, #207
Washington, DC 20002
202/543-1517, fax 202/543-5994

United Methodist Church:

General Board of Church & Society
Robin Ringler
100 Maryland Avenue NE, #212
Washington, DC 20002
202/488-5647, fax 202/488-5639

General Board of Global Ministries,
Women's Division
Anna Rhee
100 Maryland Avenue NE, #307
Washington, DC 20002
202/488-5660, fax 202/488-5681

General Board of Global Ministries,
World Division
Peggy Hutchison
100 Maryland Avenue NE, #501
Washington, DC 20002
202/544-1012, fax 202/544-1013

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