

Opening Remarks

I would like to thank the Commission for inviting me to speak today. I have been asked to address the human rights situation in the states participating in the "Mediterranean Partners for Cooperation" to assist in the determination of whether to admit such countries to the OSCE. In particular, I was asked to address the issues of freedoms of religion and speech, torture, trafficking, anti-semitism and xenophobia, due process, minority rights and torture. These are all important topics on which Amnesty International has researched and written a substantial amount. Due to limited time, however, I will be unable to address all of these topics for all of the Mediterranean Partners. You may find full reports on these countries at www.amnesty.org, as well as synopses of the human rights situations in these countries in our 2003 annual report.

Although Amnesty International does not take a position on whether the Mediterranean Partners should be admitted to the OSCE, we see this decision as an important opportunity for the OSCE to encourage the Mediterranean Partners to strengthen their commitment to promoting and protecting human rights in their countries. All of the Mediterranean Partners are parties to a number of binding human rights treaties and mechanisms that they continue to disregard. Although there have been some improvements in the human rights situation in some of these countries, progress has been slow and sometimes negated by measures implemented since September 11, 2001 in the name of "fighting terrorism." There is also a discernable inconsistency between the human rights rhetoric on the part of these governments and the reality for their citizens. It is therefore important to closely examine whether they are willing or even able to adhere to human rights requirements of OSCE membership. Commission members must look beyond government statements, new institutions and legislative changes to examine the nature of such changes, whether they are being effectively implemented and whether they are having an impact for the citizens of the Mediterranean Partners. In other words, the answer for the Commission is in the details.

There are a few issues that are common to all of the Mediterranean Partners about which Amnesty International is particularly concerned. These include the following:

- Continued impunity for perpetrators of ongoing and past crimes, particularly state officials and security officials;
- Torture and ill-treatment, particularly of detainees; and
- Since September 11, 2001, the increase in new human rights violations and the justification for past and ongoing human rights violations committed in the name of "fighting terrorism," including arbitrary arrest and detention, lack of due process, torture and limits on freedom of religion and expression

Algeria

The human rights situation, although improved since the mid to late 1990s, remains of serious concern. Approximately 100 people continue to be killed each month by armed groups, the security forces and state-armed militias, with civilians bearing the brunt of the violence; torture is still prevalent; and investigations into human rights abuses are rarely carried out, maintaining a climate of impunity and confusion. The legacy of a decade of violence is yet to be concretely addressed, leaving victims and their families without redress and the population without guarantees that the grave human rights abuses they have witnessed in recent years will not be repeated.

The Algerian authorities have been talking increasingly in recent years about improving the human rights situation in their country, pointing to a series of reforms being planned and implemented in areas such as legislation and the structure of state institutions. Some initiatives over the last three years have contained positive elements. Legislative changes in 2001, for instance, should *in theory* have improved safeguards protecting detainees from torture and secret detention. Like previous safeguards in the law, however, they have remained largely unimplemented and ineffective. Amnesty International addresses this issue in more depth in our most recent report on Algeria, "*Algeria, Steps Toward Change or Empty Promises?*".

Algerians in general continue to believe that the government's authority is severely constrained by an unaccountable and secretive military establishment whose influence permeates decision-making in the country and who goes unchallenged. One of the key outcomes is a lack of popular confidence in the authorities' stated commitment to change. The resulting popular frustration has planted the seeds of unrest among Algeria's predominantly young population, sparking an increasing number of protests in recent years. The heavy-handed way in which these protests have been repressed has fuelled the discontent further, leading to a situation that remains explosive.

Algeria hosted three international meetings relating to "counter-terrorism" and "organized criminality" during the year. Official statements made at the time of these meetings indicated that Algeria was seeking support for its view that the "counter-terrorism" approach it had followed in the last decade had been vindicated in the wake of the attacks in the United States on September 11, 2001. Some of these measures, including legislative amendments from previous years and ratifications of instruments such as the Arab Convention for the Suppression of Terrorism, present a serious threat to human rights. Algeria's "counter-terrorism" approach was criticized by Amnesty International and others as being a pretext to justify mass human rights violations. Despite such violations, the United States has publicly declared its support for Algeria's "counter-terrorism" policy.

Torture

Torture in state custody remains widespread and is systematic in cases linked to what the authorities describe as "terrorist" activities. The vast majority of such cases reportedly occurred in military compounds run by Military Security, the most secretive and unaccountable of Algeria's security services. Many of those reported to have been tortured had been arrested on

suspicion of having links with terrorist armed groups. They were reportedly tortured during periods of secret and unacknowledged detention lasting days or weeks, often in bases belonging to the military security service, the Department of Information and Security (DRS). During these periods of secret detention, the government and judicial authorities have systematically denied all knowledge of the detainees and only acknowledged their detention when they were brought to court or released.

Just two examples are Brahim Ladada and Abdelkrim Khider, both shopkeepers in their early thirties living in the northeastern coastal town of Dellys. These men were repeatedly tortured in March of last year while in secret and unacknowledged detention at a DRS base near Algiers. They were allegedly forced into making statements, dictated to them by their torturers, in which they confessed to having links with both an armed group and an Algerian human rights lawyer living in exile in Switzerland. The two men were allegedly stripped naked and kept in this state throughout the 12 days that they spent at the DRS base. On several occasions, they were reportedly beaten with batons and plastic pipes and also tortured by the so-called *chiffon* method, in which a rag is forced into the mouth and dirty water, containing detergent and other impurities, is poured through it.

Impunity

Amnesty International is also gravely concerned about the continued impunity and lack of accountability for past crimes in Algeria. The January 2000 amnesty of approximately 1,000 armed group members and the subsequent extra-legal application of clemency measures for armed groups, for instance, have prevented the truth from emerging about grave human rights abuses and ensured impunity for the perpetrators, thus depriving tens of thousands of victims of their right to redress.

Although President Abdelaziz Bouteflika recently established an ad hoc mechanism to look into the issue of "disappearances" in Algeria that occurred between 1993 and 2000, the decree defining the new mechanism's mandate is yet to be published and Amnesty International is concerned that the mechanism appears to have limited powers. Furthermore, no concrete measures have been taken to bring to justice those responsible for *other* human rights abuses committed by the security forces, state-armed militias or armed groups since 1992, including thousands of cases of extrajudicial executions, deliberate and arbitrary killings of civilians, torture and ill-treatment.

Freedom of Expression

Like most of the other Mediterranean Partners, the Algerian government continues to react illegally against those who express anti-government sentiment, particularly demonstrators. Some 10 unarmed civilians, including a 14-year-old boy, were killed by the security forces in March and April last year, in the context of waves of anti-government demonstrations. Some of the civilians killed were reported to have been shot dead with live ammunition. Others were said to have been beaten or stabbed to death, and some were believed to have died after being hit by rubber bullets or tear-gas grenades apparently aimed at protesters' heads. Scores of protesters were arrested during or following these demonstrations and detained for several months.

Freedom of Religion

Amnesty International has been unable to conduct recent research on freedom of religion in Algeria. However, the U.S. Department of State's 2002 International Religious Freedom Report states that Algeria's 10-year civil conflict has pitted self-proclaimed radical Muslims against moderate Muslims and approximately 100,000 civilians, "terrorists," and security forces have been killed during the past 10 years. The report goes on to state that (i) the Constitution declares Islam to be the state religion but prohibits discrimination based on religious belief, (ii) the Government generally respects religious freedom in practice but there are some restrictions, (iii) although Islam is the only state-sanctioned religion and the law limits the practice of other faiths, the Government follows a de facto policy of tolerance of non-Muslim faiths by not inquiring into the religious practices of individuals and (iv) the majority of cases of harassment and security threats against non-Muslims come from radical Islamists who are determined to rid the country of those who do not share their extremist interpretation of Islam.

Trafficking

Hard data on the number of trafficking victims is lacking for Algeria but the law does not specifically prohibit trafficking in persons. The U.S. Department of State has stated in its 2003 report on Trafficking in Persons that illegal immigrants from West and Central Africa transit through Algeria to destinations in Europe and that some may be forced into prostitution while awaiting onward travel. There were incidents of women and girls being kidnapped by terrorist groups for the purposes of rape and servitude during 2002.

Positive Developments

The Algerian government is trying to send a message both internally and to the outside world that progress is underway towards consolidating the rule of law and democracy in Algeria. Again, it is important to closely examine the actual effectiveness of the government's measures.

One of the most noticeable positive developments in the last two or three years has been the opening up of the space for debate on human rights issues. This is partly as a result of an increased willingness on the part of the authorities to engage with them and partly to the determination of human rights activists, who have been instrumental in forcing the concerns of victims of human rights abuses and their families onto the public agenda. Several human rights organizations have undertaken new initiatives in recent years in spite of the difficulties that continue to hamper their work, including harassment by government authorities of their members, government restrictions on public meetings and an acute lack of resources.

Another development has been the establishment of a new official human rights body, the National Consultative Commission for the Promotion and Protection of Human Rights set up by presidential decree in March 2001. Since its members were appointed by presidential decree in October 2001, the Commission has made efforts to show greater willingness to listen to families of victims of human rights violations by the state, notably the families of the "disappeared." Although the body has no investigative powers and is mandated to act only in an advisory role to the President, it is to be hoped that this positive attitude can be translated into recommendations

to resolve human rights concerns and address victims' needs in accordance with international standards.

Egypt

Amnesty International is concerned about the continued violation of international human rights law by the Egyptian government. The State of Emergency legislation that has been in existence since the early 1980s continues to provide the legal framework that enables and legitimizes human rights violations, including arbitrary arrest and detention, unfair trials, lack of due process, torture, impunity and persecution of religious groups, human rights defenders and other civil society groups.

Similar to the situation in Algeria, since September 11, 2001, Egyptian officials have boasted about the effectiveness of their "special" measures used in fighting terrorism and have promoted themselves as participants in the "war on terror." Egyptian authorities are attempting to legitimize such illegal measures as arbitrary arrest and detention, torture and ill-treatment, unfair trials, incommunicado detention and other forms of persecution.

Torture

Torture continues to be systematic and widespread in detention centers throughout Egypt and the authorities have consistently failed to investigate reports of torture. The most common torture methods reported were electric shocks, beatings, suspension by the wrists or ankles and various forms of psychological torture, including death threats and threats of rape or sexual abuse of the detainee or a female relative. The UN Committee against Torture and the UN Human Rights Committee have both expressed concern at the persistence of torture.

Although several security officers were tried in connection with two deaths in custody that occurred in 2002, allegedly as a result of torture, many other such cases remain uninvestigated. Marks found on the bodies of detainees who died in police custody were consistent with traces left by electric shocks and other forms of torture, according to forensic evidence presented in several trials. Sayid Khalifa 'Isa died in March of last year after reportedly being tortured at the police station of the second precinct of Madinat Nasr. A forensic report noted signs on Sayid Khalifa 'Isa's body consistent with torture, including marks on his penis from electric shocks.

Due Process

Scores of people continue to face trial before exceptional courts, such as state security courts established under emergency legislation. They are charged with offences that should be handled in ordinary courts, including membership in illegal organizations, contempt for religion, espionage and corruption. The procedures of these courts fall far short of international standards for fair trial. For example, defendants do not have the right to a full review before a higher tribunal. Many detainees have been held in administrative detention for prolonged periods and several detainees have reported that they were tortured and/or coerced into making confessions.

Freedom of Religion

People continue to be at risk of human rights violations in Egypt for exercising their right to freedom of religion. Although the constitution and some laws and decrees prohibit discrimination based on religion, in practice, religious freedom is still restricted in Egypt. Although the Constitution provides for freedom of belief and the practice of religious rites, the Egyptian government continues to restrict this right. Religious practices that conflict with Islamic law (Shari'a) are prohibited. Although the Constitution provides for equal public rights and duties without discrimination due to religion, the government continues to discriminate against non-Muslims.

The Government continues to prosecute for unorthodox religious beliefs and practices under the charge of "insulting heavenly religions." In March of last year an (Emergency) State Security Court for Misdemeanours, which allows no right of appeal, sentenced Amin Youssef and 'Ali Mamduh to three years' imprisonment for "contempt of religion"; six others, including Amin Youssef's wife, received one-year suspended prison terms. Amin Youssef and 'Ali Mamduh, both prisoners of conscience, were convicted for holding private religious gatherings and advocating modifications to basic Islamic rules.

The government maintains tight control over all Muslim religious institutions in a proclaimed effort to combat extremists. Thousands of individuals are imprisoned because of alleged support for or membership in Islamist groups accused of seeking to overthrow the Government.

Anti-Semitism

Amnesty International has not conducted recent research on anti-Semitism in Egypt. The U.S. Department of State reports that anti-Semitic articles and editorials are published in privately owned papers and, to a lesser extent, in the Government press, and have increased since 2000 following the increase in violence in Israel and in the occupied territories. The Government reportedly has advised journalists and cartoonists to avoid anti-Semitism. However, government officials insist that manifestations of anti-Semitism in the media are a direct result of Israeli government actions against Palestinians and do not reflect historical anti-Semitism. The Anti-Defamation League has recently stated that "while anti-Semitism continues to be a serious problem in Egypt, we have seen a diminishment in the level and intensity which we find very encouraging...."[1]

Trafficking

Amnesty International has not conducted independent research on trafficking in Egypt. However, the State Department's 2003 Trafficking in Persons Report states that evidence suggests Egypt is a transit country for persons being trafficked from East Africa and South Asia to Europe and from the former Soviet Union to Israel.

Israel

Amnesty International is seriously concerned about the ongoing violations of international human rights and humanitarian law in the occupied territories. Such violations arise in the Israeli Defense Force's (IDF) continued incursions into areas under the jurisdiction of the Palestinian Authority (PA), as well as in the massive restrictions on Palestinians' freedom of movement that result from closures, checkpoints, curfews and other obstacles to the movement of people, food, medical supplies and other goods.

Hundreds of unarmed Palestinians, including more than 100 children, were killed by the Israeli army last year in random and reckless shooting, shelling and bombings or as a result of excessive use of force, including in enforcement of curfews. Hundreds of others were killed in armed clashes with the Israeli army and at least 35 were killed in targeted assassinations, which often also resulted in the deaths of uninvolved bystanders. The ongoing policy of assassinations of members of Hamas and other Islamist groups continues to result in civilian deaths and injuries. Some Palestinians have also been killed when the IDF demolished their homes on top of them.

Torture

The IDF continues to make mass arrests of Palestinians and reports of torture and ill-treatment during detention are widespread, including beatings, being handcuffed and tied in uncomfortable positions for prolonged periods, threats to the detainee and their relatives and sleep deprivation. Local human rights organizations continue to write extensively on torture of Palestinians by the IDF and other Israeli security forces (in addition to torture committed by the Palestinian Authority).

Due Process

Last year, more than 1,900 of those Palestinians arrested by the IDF were held in administrative detention for up to one year. They were not charged with any offence and were held on the basis of "secret evidence" which neither they nor their lawyers were allowed to see or to challenge in court. Around 1,000 other people who were arrested were charged with involvement in attacks against Israelis and more than 3,800 were tried by military courts in trials that fell short of international fair standards.

Settlements and Freedom of Movement

Amnesty International is also deeply concerned about the continued existence and expansion of Israeli settlements in the West Bank and Gaza Strip, as well as all related infrastructure. The settlements are a violation of the prohibition on discrimination; they violate international humanitarian law; and their presence is contributing to mass violations of human rights. Israel's policy of settling its civilians in the West Bank and Gaza contravenes two fundamental principles of international humanitarian law: the temporary nature of occupation and the prohibition on transferring civilian populations into occupied territory.

The settlements have also led to unreasonable, discriminatory and disproportionate restrictions imposed by the IDF on the movement of three and a half million Palestinians inside the Occupied Territories through the use of closures, curfews, checkpoints and other obstacles to movement of people, medical supplies, food and other goods. Such measures can be categorized as collective punishment and a disproportionate response against the entire Palestinian population. Such measures have led to what many refer to as the "de-development" of the Occupied Territories because of the severe effect they have had on the Palestinian economy, health and ability to maintain an adequate standard of living. The ongoing construction of the separation barrier that is being built inside the West Bank confiscates and divides Palestinian land, imposes additional restrictions on freedom of movement and continues to deprive Palestinians of their rights.

Impunity

Since the beginning of the Palestinian uprising (the Al-Aqsa Intifadah), more than 2,200 Palestinians have been killed, most of whom were unarmed civilians, including approximately 400 children. Tens of thousands others have been injured by the IDF's use of live ammunitions, bombs, missiles and other weapons. To date only a handful of soldiers have been brought to justice and none convicted of murder or for breaching open fire guidelines. The lack of investigations into such crimes and failure to prosecute soldiers has created an atmosphere of impunity an unaccountability amongst soldiers.

Freedom of Religion

Amnesty International has not conducted substantial recent research on religious freedom in Israel. However, the U.S. Department of State's Bureau of Democracy, Human Rights, and Labor has stated the following about religious freedom in Israel: (i) Israeli law provides for freedom of worship, and the Government generally respects this right in practice, (ii) the Government has recognized only Jewish holy places under the 1967 Protection of Holy Sites Law and Muslim groups complain that the Government has been reluctant to refurbish mosques in areas where there is no longer a Muslim population, (iii) the Government generally continued to permit Muslim citizens to make the Hajj during the period covered by this report but, for security reasons, the Government imposed restrictions on its Muslim citizens who performed the Hajj, including requiring that they be over the age of 30, (iv) the Government does not allow Hajj pilgrims to return if they leave the country without formal permission, (v) government funding to the different religious sectors is disproportionate and only two percent of the Ministry of Religious Affairs budget goes to the non-Jewish sector and (vi) government resources available to Arab public schools are less than proportionate to those available to Jewish public schools.

Trafficking in Persons

The U.S. Department of State's June 2003 Trafficking in Persons Report states that Israel is a destination country for trafficked persons. Women from Moldova, Russia, Ukraine, and other countries in the former Soviet Union are trafficked to Israel for the purpose of commercial sexual exploitation. Persons in search of work are trafficked into situations of coerced labor, where they

endure physical abuse or other extreme working conditions. Construction firms and other businesses have brought male laborers from China and Bulgaria into Israel to work under conditions equivalent to debt bondage or involuntary servitude. Many low-skilled foreign workers in Israel have their passports withheld, their contracts altered, and suffer non-payment of salaries of varying degree and duration. The Government of Israel does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so.

Jordan

Although the Jordanian government has taken steps to advance the human rights situation in their country and purports to be a leader in the region for democracy and human rights, Amnesty International is still concerned about the lack of progress in a number of key areas.

Freedom of Expression

Following the 11 September 2001 attacks in the United States, Jordan, like many other states, made changes to its legislation in order to take steps to prevent such acts. The new laws on "terrorism" and the limitations to the freedom of expression, promulgated after the September 11th attacks without passing through the Jordanian parliament, were part of an already worrying trend in Jordan. Already in August 2001, laws had been promulgated limiting rights of assembly and the right of access to legal counsel to political opponents. Such laws have led to a severe crackdown on the freedoms of expression and association. Human rights violations resulting from the crackdown include the arrest and detention of government critics. Although those detentions lasted a relatively short period of time, they serve chill freedom of expression, especially when those targeted face charges with penalties including large fines and jail sentences. For example, Dr. Ibrahim Alloush, principal editor of the Free Arab Voice and a University Professor in Amman, was arrested on March 2003, allegedly because he was outspoken in his condemnation of the U.S. attack on Iraq and Jordan's role in that attack. Fawaz Zurayqat, a businessman and station manager of Arab Television (ATV), was detained on 3 March 2003 and held without charge at the headquarters of the General Intelligence Department, also due to his opposition to the impending war on Iraq and on U.S. sanctions against Iraq. Also in March, a number of individuals were arrested by security forces for protesting the war in Iraq. Disproportionate force was used to break up such demonstrations and several protesters were reportedly beaten.

Torture

Amnesty International has concerns regarding continued reports of the torture and ill-treatment in Jordan of detainees to extract "confessions". Although the Jordanian Penal Code provides protective guidelines on the use of confessions, including that the authorities and court obtain the confession without force or duress. These types of inconsistencies between legal code provisions and the actual treatment of individuals is not uncommon.

Jordan also continues to sentence people to death and to execute people, often after they have received unfair trials, and often when confessions are extracted under torture. Ali Jabbar Taher

'Ali could be executed at any time after the decision by the Court of Cassation (appeal court) in June to uphold the death sentence passed against him after an apparently unfair trial in January 2003. And there are other similar cases.

Due Process

Prisoners of conscience are sometimes held without charge or trial. Jordan continues to use prolonged incommunicado detention where detainees are deprived of their rights to due process. Since September 11, 2001, security forces have arrested and held incommunicado hundreds of individuals, including peaceful demonstrators, members of religious groups and media professional. Lawyers are permitted access to their clients only upon transfer to court. Article 66(1) of the penal code stipulates that public prosecutors may forbid access to detainees.

Jordan continues to utilize exceptional courts such as the State Security Court (SSC), staffed almost entirely by military judges, to try offences related to publishing and freedom of expression which were previously tried before ordinary courts. Jordanian authorities continue to justify the continued use of such an exceptional court rather than ordinary courts by pointing out the need to conduct speedy investigations and trials for the offences within the jurisdiction of the court.

Honor Killings

Amnesty International is also concerned about the ongoing practice of "honor" killings in Jordan and the failure of the government to alter the discriminatory laws that minimize punishment for men who commit such killings. There were at least 22 honor killings in 2002, five of which were of children. In 2003, there have been at least 12 such killings.

The parliamentary amendments made in December 2001 to Article 340 of the Penal Code, under which men who murdered wives/female relatives on grounds of adultery would no longer be exempt from penalty, were insignificant, particularly because the penalty could still be reduced if the victim was found in an "adulterous situation." Also defendants usually invoked Article 98 rather than Article 340 because the former reduces sentences for crimes committed in a "fit of rage" caused by an unlawful or dangerous act on behalf of the victim. At least ten men who had killed women for reasons of "honour" benefited from Article 98 during 2002.

All the above concerns have regularly been raised with the Jordanian authorities, but in recent years AI has not been receiving answers to these concerns. Substantive TGs sent to the authorities including the Prime Minister and Queen Rania, the head of the Royal Human Rights Committee but no answers were received.

Freedom of Religion:

Amnesty International has not conducted substantial new research on religious freedom in Jordan. The State Department's International Religious Freedom Report states that, although the Constitution provides for freedom of religion, provided that religious practices are consistent with "public order and morality," the Jordanian government continued to impose restrictions on

freedom of religion. Members of unrecognized religious groups and religious converts from Islam face legal and societal discrimination as well as bureaucratic difficulties in personal status cases. The Government prohibits non-Muslims from proselytizing Muslims. Relations between Muslims and Christians in the country generally are amicable.[2]

Morocco

Amnesty International is concerned about what it sees as a step backwards since September 11, 2001 in what has otherwise been a positive trend in Morocco and Western Sahara towards the improvement of promotion and protection of human rights.

There has been a sharp rise in the number of reported cases of torture or ill-treatment in Morocco over the past two years. Amnesty International has recorded scores of allegations of torture or ill-treatment, primarily against political detainees. Islamists accused of involvement in or planning acts of violence and the Sahrawis perceived to be actively in favor of independence for Western Sahara have been the primary targets of such treatment.

Amnesty International is concerned about the promulgation on May 28, 2003 of a new law on "combating terrorism" that amends the Penal Code and Criminal Procedure Code by adding new provisions and amending others. In particular, the law extends the legal limits for pre-arraignment detention, when detainees are most at risk of torture or ill-treatment, and widens the scope of applicability of the death sentence.

Impunity

The compensation process for victims of "disappearance" and arbitrary detention in previous years and their families continued. However, despite the authorities' stated commitment to address current and former human rights violations, no additional steps were taken to resolve the cases of grave abuses committed between the mid-1960s and the early 1990s, notably the "disappearance" of several hundred people, the majority of them Sahrawis.

For example, Hamudi oud Mohamed-Lahbib oud Baba Biri was among many Sahrawis arrested by the Moroccan security forces in Erbeib, near Smara in Western Sahara, on July 10, 1976. His wife, Safiya L'mbarek, was arrested five days later. After reportedly being tortured, the security forces took her, on two separate occasions, to see her husband, whom she alleged had also been tortured. She had neither seen nor heard news of her husband since that time, despite repeated attempts to seek clarification regarding his whereabouts from the Moroccan authorities. Over 26 years later, the fate of Hamudi oud Mohamed-Lahbib oud Baba Biri remained unknown and a thorough, impartial and independent investigation had not been opened into his "disappearance".

Torture

There were reports last year that scores of detainees have been tortured or ill-treated in custody in order to extract confessions or to force them to sign statements that they rejected or denied. Many of the reports related to the large number of Islamists being held in secret detention and

accused of involvement in or planning violent acts, and numerous demonstrators charged with public order offences in Western Sahara.

Following their arrests in May and June of last year, three Saudi Arabian nationals and seven Moroccans, including the wives of two of the Saudi Arabians, were put on trial in proceedings that opened on October 28 of last year. They faced various charges, some of which carried the death penalty, in connection with an alleged plan to blow up NATO warships in the Straits of Gibraltar and of plotting attacks on cafés and public buses in Marrakesh. Some were allegedly held in secret detention for up to a month. In the case of the three Saudi Arabians, defense lawyers claimed that the authorities tried to cover up this serious breach of procedures by logging a false arrest date of June 12 in official records rather than the correct dates of May 12 and 13. Many of the detainees alleged that they were tortured and ill-treated during interrogation in secret detention in order to make them sign "confessions" whose content they rejected and denied. Techniques reported included suspension, beatings and threats of rape. In addition, they were allegedly threatened with further torture immediately prior to appearing before the examining magistrate in order to coerce them into repeating their "confessions".

Freedom of Religion

Amnesty International has not conducted recent research on freedom of religion in Morocco. However, the U.S. Department of State's recent report on international religious freedom states that, although the Constitution provides for freedom of religion and, although Islam is the official state religion, Jewish and Christian communities openly practice their faiths. However, the report goes on to state that the government places restrictions on Christian religious materials and proselytizing, and several small religious minorities are tolerated with varying degrees of official restrictions. The government monitors the activities of mosques and places other restrictions on Muslims and Islamic organizations whose activities are deemed to have exceeded the bounds of religious practice and become political in nature.

Trafficking

The U.S. Department of State's June 2003 Trafficking in Persons Report states that Morocco is a country of origin and transit for trafficked persons. Internal trafficking of girls from rural areas to cities for domestic servitude as child maids is widespread. The reports goes on to state that the Government of Morocco fully complies with the minimum standards for the elimination of trafficking. They participated in several high-level meetings with the EU and the governments of Italy and Spain to strengthen migration policies and procedures to Europe. They work with NGOs and supported numerous anti-trafficking public awareness campaigns. Morocco has no law that specifically prohibits trafficking but the government utilizes a number of statutes covering kidnapping, forced prostitution, and coercion against traffickers. The Moroccan Council of Ministers announced that it had adopted a law that will increase punishments against traffickers.

Tunisia

Hundreds of political prisoners, most of them prisoners of conscience, remain in prison. Many had been held for more than a decade after unfair trials. Several political prisoners, including prisoners of conscience, were conditionally released before the end of their prison terms. Political prisoners released this year and in previous years continued to face a range of administrative measures, some of them arbitrary, curtailing their civil and political rights. A number of political opponents, or alleged political opponents, of the government were imprisoned last year after unfair trials, including some who were resident abroad and who were arrested on their return to Tunisia. Repression of human rights defenders and civil society activists continued and the authorities further clamped down on information and communication technologies. Torture and ill-treatment were reported in police stations, state security buildings and prisons; those responsible were generally not brought to justice.

Torture

Torture and ill-treatment of both criminal and political detainees continues to be reported and security forces are not held accountable for such crimes. Allegations of torture committed during 2002 and in previous years has not been investigated.

In June of last year, Zouheir Yahiaoui, operator of an online news and discussion forum on Tunisia, and two of his colleagues were reportedly tortured at the Ministry of the Interior. Zouheir Yahiaoui, aged 34 and nephew of former judge Mokhtar Yahiaoui, was arrested on June 4 in Tunis. At the Ministry of the Interior, where he was secretly detained for 24 hours, he was suspended by his hands from the ceiling repeatedly for several hours prior to being interrogated by members of the State Security Department. The following evening he was transferred to Gourjani detention center where he was kept handcuffed to a chair for one night and part of the following day and forced to sign a false confession. His lawyers were not able to see him until one week after the arrest. He was convicted of spreading false information and misuse of Internet facilities and sentenced to two years and four months' imprisonment, reduced to two years on appeal.

Persecution of Human Rights Defenders and Civil Society Activists

As in previous years, human rights defenders, civil society activists and their families continue to be subjected to arbitrary restrictions, police assaults or harassment, including physical assaults. Public meetings have been banned or broken up by police, phone lines were cut and Internet and e-mail connections were disrupted. Several human rights defenders and civil society activists were the subject of defamatory campaigns in the government-controlled press.

Due Process

Scores of people were sentenced after unfair trials before civilian and military courts last year. These included people arrested in previous years and prisoners already serving a sentence for the same charges. Others were Tunisians living abroad who were arrested on their return to Tunisia

and tried before military courts for alleged "terrorist" activities abroad. Lawyers were often prevented from visiting their clients or were not given full access to their clients' files.

In January, Mounir Ghaith, Abdelbasset Dali and Bechir Ben Zayed, three Tunisian nationals living in Italy who had been arrested in 2001, were tried before a military court in Tunis, together with 31 other co-defendants who were tried in absentia. Bechir Ben Zayed was sentenced to 10 years' imprisonment while Mounir Ghaith and Abdelbasset Dali received eight years each. Those tried *in absentia* received prison sentences of up to 20 years. All were charged with belonging to a "terrorist organization operating from abroad." The trial, which was observed by Amnesty International, failed to conform to international standards of fairness. For example, the court did not take into account that the testimonies introduced as evidence were allegedly obtained under duress and no other evidence was produced to substantiate the charges brought against the defendants.

Trafficking

The U.S. Department of State's June 2003 report on trafficking states that Tunisia is increasingly concerned about trafficking as it has become a key transit country for smugglers.

Concluding Remarks

1. Anti-Defamation League "Egyptian Anti-Semitism 'Diminished But Still Potent'; Hateful T.V. Series Spurred a Public Debate," June 2003.

2. U.S. Department of State, Bureau of Democracy, Human Rights, and Labor, *International Religious Freedom Report 2002*.