THE WORST OF THE WORST

THE WORLD'S MOST REPRESSIVE SOCIETIES 2005

A Special Report to the 61st Session of the
United Nations Commission on Human Rights
Geneva, 2005

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Introduction

Freedom House has prepared this overview report in conjunction with the 61st session of the United Nations Commission on Human Rights in Geneva. We present our findings on countries and territories that represent the worst environments for political rights and civil liberties.

The reports are excerpted from the Freedom House survey *Freedom in the World 2005*, which surveys political rights and civil liberties in 192 countries and 14 major territories. The ratings and accompanying essays are based on events from December 1, 2003 through November 30, 2004. The 18 countries and 3 territories profiled in this report are drawn from the total of 49 countries-a quarter of the world's total-and 9 territories that are considered to be Not Free and whose citizens endure systematic and pervasive human rights violations.

Included in this report are eight countries judged to have the worst records: Burma, Cuba, Libya, North Korea, Saudi Arabia, Sudan, Syria, and Turkmenistan. Also included are two territories, Chechnya and Tibet, whose inhabitants suffer intense repression. These states and regions received the Freedom House survey's lowest rating: 7 for political rights and 7 for civil liberties. Within these entities, state control over daily life is pervasive and wide-ranging, independent organizations and political opposition are banned or suppressed, and fear of retribution for independent thought and action is part of daily life. In the case of Chechnya, the rating in large measure reflects the fallout of a vicious conflict that in the last 11 years has disrupted normal life and resulted in some 200,000 deaths.

The report also includes ten further countries near the bottom of Freedom House's list of the most repressive: Belarus, China, Equatorial Guinea, Eritrea, Haiti, Laos, Somalia, Uzbekistan, Vietnam, and Zimbabwe. The territory of Western Sahara is also included in this group. While these states scored slightly better than the "worst of the worst," they offer very limited scope for private discussion while severely suppressing opposition political activity, impeding independent organizing, and censoring or punishing criticism of the state.

Massive human rights violations take place in nearly every part of the world. This year's roster of the "most repressive" includes countries from the Americas, the Middle East, Central Asia, Africa, and East Asia; they represent a wide array of cultures and levels of economic development. This report from Freedom House to the United Nations focuses on states and regions that have seen some of the world's most severe repression and most systematic and brutal violations of human dignity. Our report seeks to focus the attention of the Commission on states and territories that deserve investigation and condemnation for their widespread violations.

The fundamental violations of rights presented in this report are all the more alarming because they stand in sharp contrast to the significant expansion of human liberty over the last three decades. In that period, dozens of states have shed tyranny and embraced democratic rule and respect for basic civil liberties. There has also been growing public support around the world for the values of liberal democracy including multiparty competition, the rule of law, freedom of association, freedom of speech, the rights of minorities, and other fundamental, universally valid human rights. According to our global survey *Freedom in the World*, (whose findings can be accessed online at www.freedomhouse.org) at the beginning of 2005, of the 192 countries in the world, 89 (46 percent) are Free and can be said to respect a broad array of basic human rights and political freedoms. An additional 54 (28 percent) are Partly Free, with some abridgments of basic rights and weak enforcement of the rule of law. In all, 2.8 billion people-44 percent of the world's population-live in Free states in which a broad array of political rights are protected.

There is also growing evidence that most countries that have made measured and sustainable progress in long-term economic development are also states that respect democratic practices. This should hardly be surprising as competitive, multiparty democracy provides for the rotation of power, government transparency, independent civic monitoring, and free media. These in turn promote improved governance and impede massive corruption and cronyism, conditions that are prevalent in settings where political power is not subject to civic and political checks and balances.

The expansion of democratic governance over the last several decades has important implications for the United Nations and other international organizations. Today, states that respect basic freedoms and the rule of law have greater potential than ever before to positively influence global and regional institutions. But they can only achieve that potential within international bodies

by working cooperatively and cohesively on issues of democracy and human rights. Nowhere is the need for international democratic cooperation more essential than in Geneva at the UN Commission on Human Rights.

In 2002, Freedom House and the U.S.-based Council on Foreign Relations sponsored an Independent Task Force on the United Nations that recommended the establishment of a democracy caucus at the UN to promote the values of human rights and democracy and to ensure that countries committed to respect for these fundamental principles occupy leadership positions within the UN system. We therefore strongly applaud the creation of a UN Democracy Caucus under the leadership of Chile. We hope that this year the Democracy Caucus can play an important role in placing under scrutiny and criticism the rights practices of many of the countries identified in this report as among the "worst of the worst" in their rights practices. By focusing on specific countries with the worst records in terms of rights, the UN Democracy Caucus can contribute to reinvigorating UN human rights system, which many observers believe is suffering a crisis of credibility as a result of it past record of inaction against gross human rights violators.

Freedom House distributes this information about the "most repressive" societies in the hope that it will spur the UN Commission on Human Rights and the UN Democracy Caucus to condemn and take determined and principled action to improve the deplorable rights situation in these countries. We express our support for the courageous human rights defenders engaged in struggles for dignity and freedom, who work at great risk to hasten the day when dictatorships will give way to genuine pluralism, democracy, and the rule of law.

Jennifer Windsor
Executive Director
Freedom House
March 2005

Belarus

Political Rights:	7 ▼
Civil Liberties:	6
Status:	Not Free
Ratings Change:	Belarus's political rights rating declined from 6 to 7 due to massive falsifications in the country's October parliamentary election and referendum on the presidency and an unrelenting campaign against independent media, political parties, and civic groups.

Overview:

Belarus saw the further consolidation of authoritarian rule under the personal dictatorship of President Alyaksandr Lukashenka in 2004. The October legislative elections and a parallel national referendum that lifted the constitution's two-term restriction on the presidency saw voter irregularities, tight state control of the mass media in favor of the government candidates and the government's referendum position, and intense pressure on opposition and civic activists. The year also witnessed a widespread, systematic campaign of state-directed legal pressures on newspapers, punishments meted out to opposition civic leaders and demonstrators, the disbanding of human rights and civic organizations, and efforts at total state control over independent schools.

Belarus declared independence in 1991, ending centuries of foreign control by Lithuania, Poland, Russia, and, ultimately, the Soviet Union. Stanislau Shushkevich, a reform-minded leader, served as head of state from 1991 to 1994. That year, voters made Lukashenka, a member of parliament with close links to the country's security services, the first post-Soviet president. Lukashenka has pursued efforts at reunification with Russia and subordinated the government, legislature, and courts to his political whims while denying citizens basic rights and liberties.

In a 1996 referendum, Belarusian citizens backed constitutional amendments that extended Lukashenka's term through 2001, broadened presidential powers, and created a new bicameral parliament. When the president ignored a court ruling that the referendum was nonbinding, Prime Minister Mikhail Chyhir resigned in protest.

In October 2000, Belarus held deeply flawed elections to the Chamber of Representatives, parliament's lower house. State media coverage of the campaign was limited and biased, and approximately half of all opposition candidates were denied registration. Nongovernmental organizations (NGOs) reported irregularities such as ballot-box stuffing and tampering with voter registration lists. Seven opposition parties boycotted the elections when the government failed to ensure a fair campaign and to give parliament more substantial duties. Some opposition candidates participated in the election, but only three were elected.

Lukashenka won a controversial reelection in September 2001 amid accusations from former security service officials that the president was directing a government-sponsored death squad aimed at silencing his opponents. Formally, citizens had three presidential candidates from whom to choose. However, the outcome was predetermined and Western observers judged the election to be neither free nor fair. During the campaign, the government and its supporters harassed would-be candidates and independent media outlets, and state television was used as an instrument for propaganda on behalf of Lukashenka. On election day, Lukashenka declared himself the victor with 78 percent of the vote over opposition candidate Vladimir Goncharik (12 percent). However, independent nongovernmental exit polls showed that Lukashenka had received 47 percent of the vote and Goncharik 41 percent-an outcome that by law should have forced a second round. While opposition parties and civil society were active in the election process, by 2002, Lukashenka had launched a campaign of political retribution against those who opposed him during the presidential campaign.

In 2004, the Lukashenka regime intensified its policy of systematic legal persecution and physical intimidation of its democratic opponents. Courts banned or liquidated NGOs and imposed prohibitive fines against independent media, and the Information Ministry ordered the suspensions of independent newspapers critical of the Lukashenka government. Other government actions included harassment of independent civic activists and arrests of scores of peaceful protestors. On April 26, the former minister of foreign economic affairs and member of parliament Mikhail Marynich was arrested and later sentenced to

five years' imprisonment on trumped-up charges arising from his opposition activities. On June 9, a Minsk court sentenced a pregnant opposition activist, Aksana Novikava, to two and a half years of deprivation of freedom for "defamation of the President of the Republic of Belarus" arising from her distribution of leaflets. In October, two opposition leaders, Valery Levaneuski and Alyaksandr Vasilyew, were sentenced to two years in a work colony on charges of "public slander" against Lukashenka.

Parliamentary elections and a parallel referendum on the presidency were held in October 2004. The Central Election Commission claimed 89.73 percent of voters took part in the plebiscite and some 86 percent of them voted in favor of the government's proposal that would allow President Alyaksandr Lukashenka to run for a third term in 2006. According to the announced election results, not a single candidate fielded by opposition parties entered the parliament.

An OSCE monitoring effort that deployed 270 international observers from 38 countries in Belarus declared on October 17 that the parliamentary elections fell "significantly short" of Belarus's OSCE commitments. "We were concerned by police raids in campaign offices, the detention of a candidate, campaign workers and domestic observers, as well as numerous reports of coercion on certain groups, particularly students, to vote," OSCE Parliamentary Assembly vice president Tone Tinsgaard observed. An NGO called Partnership, which fielded 3,500 monitors for the parliamentary elections and presidential referendum, declared the election marred by massive falsification and widespread violations of the electoral law. Despite efforts by NGOs, the vote count at virtually all polling stations in the country was conducted in the absence of independent monitors. An exit poll conducted by the Gallup Organization/Baltic Surveys that collected data during the weeklong voting process found that just 48.4 percent of all eligible voters in the country said yes to the referendum as compared with the government results that showed more than 77 percent of eligible voters supporting the referendum question. Thus, according to independent poll data, the referendum actually failed to amend the Belarusian constitution or give Lukashenka the right to run for reelection, as claimed by Belarus authorities.

According to the European Bank for Reconstruction and Development, the country's private sector share of gross national income is the lowest of all the post-Communist countries. World Bank data also show that more than a quarter of the population lives below the national poverty line.

Political Rights and Civil Liberties:

Despite a constitutional guarantee of universal, equal, and direct suffrage, citizens of Belarus cannot change their government democratically. The 2001 presidential vote, in which Lukashenka was declared to have been reelected by a wide majority, was neither free nor fair. Independent exit polls found the results were significantly altered, and domestic supporters of opposition candidate Vladimir Goncharik accused the government of massively falsifying the results. The OSCE report on the election indicated it was conducted in a "manner that actively sought to exclude candidates representing a diversity of interests." The October 2004 parliamentary elections and a parallel referendum on the presidency were marred by serious and widespread irregularities.

Belarus was ranked 74 out of 146 countries surveyed in the 2004 Transparency International Corruption Perceptions Index.

The Lukashenka regime systematically curtails press freedom. State media are subordinated to the president, and harassment and censorship of independent media are routine. Libel is both a civil and a criminal offense. The State Press Committee can issue warnings to publishers for unauthorized activities such as changing a publication's title or distributing copies abroad. It also can arbitrarily shut down publications without a court order. The country's Information Ministry has promulgated regulations that required the heads of all FM radio stations to provide a complete daily printout of news bulletins and daily playlists to ensure monitoring of content. Russian television is occasionally subject to suspensions, and some Russian newscasts that are rebroadcast in Belarus are censored. Belarusian national television is completely under the control and influence of the state and does not provide coverage of alternative and opposition views.

Harassment and legal attacks against independent newspapers and broadcast media were widespread in 2004. Journalists, including the chief editor of Narodnaya Volya, were regularly fined for their reporting. On February 5, the Information Ministry suspended the independent newspaper Zgoda for one month. On June 3, the ministry suspended the newspaper Rabochaya Solidarnasts for three months on the technicality that it failed to report its new address. In October, the journalist Veronika Cherkasova of the opposition newspaper Solidarnasts was murdered in Minsk in what opposition groups regard as a possible political killing.

Internet sites within the country are under the control of the government's State Center on Information Security, which is part of the Security Council of Belarus. Independent information is posted by some opposition groups and journalists in Belarus and abroad. The government at times censors and blocks independent Web sites, particularly during preelection periods. In February, an opposition Web site-www.Charter97.org-accused state authorities of a wave of kicker attacks that flooded the site with requests and prevented normal access. The impact of independent Internet sites is limited. According to the International Telecommunications Union, fewer than 10 percent of the population has some access to the Internet, while other estimates suggest that only 2 percent of the population enjoy regular Internet access.

Despite constitutional guarantees that "all religions and faiths shall be equal before the law," government decrees and registration requirements have increasingly restricted the life and work of religious groups. Amendments in 2002 to the Law on Religions provide for government censorship of religious publications and prevent foreign citizens from leading religious groups. The amendments also place strict limitations on religious groups that have been active in Belarus for fewer than 20 years. The government pressures and intimidates members of the independent Autocephalous Orthodox Christian Church, harasses Hindus for public meditation, and represses Baptists for singing hymns in public. In 2004, the Union of Evangelical Christian Faiths reported a growing number of actions by government authorities that prevented students from attending evangelical religious services. In February 2004, authorities shut down the International Institute for Humanities, the only higher education institution in the country that offered Jewish studies.

Academic freedoms are subject to intense state ideological pressures. In 2003, the entire staff of the Modern Studies Institute's journalism faculty, some of them active in an independent journalists' association, were dismissed after criticism leveled at them by a presidential commission and the Ministry of Education. The leader of the country's most highly regarded secondary school, the National State Humanities Lyceum, was dismissed, and a Lukashenka loyalist was appointed in his place; the move prompted a walkout by students and faculty. In 2004, state pressure to implement curriculum reform that reduced academic freedom resulted in an end to Jewish studies in state institutions. The year also saw the establishment of a new higher education course based on Lukashenka "ideas." Entitled "Foundations of Ideology," it is to be mandatory for students in all of Belarus' colleges and universities. Textbooks are being rewritten under political pressure from the authorities.

Freedom of association is severely restricted. In 2004, independent civic groups were subject to surveillance by the country's security service, the KGB. Leaders of the Strike Committee of Entrepreneurs were sentenced to long terms of imprisonment in 2004. Among the organizations whose activists and officials were harassed and impeded were the youth group Zubr, the Batskaushchyna Cultural and Educational Foundation, the Leu Sapaha Foundation, the Belarusian Popular Front, and the Viasna Human Rights Center. The Belarus Helsinki Committee, a human rights group, was ordered to pay $176,000 in back taxes in a step regarded as an effort to shut down and cripple the monitoring organization, although a court later struck down the decision. Independent trade unions are subject to harassment and their leaders are frequently arrested and prosecuted for peaceful protests and dismissed from employment. In November, a 200-page report, drawn up by an International Labor Organization commission, accused Belarus' authorities of interference in the activities of trade unions.

The Lukashenka government limits freedom of assembly by groups independent of and critical of his regime. Protests and rallies require authorization from local authorities, who can arbitrarily withhold or revoke permission. When public demonstrations do occur, police typically break them up and arrest participants.

Although the country's constitution calls for judicial independence, courts are subject to heavy government influence. During the year, numerous independent civic leaders, opposition political activists, independent journalists, and other persons who oppose government policies experienced arbitrary persecution, arrest, and imprisonment. The right to a fair trial is often not respected in cases with political overtones. Human rights groups continue to document instances of beatings, torture, and inadequate protection during detention in cases involving leaders of the democratic opposition.

An internal passport system, required for domestic travel and securing permanent housing, controls freedom of movement and choice of residence. Wiretapping by state security agencies limits the right to privacy. The country's command economy severely limits economic freedom.

Women are not specifically targeted for discrimination, but there are significant discrepancies in incomes between men and women, and women are poorly represented in leading government positions. As a result of extreme poverty, many women have become victims of the international sex-trafficking trade.

Burma (Myanmar)

Political Rights: 7
Civil Liberties: 7
Status: Not Free

Overview:

Following the crackdown on the opposition National League for Democracy (NLD) party in mid-2003, the collapse of a halting process of national reconciliation, and a leadership purge within the military junta, Burma remained under the firm grip of the hardliners in the military junta during 2004. Although the National Convention, tasked with drafting a new constitution, was reconvened by the regime in May 2004, it was boycotted by the main opposition parties; it thus failed to provide a veneer of legitimacy for the junta's strategy of positioning it as a first step on a planned "road map to democracy." Meanwhile, the regime maintained its hold on virtually all levers of power and showed few signs of being willing to consider meaningful positive reform. NLD leader Aung San Suu Kyi remained under house arrest, and the activities of the NLD were severely curtailed, while a wide range of human rights violations against NLD members and other political opponents, as well as members of ethnic and religious minority groups, continued unabated throughout the year. With the ouster of prime minister and head of military intelligence Khin Nyunt in October, followed by a purge of his allies, hardliners within the junta had firmly reasserted their control by year's end and prospects of reform seemed dimmer than ever.

After being occupied by the Japanese during World War II, Burma achieved independence from Great Britain in 1948. The military has ruled since 1962, when the army overthrew an elected government buffeted by an economic crisis and a raft of ethnic-based insurgencies. During the next 26 years, General Ne Win's military rule helped impoverish what had been one of Southeast Asia's wealthiest countries.

The present junta, currently led by General Than Shwe, dramatically asserted its power in 1988, when the army opened fire on peaceful, student-led, pro-democracy protesters, killing an estimated 3,000 people. In the aftermath, a younger generation of army commanders created the State Law and Order Restoration Council (SLORC) to rule the country. The SLORC refused to cede power after it was defeated in a landslide election by the NLD in 1990. The junta jailed dozens of members of the NLD, which won 392 of the 485 parliamentary seats in Burma's first free elections in three decades.

Than Shwe and several other generals who headed the junta refashioned the SLORC as the State Peace and Development Council (SPDC) in 1997. The generals appeared to be trying to improve the junta's international image, attract foreign investment, and encourage an end to U.S.-led sanctions linked to the regime's grim human rights record. In late 2000, encouraged by the efforts of UN special envoy Razali Ismail, the regime began holding talks with Suu Kyi, which led to an easing of restrictions on the NLD by mid-2002. Suu Kyi was released from house arrest and was allowed to make several political trips outside the capital, and the NLD was permitted to reopen a number of its branch offices.

Suu Kyi's growing popularity and her revitalization of the NLD during the first half of 2003, especially in the sensitive ethnic minority areas, apparently rattled hardliners within the regime. On May 30, a deadly ambush on an NLD convoy in northern Burma by SPDC supporters, in which an unknown number of people were killed or injured, illustrated the lengths to which hardliners within the SPDC would go to limit an NLD challenge. Suu Kyi and dozens of other NLD officials and supporters were detained, many in undisclosed locations, following the attack; NLD offices were once again shut down; and universities and schools were temporarily closed in a bid to suppress wider unrest. Her detention and the junta's subsequent crackdown evoked outrage: Japan, the country's largest aid donor, temporarily suspended its aid programs, while the U.S. government tightened sanctions by imposing a ban on all Burmese imports into the United States.

A cabinet reshuffle in August 2003 left hard-liner Than Shwe as head of state, while the more pragmatic intelligence chief, Khin Nyunt, was promoted to prime minister. Around the same time, the junta announced that the National Convention (NC), which has the responsibility for drafting principles for a new constitution but which had not met since 1996 after being boycotted by the opposition, would be reconvened in May 2004 as part of its new "road map to

democracy" announced in 2003. However, heavy restrictions on its format and operations-authorities hand-picked most of the delegates and limited the scope of permissible debate from the outset-led to a boycott of the proceedings by both the NLD and some of the ethnic parties, who remain wary that the NC is being used as a means of legitimizing the junta's rule and enshrining the military's role in government. The National Convention was adjourned indefinitely in July 2004 and had not been reconvened by year's end, although the leadership had reaffirmed its commitment to do so.

Meanwhile, authorities also maintained their focus on containing the popularity of the NLD party. Aung San Suu Kyi was released from prison in September 2003 but remained under house arrest, as did other senior NLD leaders. Periodic arrest and detention of political activists and other perceived threats to the regime, including journalists and students, remained the norm in 2004. Talks between the SPDC and several rebel groups still at war with the junta continued for most of the year. However, although the SPDC had verbally agreed to an informal ceasefire with the Karen National Union (KNU) in late 2003, skirmishes between the two sides have continued, as have human rights violations in the Karen and other ethnic-minority states.

On October 19, Khin Nyunt, the prime minister and head of military intelligence (MI), was removed from office and placed under house arrest amid conflicting reports that he was retiring for health reasons or had been "involved in corruption." However, his dismissal was followed by a widespread purge of his key allies, the dismantlement of the MI ministry itself, and takeovers of Khin Nyunt's extensive business interests, thus confirming that hardliners in the regime intended to reassert their control over government policy-making. A relative moderate, Nyunt had advocated limited dialogue with both the NLD and Burma's armed ethnic factions. His replacement by hardliner Lieutenant-General Soe Win-who has been accused by the U.S. government and others of masterminding the May 2003 attack on Suu Kyi's motorcade-suggests that the junta will continue to resist all pressure to reform, although it publicly reaffirmed its commitment to continuing with its road map in November.

Political Rights and Civil Liberties:

Burma continues to be ruled by one of the world's most repressive regimes. The SPDC rules by decree; controls all executive, legislative, and judicial powers; suppresses nearly all basic rights; and commits human rights abuses with impunity.

Military officers hold most cabinet positions, and active or retired officers hold most top posts in all ministries, as well as key positions in both the administration and the private sector.

Since rejecting the results of the 1990 elections and preventing the elected parliament from convening, the junta has all but paralyzed the victorious NLD party. Authorities have jailed many NLD leaders, pressured thousands of party members and officials to resign, closed party offices, harassed members' families, and periodically detained hundreds of NLD supporters at a time to block planned party meetings. After being allowed somewhat greater freedom during 2002, the NLD was subjected to another crackdown in 2003 that largely continued throughout 2004. Although the party's main office was allowed to reopen in April, its branch offices remained closed and several key party leaders, including Aung San Suu Kyi, remain under house arrest. In the run-up to the National Convention held in May, opposition party leaders and members faced heightened surveillance, intimidation, and arrest as they attempted to engage in peaceful political activities, according to an Amnesty International report. An NLD campaign calling for the release of political prisoners begun in July was countered with increased harassment of party members; in September, four were jailed for seven years following a secret trial after being charged with sending information to overseas groups.

Besides the NLD, there are more than 20 ethnic political parties that remain suppressed by the junta. An International Crisis Group report published in 2003 notes that ethnic-minority groups feel that they are denied a role in national political life and do not have a chance to influence policy decisions that affect their lives.

In a system that lacks both transparency and accountability, official corruption is reportedly rampant at both the high and local levels. Burma was ranked 142 out of 146 countries surveyed in the 2004 Transparency International Corruption Perceptions Index.

The junta sharply restricts press freedom, owning or tightly controlling all daily newspapers and radio and television stations. It also subjects private periodicals to prepublication censorship and restricts the importation of foreign news periodicals. After the purge, the new hardline leadership took control of the censorship bureau (which previously had been controlled by associates of Khin Nyunt in the MI ministry) and suspended seventeen publications, most of them indefinitely. Although some people have access to international shortwave

radio or satellite television, those caught accessing foreign broadcasts can be arrested, according to the Committee to Protect Journalists. In May, authorities moved to limit coverage of the National Convention, refusing to grant visas to foreign correspondents and imposing advance censorship on the dissemination of the proceedings. Although several journalists and writers were released from jail throughout the year, a number remained imprisoned as a result of expressing dissident views. The sentence of journalist Zaw Thet Htwe, editor of a sports magazine, who was detained in June 2003, accused of involvement in a "conspiracy" against the government, and sentenced to death in November for treason, was reduced in May 2004 to three years' imprisonment. The Internet, which operates in a limited fashion in the cities, is tightly regulated and censored.

Ordinary Burmese generally can worship relatively freely. However, the junta shows preference for Theravada Buddhism, discriminating against non-Buddhists in the upper levels of the public sector and coercively promoting Buddhism in some ethnic-minority areas. The regime has also tried to control the Buddhist clergy by placing monastic orders under a state-run committee, monitoring monasteries, and subjecting clergy to special restrictions on speech and association. A number of monks remain imprisoned for their pro-democracy and human rights work. Burma was once again designated a "country of particular concern" in the 2004 report by the U.S. Commission on International Religious Freedom, which noted severe and systematic official discrimination against members of minority religious groups. A 2002 Human Rights Watch report alleged that the government had failed to protect Muslims from a significant increase in anti-Muslim violence and that it had imposed restrictions on Muslim religious activities and travel. Violence against the Muslim minority continues to be a problem, with deadly flare-ups in Yangon and Mandalay divisions being reported in late 2003. According to a 2004 report by the Chin Human Rights Organization, the regime has targeted the predominantly Christian Chin ethnic minority, destroying churches, intimidating and assaulting members of the clergy, and supporting coerced conversions to Buddhism.

Academic freedom is severely limited. Teachers are subject to restrictions on freedom of expression and publication and are held accountable for the political activities of their students. Since the 1988 student pro-democracy demonstrations, the junta has sporadically closed universities, limiting higher education opportunities for a generation of young Burmese. Most campuses were relocated to relatively isolated areas as a measure to disperse the student population. Following the May 2003 clashes, the junta, fearing student unrest,

once again temporarily closed some schools and universities, but two students were killed when the military violently suppressed a student demonstration held to protest the attack on Suu Kyi, according to Amnesty International.

Authorities continued to infringe on citizens' privacy rights by arbitrarily searching homes, intercepting mail, and monitoring telephone conversations. Laws and decrees criminalize the possession and use of unregistered electronic devices, including telephones, fax machines, computers, modems, and software.

Freedom of association and assembly is restricted. An ordinance prohibits unauthorized outdoor gatherings of more than five people, and authorities regularly use force to break up peaceful demonstrations and prevent pro-democracy activists from organizing events or meetings. Since the May 2003 crackdown, an increasing number of people have been detained for attempting to exercise their rights to freedom of association and expression. However, nearly all public sector employees, as well as other ordinary citizens, are induced to join the pro-junta mass mobilization organization, the Union Solidarity and Development Association. Domestic human rights organizations are unable to function independently, and the regime generally dismisses critical scrutiny of its human rights record from international nongovernmental organizations and journalists. Although Amnesty International was given permission to make two trips to Burma in January and December 2003, it was not allowed back into the country during 2004.

Independent trade unions, collective bargaining, and strikes are illegal, and several labor activists are serving long prison terms for their political and labor activities. The regime continues to use forced labor despite formally banning the practice in October 2000. The International Labor Organization (ILO) and other sources report that soldiers routinely force civilians, including women and children, to work without pay under harsh conditions. Laborers are commandeered to construct roads, clear minefields, porter for the army, or work on military-backed commercial ventures. Forced labor appears to be most widespread in states dominated by ethnic minorities. Although the ILO's plans to work with the junta to eradicate the practice were put on hold after the attack on the NLD in May 2003, it continues to monitor the situation on the ground.

The judiciary is not independent. Justices are appointed or approved by the junta and adjudicate cases according to the junta's decrees. Administrative detention laws allow people to be held without charge, trial, or access to legal counsel for up to five years if the SPDC feels that they have threatened the

state's security or sovereignty. Some basic due process rights are reportedly observed in ordinary criminal cases, but not in political cases, according to the U.S. State Department's 2003 human rights report. Corruption, the misuse of overly broad laws, and the manipulation of the courts for political ends continue to deprive citizens of their legal rights.

Detailed reports issued recently by Amnesty International have raised a number of concerns regarding the administration of justice, including laws and practices regarding detention, torture, trial, and conditions of imprisonment. Political prisoners are frequently held incommunicado in pretrial detention, which facilitates the use of torture and other forms of ill treatment, and are denied access to family members, legal counsel, and medical care. In addition, political trials are conducted summarily and do not meet international standards of fairness. Prisons and labor camps are overcrowded, although conditions in some facilities have reportedly improved gradually since the regime began allowing the International Committee of the Red Cross access to prisons in 1999.

The junta has periodically released some of those people arrested in the aftermath of the May 2003 violence, and following Khin Nyunt's removal, thousands of prisoners were released in November, of which several dozen were being held on politicized charges. However, more than 1,350 political prisoners remained incarcerated in 2004, according to Amnesty International. Most prisoners are held under broadly drawn laws that criminalize a range of peaceful activities. These include distributing pro-democracy pamphlets and distributing, viewing, or smuggling out of Burma videotapes of Suu Kyi's public addresses. The frequently used Decree 5/96 of 1996 authorizes jail terms of up to 20 years for aiding activities "which adversely affect the national interest." After the October 2004 purge, jails were also filled with suspected allies of General Khin Nyunt within the MI ministry; several thousand were arrested, and in November, the BBC reported that three senior army intelligence officers had been sentenced to 22 years in prison.

The UN Commission on Human Rights in Geneva condemns the regime each year for committing grave human rights abuses. Annual resolutions commonly highlight a systematic pattern of extrajudicial, summary, or arbitrary executions; arrests, incommunicado detention, and "disappearances"; rape, torture, inhuman treatment, and forced labor, including the use of children; and forced relocation and the denial of freedom of assembly, association, expression, religion, and movement. Police and security forces that commit such abuses operate in a climate of impunity, as such incidents are not commonly investigated and prosecutions are rare.

Some of the worst human rights abuses take place in the seven states dominated by ethnic minorities. In these border states, the tatmadaw, or Burmese armed forces, reportedly kill, beat, rape, and arbitrarily detain civilians. For example, a report issued in April 2004 by the Karen Women's Organization documents numerous cases of rape committed against Karen women by members of the army as part of a strategy to intimidate, control, and shame ethnic-minority populations. Soldiers also routinely destroy property and seize livestock, cash, property, food, and other goods from villagers.

Tens of thousands of ethnic minorities in Shan, Karenni, Karen, and Mon states remain in squalid and ill-equipped relocation centers set up by the army. The army has forcibly moved the villagers to the sites since the mid-1990s as part of its counterinsurgency operations. Press reports suggest that the army continues to forcibly uproot villagers and that at least one million people have been internally displaced by these and other tactics. In addition, according to Refugees International, an estimated several million Burmese have fled to neighboring countries, including Thailand, India, and Bangladesh. Thailand continues to host at least 135,000 Karen, Mon, and Karenni in refugee camps near the Burmese border, as well as hundreds of thousands more who have not been granted refugee status.

A number of ethnic-minority groups complain of systematic discrimination at the hands of the regime, including a lack of representation in the government and military, economic marginalization, and the suppression of their cultural and religious rights. The junta has committed particularly serious abuses against the Muslim Rohingya minority in northern Rakhine state. A report published by Amnesty International in May noted that the vast majority of Rohingyas are denied citizenship and face severe restrictions on their freedom of movement, their right to own land, and their ability to marry. In addition, they are regularly subjected to arbitrary taxation and other forms of extortion, as well as forced eviction and land confiscation, at the hands of Burmese security forces. More than 250,000 Rohingyas remain in neighboring Bangladesh, where they fled in the 1990s to escape extrajudicial execution, rape, forced labor, and other abuses.

The junta continues to face low-grade insurgencies waged by the KNU and at least five other ethnic-based rebel armies. The junta agreed to an informal ceasefire with the KNU in December 2003, but hostilities reportedly continue. A number of rebel groups, however, have reached ceasefire deals with the junta since 1989, under which they have been granted effective administrative authority of the

areas under their control. While army abuses are the most widespread, some rebel groups forcibly conscript civilians, commit extrajudicial killing and rape, and use women and children as porters, according to the U.S. State Department's annual human rights report. A 2002 Human Rights Watch (HRW) report documented the widespread use of children as soldiers by 19 different armed opposition groups, as well as by the Burmese army, where at least 20 percent of active-duty soldiers are estimated to be under the age of 18. Although authorities announced the formation of a committee to prevent the recruitment of child soldiers in late 2003, the practice has continued unabated, according to HRW.

Burmese women have traditionally enjoyed high social and economic status, but domestic violence is a growing concern, and they remain underrepresented in the government and civil service. A September 2004 report by the Women's League of Burma detailed an ongoing nationwide pattern of sexual violence against women by SPDC military personnel and other authorities, including rape, sexual slavery, and forced marriage. Criminal gangs have in recent years trafficked thousands of women and girls, many from ethnic-minority groups, to Thailand and other destinations for prostitution, according to reports by HRW and other groups.

China

Political Rights: 7
Civil Liberties: 6
Status: Not Free

Overview:

The new generation of Chinese leaders, led by President Hu Jintao and Prime Minister Wen Jiabao, continued its monumental task of transforming the country's economy from a centrally controlled, state-planned model into an open one run by market forces. In 2004, the most significant economic challenge faced by the government was a controlled slowing of the rapidly expanding economy. Ongoing and substantial economic reform did not lead to many significant political changes, however, as the country remains an authoritarian state under the complete control of the Chinese Communist Party (CCP).

The CCP took power in 1949 under Mao Zedong after defeating the Kuomintang, or Nationalists, in a civil war that began in the 1920s. Aiming to tighten party control, Mao led several brutal mass-mobilization campaigns that resulted in millions of deaths and politicized nearly every aspect of daily life. Following Mao's death in 1976, Deng Xiaoping emerged as China's paramount leader. Over the next two decades, Deng oversaw China's transformation from a hermetic, agrarian, and often tumultuous Communist society into an authoritarian state with a market-led economy, eager to sell its products abroad and expand its role in global affairs even as it trampled on internationally recognized human rights.

Deng and other leaders signaled their intent to maintain power at all costs with the 1989 massacre of hundreds of student protesters in Beijing. Following the crackdown, the party tapped Jiang Zemin, then Shanghai mayor and party boss, to replace the relatively moderate Zhao Ziyang as party secretary-general.

Jiang became state president in 1993 and was widely recognized as China's new paramount leader following Deng's death in 1997.

Jiang continued Deng's policies of selling off state firms, encouraging private enterprise, and rolling back China's social welfare system. China's leaders appeared to agree that continued market reforms would be needed in order to boost living standards and stave off broad calls for political reform. They feared, however, that freeing up the economy too fast could increase social hardship in the near term and create a groundswell against the party.

A new generation of leaders took control during the two-stage succession process of November 2002 and March 2003. At the CCP's 16th party congress in November 2002, Hu replaced Jiang, and in March of the following year, Wen took day-to-day charge of the economy by replacing Prime Minister Zhu Rongji. The succession had been vetted by the outgoing leaders. The new government pledged to improve conditions for rural Chinese, who remain disproportionately unaffected by the rapid growth of the economy; privatize the state-owned firms that still dominate the economy; and carry out a reform of the welfare system, among many other tasks.

Rural China's woes have contributed to a "floating population," officially tallied at 80 to 130 million people, who have left their rural homes in search of work in cities. Urbanization is transforming this historically agricultural society by providing many rural migrants with modest but unprecedented opportunities, though their shaky legal status often makes migrants vulnerable to abuse by police and employers.

In 2004, the government took several regulatory and administrative measures to cool investment-led growth in several sectors. However, these steps were undermined by noncompliance from local-level officials, whose authority has increased in line with the ongoing decentralization of the economy, and growth was still strong in the last quarter of the year. In addition, the government remained under pressure from the United States and other countries to revalue its currency, the renminbi, which is allegedly undervalued to boost Chinese exports. The government is open to the idea of a revaluation, but is highly unlikely to bow to this pressure as quickly as foreign governments would prefer.

Political Rights and Civil Liberties:

Chinese citizens cannot change their government democratically or express their opposition to its policies. The CCP holds all political power, and party members hold almost all top national and local governmental, police, and military posts. Direct elections of officials above the village level is expressly forbidden. The parliament-the National People's Congress (NPC)-elects the top officials, but the NPC itself is controlled by the CCP. There is one opposition party, the China Democratic Party, but the government suppresses its activities and it exists, for all practical purposes, in theory only. The only competitive elections in China are for village committees, which are not in any case considered government bodies, and even these are tightly controlled by the CCP.

Corruption within the CCP is rampant; embezzlement and bribery are particularly serious problems. China was ranked 71 out of 146 countries surveyed in the 2004 Transparency International Corruption Perceptions Index.

Press freedom is severely limited. The government bars the media from criticizing senior CCP leaders or their policies, challenging CCP ideology, and discussing "sensitive topics"-in particular, constitutional reform, political reform, and reconsideration of the 1989 Tiananmen movement. Journalists violating these restrictions may be harassed, detained, and/or jailed. The government owns all television and radio stations and most print media outlets, and uses these organs to promote its ideology. According to the U.S. State Department's 2003 human rights report, released in February 2004, "All media employees were under explicit, public orders to follow CCP directives and 'guide public opinion' as directed by political authorities." Because of this, most journalists practice a high degree of self-censorship. The government also directly censors both the domestic and foreign media.

The government promotes use of the Internet, but regulates access, monitors use, and restricts and regulates content. According to the U.S. State Department report, China's Internet control system employed some 30,000 people and was the world's largest such system. Authorities target and punish Internet publishers and essayists far more frequently than journalists affiliated with more conventional media.

There is little respect in China for religious freedom, though it is recognized in the constitution. All religious groups and spiritual movements must register with the government, which judges the legitimacy of religious activity. The government also monitors the activities of the official religions (Buddhism,

Taoism, Islam, Protestantism, and Catholicism). It targets leaders of unauthorized religious groups for harassment, interrogation, detention, and abuse, and destroys or seizes unregistered places of worship. The extent to which such actions are taken or rules are enforced, though, varies widely by region. Religious controls remain particularly tight in Xinjiang and other areas that have seen ethnic unrest. In Xinjiang, the government continues to censor imams' sermons, discourage overt religious attire and religious wedding ceremonies, and restrict the building of mosques. Religious believers are denied the ability to hold public office not by law, but by a logical extension of the fact that most government positions go to CCP members, and that CCP membership and religious belief are said to be incompatible.

The government also continues to strongly repress traditional meditation groups and religious groups accused of propagating beliefs that contradict or go beyond the CCP line. Practitioners of Falun Gong receive the harshest treatment, being subjected to criminal, administrative, and extrajudicial punishment on the grounds of "endangering state security." Punishment is triggered for mere refusal to denounce the movement or its founder, even without public manifestations of its tenets. Police and other security authorities are believed to use excessive force when dealing with Falun Gong practitioners. Authorities at times also crack down on folk religions, unorthodox religious sects, and movements considered to be cults.

The government teaches atheism in schools. Academic freedom is also restricted, as universities and research institutions must also follow the CCP line. Therefore, academics also engage in self-censorship.

Freedom of assembly and association is severely restricted. Protests against political leaders or the political system in general are banned, and the constitution stipulates that assemblies may not challenge "Party leadership" or go against the "interests of the State." Security forces are known to use excessive force against demonstrators. All nongovernmental organizations must be registered with and approved by the government. Though the formation of political parties is not specifically discussed in any laws or regulations, the one opposition party that has formed, the China Democrat Party, has been targeted and suppressed by the government and has no real political power.

Independent trade unions are illegal, and enforcement of labor laws is poor. All unions must belong to the state-controlled All China Federation of Trade Unions, and several independent labor activists have been jailed for their advocacy efforts.

Collective bargaining is legal in all industries, but it does not occur in practice. Despite the fact that workers lack the legal right to strike, there has been a growing wave of strikes over layoffs, dangerous working conditions, or unpaid wages, benefits, or unemployment stipends. The reaction of local officials has been mixed, with strike leaders often arrested, while other strikers are given partial concessions. Chinese labor law mandates that labor disputes be addressed first in the workplace, then by a mediation committee, then through a local government-sponsored arbitration committee, and finally, if still unresolved, through the court system; however, this procedure is rarely followed in practice.

The government controls the judiciary. The CCP directs verdicts and sentences, particularly in politically sensitive cases. Despite some recent criminal procedure reforms, trials-which in any case are often mere sentence hearings-are often closed; few criminal defendants have access to counsel. Officials often subject suspects to "severe psychological pressure" to confess, and coerced confessions are frequently admitted as evidence. Police frequently conduct searches without warrants and at times monitor telephone conversations and other personal communications to use as evidence against suspected dissidents. Many political prisoners and ordinary alleged criminals lack trials altogether, detained instead by bureaucratic fiat in "re-education through labor" camps. The U.S. State Department claimed that some 250,000 people were serving sentences in these camps in 2003. Endemic corruption further exacerbates the lack of due process in the judicial system. According to the U.S. State Department, judicial conditions are worst in capital punishment cases. Sixty-five crimes carry the death penalty, and perpetrators are often executed within days of their arrest.

Although security forces are generally under civilian control, serious human rights abuses are widespread. These include extrajudicial and politically motivated killings, torture, physical abuse of prisoners, coercion, arbitrary arrest and detention, and lengthy incommunicado detention. For example, police can detain a person for up to 37 days before releasing or formally arresting him. Arrests to thwart political dissent are frequent. Moreover, the government does not permit independent observation of prisons or of reeducation-through-labor camps.

Although antidiscrimination laws exist, Muslims and other minorities and people with HIV/AIDS face discrimination in mainstream society, hampered in their access to jobs and other benefits. The government did pass a new law in August 2004 specifically banning discrimination against people with HIV/AIDS, and though the move was applauded by institutions like Human Rights Watch, it

remains to be seen whether it will have any practical impact. Minorities in border regions, who tend to have lower levels of education, suffer the most. The majority Han Chinese population has reaped an outsized share of benefits from government programs and economic growth, despite government initiatives to improve minority living standards. Tensions between ethnic groups occasionally flare up; in November 2004, for example, a minor incident in Henan province escalated into a full-scale riot involving hundreds of Han Chinese and Hui Muslims. The violence left at least seven people dead and resulted in the government declaring martial law in the area.

The gradual implementation of reforms over the past several decades has freed millions of Chinese from CCP control of their day-to-day lives. Nevertheless, citizens require permission from the government and from their employer to move from city to city, and special restrictions are imposed on people in rural areas who wish to move to urban areas, as a massive rural-urban migration has already occurred, straining cities' infrastructures to capacity. Urban redevelopment and city planning has also resulted in forced relocations. Human Rights Watch reported that in December 2003, a Shanghai court of appeals upheld the prison sentence of a lawyer who had been charged with "circulating state secrets"-he had in fact been an advocate for residents who had been forcibly relocated. Freedom of movement within the country is still restricted during visits to China by foreign leaders and on other politically sensitive occasions. Legal emigration and foreign travel, however, are not highly restricted.

Recent reforms have allowed Chinese to marry, divorce, and sell their state-assigned housing without their employer's permission. A highly significant step taken in late 2002 allowed private entrepreneurs to become members of the CCP. A landmark property rights law aimed at protecting private property and incomes is under consideration. However, authorities continue to ignore citizens' constitutionally guaranteed "freedom of privacy," routinely monitoring phone conversations, facsimile transmissions, and e-mail and Internet communications. They also open and censor domestic mail and enter residences and offices.

China's population control policy is another significant area of personal life that has not been deregulated. Officially, Chinese couples may have no more than one child, though this is more strictly enforced in the cities. The Population and Family Planning Law requires couples to employ birth control measures and requires that couples who have an unapproved child pay "social compensation fees." The government gives preferential treatment to couples who abide by the birth limits and, in some areas, still requires couples to apply for official permission

before having a child. Furthermore, it is illegal in most areas for a single woman to have a child. The use of forced abortion or sterilization by local officials trying to keep within county birth quotas is believed to occur in occasional, isolated cases, though less frequently than in the past.

Chinese women reportedly face serious discrimination in education and employment and are far likelier than men to be laid off when state firms are downsized or privatized. Despite government crackdowns, trafficking in women and children for marriage, to provide sons, and for prostitution remains a serious problem.

Cuba

Political Rights: 7
Civil Liberties: 7
Status: Not Free

Overview:

Cuba's leader Fidel Castro marked his 45th year in power in 2004, amid signs that the 78-year-old's health continued to decline. His second fall in public in three years raised questions about his physical vulnerability and about his capacity to continue to govern. Meanwhile, his Communist government steadily reasserted its control over the limited opening in the economy legalized by the regime in 1993. On the international front, there was growing tension between the government in Washington and the Castro regime, including efforts by the United States to increase broadcasts to and economic restrictions against Cuba.

Cuba achieved independence from Spain in 1898 as a result of the Spanish-American War. The Republic of Cuba was established in 1902, but remained under U.S. tutelage as a result of the Platt Amendment until 1934. In 1959, Castro's July 26th Movement-named after an earlier, failed insurrection-overthrew the U.S.-supported dictatorship of Fulgencio Batista, who had ruled for 18 of the previous 25 years.

Following the 1991 collapse of the Soviet Union and the end of some $5 billion in annual Soviet subsidies, Castro sought Western foreign investment. The legalization of the U.S. dollar in Cuba in 1993 heightened social tensions, as the minority with access to dollars from abroad or through the tourist industry emerged as a new moneyed class, while the majority without access became increasingly desperate.

Under Castro, cycles of repression have ebbed and flowed depending on the regime's need to keep at bay the social forces set into motion by his post-Cold War economic reforms. In February 1999, the government introduced tough legislation against sedition, with a maximum prison sentence of 20 years. It stipulated penalties for unauthorized contacts with the United States and the import or supply of "subversive" materials, including texts on democracy and by news agencies and journalists. Castro's collapse at a long outdoor rally near Havana in June 2001 raised questions about the Cuban leader's health and focused attention on a possible post-Castro future.

In November 2001, Hurricane Michelle, the most powerful tropical storm to hit Cuba in a half-century, left a low death toll but also a trail of physical destruction, devastating Cuba's crops. In the wake of the storm, the United States permitted the first direct food trade with Cuba since the beginning of an economic embargo in 1962.

In 2002, the Varela Project, a referendum initiative seeking broad changes in the four-decades-old socialist system, achieved significant support domestically. Its leader, Oswaldo Paya, was showered with international recognition, including the European Union's Andrei Sakharov Prize for Freedom of Thought. In May, project organizers submitted more than 11,000 signatures to the National Assembly demanding that a referendum be held in which Cubans could vote for fundamental reforms such as freedom of expression, the right to own private businesses, and electoral reform. A June visit by former U.S. president Jimmy Carter also added status and visibility to the protest movement. After Carter mentioned the project on Cuban television that month, the regime held its own "referendum" in which 8.2 million people supposedly declared the socialist system to be "untouchable." In October, more than 300 dissident organizations joined together as the Assembly to Promote Civil Society in preparation for a post-Fidel Castro Cuba. Composed of 321 dissident organizations ranging from human rights groups and independent libraries to labor unions and the independent press, the civil society assembly announced that it would prepare for a post-Castro transition rather than seek reforms from the regime. Meanwhile, Castro faced serious popular discontent, particularly because of the country's failing sugar industry; in June, the government closed 71 of Cuba's 156 sugar mills.

In early 2003, the government initiated a crackdown against the pro-democracy opposition. Seventy-five people, including 27 independent journalists, 10 independent librarians, and signature collectors for the Varela Project, were

sentenced to an average of 20 years in prison following one-day trials held in April. (At the end of 2004, 61 of the activists who were arrested remained in prison.) Later that year, Paya delivered more than 14,000 signatures to the National Assembly demanding a referendum for sweeping changes; these demands have yet to be met by the Cuban government.

Castro suffered another fainting spell in Buenos Aires in May 2003 as he exited an inauguration event for Argentina's new president. However, there were few palpable signs during the year that his regime was any closer to collapsing, even though recovery from a 1990s economic depression faltered and discontent increased. Castro also continued his attempts to enlist the assistance of U.S. farm state congressional delegations to break the economic embargo by diverting $250 million from paying old debts to buy American agricultural products; in 2001, the embargo had been relaxed to allow direct sales of food and medicine on a cash basis only. Meanwhile, Castro appeared to shrug off a decision by the European Union to review its policies toward Cuba because of human rights concerns.

In May 2004, Bush announced that the United States would intensify pressure on the Cuban regime by increasing broadcasts designed to break through the island's information blockade; by aiding dissidents; and by limiting the amount of money Cuban-Americans could bring with them on family visits or through remittances.

Castro had another much-publicized tumble in October, resulting in a fractured right knee and right arm. His fall raised further questions about his health and his ability to continue to govern the country.

Cuba's economy continued to show limited growth during the year-GDP is expected to grow only 2.6 percent in 2004, while foreign debt totals more than $12 billion-as the government backtracked on its timid economic reforms of the early 1990s. Despite Venezuelan oil subsidies, the country is mired in an acute energy crisis that has led to the closure of over 100 factories and an indefinite national plan of blackouts. Tourism remains the primary source of hard currency, followed closely by remittances from family members living abroad. In an effort to re-centralize the availability of hard currency in the state's coffers, the government has adopted new laws ending the use of the dollar for basic economic transactions and restricting its use by state companies.

Political Rights and Civil Liberties:

Cubans cannot change their government through democratic means. Fidel Castro dominates the political system, having transformed the country into a one-party state with the Cuban Communist Party (PCC) controlling all governmental entities from the national to the local level. Communist structures were institutionalized by the 1976 constitution installed at the first congress of the PCC. The constitution provides for a National Assembly, which designates the Council of State. It is that body which in turn appoints the Council of Ministers in consultation with its president, who serves as head of state and chief of government. However, Castro is responsible for every appointment and controls every lever of power in Cuba in his various roles as president of the Council of Ministers, chairman of the Council of State, commander in chief of the Revolutionary Armed Forces (FAR), and first secretary of the PCC.

In October 2002, some eight million Cubans voted in tightly controlled municipal elections. On January 19, 2003, an election was held for the Cuban National Assembly, with just 609 candidates-all supported by the regime-vying for 609 seats. All political organizing outside the PCC is illegal. Political dissent, spoken or written, is a punishable offense, and those so punished frequently receive years of imprisonment for seemingly minor infractions. In early 2003, the government cracked down on the opposition movement, imprisoning 75 of its most active members. Few have been released despite international condemnation by many of Cuba's allies and diplomatic sanctions from trade partners such as the European Union.

Official corruption remains a serious problem, with a "culture of illegality" shrouding the mixture of private and state-controlled economic activities allowed on the island. In late 2003, Juan Jose Vega, the president of Cubanacan, a state-run enterprise controlling over $600 million in foreign investment in Cuba's tourism industry, was dismissed on charges of corruption. Cuba was ranked 62 out of 146 countries surveyed in the 2004 Transparency International Corruption Perceptions Index.

The press in Cuba is the object of a targeted campaign of intimidation by the government, which uses Ministry of Interior agents to infiltrate and report on the independent media. Independent journalists, particularly those associated with five small news agencies established outside state control, have been subjected to continued repression, including jail terms of hard labor and assaults by state security agents while in prison. Foreign news agencies must hire local

reporters only through government offices, which limits employment opportunities for independent journalists. In 2004, 22 independent journalists arrested in March 2003 remained imprisoned in degrading conditions, which included physical and psychological abuse; acts of harassment and intimidation were also directed against their families. In April, two journalists held without trial since March 2002 were finally tried by a court in Ciego de Ávila on charges of insulting Castro and the police and public disorder; one received a three-year prison sentence and the other a sentence of three and a half years.

In 1991, Roman Catholics and other believers were granted permission to join the Communist Party, and the constitutional reference to official atheism was dropped the following year. However, in October 2002, the U.S. State Department issued a report saying that Cuba was one of six countries that engaged in widespread repression of religion. Security agents frequently spy on worshippers, the government continues to block construction of new churches, the number of new foreign priests is limited, and most new denominations are refused recognition. An estimated 70 percent of all Cubans on the island practice some form of Afro-Cuban religion. In a positive development, the regime now tolerates the Baha'i faith.

The government restricts academic freedom. Teaching materials for courses such as mathematics or literature must have an ideological content. Affiliation with official Communist Party structures is generally needed to gain access to educational institutions, and students' report cards carry information regarding their parents' involvement with the Communist Party. In 2003, state security forces raided 22 independent libraries and sent 10 librarians to jail with terms of up to 26 years.

Limited rights of assembly and association are permitted under the constitution; however, these are subject to the stipulation that they may not be "exercised against the existence and objectives of the Socialist State." The unauthorized assembly of more than three persons, including those for private religious services in private homes, is punishable by law by up to 3 months in prison and a fine. This prohibition is selectively enforced, and is sometimes used as a legal pretext to imprison human rights advocates.

Workers do not have the right to bargain collectively or to strike. Members of independent labor unions, which the government considers illegal, are often harassed or dismissed from their jobs and subsequently barred from future employment.

The executive branch controls the judiciary. In practice, the Council of State, of which Castro is chairman, serves as a de facto judiciary and controls both the courts and the judicial process as a whole.

There are some 300 prisoners of conscience in Cuba, most held in cells with common criminals and many convicted on vague charges such as "disseminating enemy propaganda" or "dangerousness." Members of groups that exist apart from the state are labeled "counterrevolutionary criminals" and are subject to systematic repression, including arrest, beatings while in custody, and intimidation by uniformed or plainclothes state security agents. During the year, authorities arrested 22 human rights activists, including three Varela Project organizers and an independent librarian, the latter seized on the charge of "contempt for authority" for having shouted "Down with Fidel." By year's end, 13 of the 22 had been tried and sentenced. In a positive development, dissident Martha Beatriz Roque and six other detainees of the 75 arrested in the March 2003 sweep were released from prison for health reasons in 2004.

Since 1991, the United Nations has voted annually to assign a special investigator on human rights to Cuba, but the Cuban government has refused to cooperate. Cuba also does not allow the International Red Cross or other humanitarian organizations access to its prisons.

Freedom of movement and the right to choose one's residence and place of employment are severely restricted. Attempting to leave the island without permission is a punishable offense. In the post-Soviet era, the rights of Cubans to own private property and to participate in joint ventures with foreigners have been recognized by law, and non-Cuban businesses have also been allowed. However, PCC membership is still required to obtain good jobs, serviceable housing, and real access to social services, including medical care and educational opportunities. In 2004, a Labor Ministry decree halted the issuance of all new licenses for 40 categories of self-employment that were legalized in 1993. Roughly 150,000 Cubans are self-employed, approximately 2 percent of the workforce. The government systematically violates international salary standards, the terms of contract, and other labor codes for workers employed on the island by foreign-owned firms.

About 40 percent of all women work, and they are well represented in most professions. However, violence against women is a problem, as is child prostitution. According to the 2004 U.S. State Department Trafficking in Persons Report, Cuba is a country of internal trafficking for sexual exploitation and a destination for sex tourists, including foreigners searching for underage prostitutes.

Equatorial Guinea

Political Rights: 7
Civil Liberties: 6
Status: Not Free

Overview:

An apparent coup attempt against President Teodoro Obiang Nguema Mbasogo involving suspected foreign mercenaries was derailed in March 2004 with the arrests of 19 men in Equatorial Guinea and 70 others in Zimbabwe. A government crackdown on foreigners ensued, and hundreds of immigrants, mostly West Africans, were deported or fled. Obiang's ruling Democratic Party and its allies won a landslide victory in parliamentary elections in April that were criticized by the opposition and foreign observers as seriously flawed.

Equatorial Guinea achieved independence in 1968 following 190 years of Spanish rule. It has since been one of the world's most tightly closed and repressive societies. Obiang seized power in 1979 by deposing and murdering his uncle, Francisco Macias Nguema. Demands from donor countries for democratic reforms prompted Obiang to proclaim a new "era of pluralism" in January 1992. Political parties were legalized and multiparty elections announced, but in practice, Obiang and his clique wield all power. Obiang won the 1996 presidential election, which was marred by official intimidation, a near total boycott by the political opposition, and very low voter turnout. In the 1999 parliamentary elections, which were tainted by intimidation and fraud, the ruling Democratic Party of Equatorial Guinea (PDGE) won 75 of 80 seats. Many opposition candidates were arrested or confined to their villages prior to the polls.

The four main opposition challengers withdrew from the December 2002 presidential election, citing irregularities. The candidates said soldiers, police,

and electoral officials were present at polling stations and were opening ballot envelopes after votes were cast. Obiang was declared the winner of his third 7-year term with 99.5 percent of the vote. Following the election, the administration of Equatorial Guinea announced the formation of a "government of national unity" that brought members of eight small parties, all considered close to the PDGE, into the cabinet. Despite an extensive reshuffle in 2004, key cabinet positions continue to be held by presidential relatives and loyalists.

The expansion of parliament to 100 seats in 2004 did little to break the dominance of the PDGE. Parliamentary elections in April were swept by a coalition headed by the PDGE, which captured 68 of the 100 seats. The party's allies won another 30 seats. The opposition Convergence for Social Democracy, which complained of numerous irregularities and voter intimidation by the ruling party, won the remaining 2 seats.

The trial of 19 suspected coup plotters began in August 2004 in the capital, with a separate trial for 70 others underway in Zimbabwe, where authorities had detained a group of men in March allegedly en route to Equatorial Guinea. Amnesty International has expressed concern over the likely use of torture in extracting confessions from the defendants in Malabo, particularly in the case of a German suspect who died in custody. Many of the accused plotters, who hail from various African and European nations, have ties to the defunct mercenary firm Executive Outcomes, founded by apartheid-era South African military officers. The Equatorial Guinea government has accused Severo Moto, an opposition figure living in exile in Spain, South African financier and oil broker Eli Calil, and Mark Thatcher, son of former British Prime Minister Margaret Thatcher, of being behind the scheme to oust Obiang. Hundreds of West Africans left or were expelled from the country in late March as the government rounded up foreigners in the wake of the coup attempt, jailing many for alleged visa violations.

Equatorial Guinea is the continent's third-largest oil producer and boasts one of the highest figures for per capita gross domestic product in Africa. The expanding oil sector has led to more jobs, but the lives of most people have yet to change. U.S. oil companies have invested at least $5 billion in Equatorial Guinea since the mid-1990s. Although Obiang has declared the disposition of the country's oil revenues a "state secret," a U.S. Senate investigation found in July 2004 that at least $35 million has been siphoned from accounts in a Washington, D.C., bank by Obiang, his family, and senior officials of his regime. A presidential decree issued in February ordered all civil servants and members of the armed

forces to declare their assets to a national public ethics commission, but failed to specify whether the order included Obiang.

A long-running dispute with Gabon over exploration rights in the potentially oil-rich Corisco islands was temporarily resolved in 2004 with an agreement that the two countries would conduct joint exploration pending a UN-brokered mediation process.

Thanks to surging oil revenues, Equatorial Guinea currently has the world's fastest expanding economy, and the IMF predicts further growth of 45.1 percent in 2005. However, few benefits have trickled down to the population. Equatorial Guinea ranked 109th out of 177 countries on the UN Human Development Index in 2004.

Political Rights and Civil Liberties:

Equatorial Guinea's citizens are unable to change their government through peaceful, democratic means. The 1999 and 2004 parliamentary and 1996 and 2002 presidential elections have not been credible. Obiang wields broad decree-making powers and effectively bars public participation in the policy-making process. After his overwhelming electoral victory of 2002, most opposition parties joined a coalition with the ruling party, although several remain officially banned or operate in exile.

Equatorial Guinea was not ranked by Transparency International in its 2004 Corruption Perceptions Index. However, charges of corruption and human rights violations by Equatorial Guinea's government led the United States to close its embassy in Malabo in 1995, although this was reopened in 2002 as U.S. interest in the region grew.

Press freedom is constitutionally guaranteed, but the government restricts these rights in practice. Nearly all print and broadcast media are state run and tightly controlled. The 1992 press law authorizes government censorship of all publications. Mild criticism of infrastructure and public institutions is allowed, but nothing disparaging about the president or security forces is tolerated. Publications that irk the government are banned from the newsstands without explanation.

Foreign publications have become more widely available in recent years. The shortwave programs of Radio France Internationale and Radio Exterior (the

international shortwave service from Spain) can be heard. A few small independent newspapers publish occasionally, but they exercise self-censorship, and all journalists must be registered. Journalists, political leaders, and association heads have complained of increasing difficulties in accessing the Internet. They charge that illegal wiretapping has increased and that the country's sole Internet service provider allegedly monitors e-mail traffic closely.

The constitution guarantees religious freedom, and government respect for freedom of individual religious practice has generally improved. About 80 percent of the population is Roman Catholic. The government does not restrict academic freedom.

Freedom of association and assembly is restricted. Authorization must be obtained for any gathering of 10 or more people for purposes the government deems political. There are no effective domestic human rights organizations in the country, and the few international nongovernmental organizations operating in Equatorial Guinea are prohibited from promoting or defending human rights. Dozens of opposition activists remain in prison.

Steps have been taken to reform the labor sector. The country's first labor union, the Small Farmers Syndicate, received legal recognition in 2000 and is independent. The government has ratified all International Labor Organization conventions. However, there are many legal steps required prior to collective bargaining.

The judiciary is not independent, and laws on search and seizure-as well as detention-are routinely ignored by security forces, which act with impunity. Unlawful arrests remain commonplace, and government security forces routinely use torture and excessive force. Civil cases rarely go to trial. A military tribunal handles cases tied to national security. Prison conditions are extremely harsh.

Monopoly political power by the president's Mongomo clan of the majority Fang ethnic group persists. Differences between the Fang and the Bubi are a major source of political tension that often has erupted into violence. Fang vigilante groups have been allowed to abuse Bubi citizens with impunity.

Constitutional and legal protections of equality for women are largely ignored. Traditional practices discriminate against women, and few women have educational opportunities or participate in the formal (business) economy or government. Violence against women is reportedly widespread.

Eritrea

Political Rights: 7
Civil Liberties: 6
Status: Not Free

Overview:

The government of President Isaias Afwerki continued in 2004 its repressive policy of allowing no opposition or independent organizations in the political or civil sphere. A group of political dissidents and journalists imprisoned in 2001 remain in jail despite widespread international calls for their release. Tensions with neighboring Ethiopia over their disputed border continued.

In 1950, after years of Italian occupation, Eritrea was incorporated into Ethiopia. Eritrea's independence struggle began in 1962 as a nationalist and Marxist guerrilla war against the Ethiopian government of Emperor Haile Selassie. The seizure of power by a Marxist junta in Ethiopia in 1974 removed the ideological basis of the conflict, and by the time Eritrea finally defeated Ethiopia's northern armies in 1991, the Eritrean People's Liberation Front (EPLF) had discarded Marxism. Internationally recognized independence was achieved in May 1993 after a referendum supervised by the United Nations produced a landslide vote for statehood.

War with Ethiopia broke out in 1998. In May 2000, an Ethiopian military offensive succeeded in making significant territorial gains. Eritrea signed a truce with Ethiopia in June 2000, and a peace treaty was signed in December 2000. The agreement provided for a UN-led buffer force to be installed along the Eritrean side of the contested border and further negotiations to determine the final boundary line. The war had dominated the country's political and economic agenda and reflected deeper issues of nationalism and political mobilization by a government that has long used the threat of real or perceived enemies to generate popular support and unity.

In May 2001, a dissident group of 15 senior ruling-party members (the "Group of 15") publicly criticized Isaias and called for "the rule of law and for justice, through peaceful and legal ways and means." Eleven members of this group were arrested in September 2001, allegedly for treason (three members who were out of the country at the time escaped arrest and one withdrew his support of the group). The small independent media sector was also shut down, and 18 journalists were imprisoned. An increasingly unpopular policy of obligatory national service for extended and open-ended periods of time and with no conscientious objector clause has also heightened tension. Critics have called it "forced labor."

In 2004, the Eritrean government showed no sign of altering its repressive policy of allowing no opposition or independent organizations in the political or civil sphere. International criticism has been muted, perhaps because of Eritrea's support in the war against terror.

During the year, the Eritrean government claimed that Ethiopians were not respecting the border agreement, and it did not rule out the possibility of renewed conflict. In addition to the war with Ethiopia, since 1993, Eritrea has engaged in hostilities with Sudan and Yemen, and has also had strained relations with Djibouti.

Political Rights and Civil Liberties:

Eritreans have never had the opportunity to choose their leaders through open elections. Created in February 1994 as a successor to the EPLF, the Popular Front for Democracy and Justice (PFDJ) maintains a dominance over the country's political and economic life that is unlikely to change in the near or medium-term future. Instead of moving towards creating a framework for a democratic political system, since the end of the war with Ethiopia, the PFDJ has taken significant steps backwards. The 2001 crackdown against those calling for greater political pluralism has chilled the already tightly controlled political atmosphere.

In 1994, a 50-member Constitutional Commission was established. In 1997 a new constitution authorizing "conditional" political pluralism with provisions for a multiparty system was adopted. The constitution provides for the election of the president from among the members of the National Assembly by a vote of the majority of its members.

In 2000, the National Assembly determined that the first elections would be held in December 2001 and appointed a committee that issued draft regulations governing political parties. These draft regulations have not been enacted, and independent political parties authorized by the constitution do not exist. National elections have been postponed indefinitely. In 2004, regional assembly elections were conducted, but they were carefully orchestrated by the PFDJ and offered no real choice.

Eritrea was ranked 102 out of 146 countries surveyed in the 2004 Transparency International Corruption Perceptions Index.

Government control over all broadcasting and pressures against the independent print media have seriously constrained public debate. In its September 2001 crackdown, the government banned all privately owned newspapers while claiming that a parliamentary committee would examine conditions under which they would be permitted to re-open. The newspapers were accused of contravening the 1996 Press Law, but their alleged offenses were not specified. Ten leading journalists were arrested by the police in the capital of Asmara. They had protested in writing to the minister of information concerning the arrest of members of the Group of 15 and the closure of the newspapers. Other journalists were arrested in 2002, and the independent media in Eritrea has in effect ceased to exist. Internet use remains limited, with an estimated 9,500 users in 2003 out of a population of over 4 million.

Religious persecution of minority Christian faiths has escalated in recent years, particularly against Jehovah's Witnesses (who were stripped of their basic civic rights in 1994) and evangelical and Pentecostal churches. The government does not recognize the right to conscientious objection. Members of other minority churches have been jailed and tortured or ill-treated to make them abandon their faith. Muslims have been targeted too, some held in secret incommunicado detention for years on suspicion of links with an Islamist armed opposition group operating from Sudan.

Academic freedom is constrained, and high school students are required to spend their 12th-grade year at a high school based at a military camp in Sawa, in the far western part of the country, near the Ethiopian border.

The government continues to maintain a hostile attitude towards civil society. Independent nongovernmental organizations (NGOs) are not allowed, and the legitimate role of human rights defenders is not recognized. International human rights NGOs are barred from the country. The civil service, the military, the

police, and other essential services have some restrictions on their freedom to form unions. In addition, groups of 20 or more persons seeking to form a union require special approval from the Ministry of Labor.

A judiciary was formed by decree in 1993 and has yet to adopt positions that are significantly at variance with government perspectives. A low level of training and resources limits the courts' efficiency. Constitutional guarantees are often ignored in cases relating to state security. The provision of speedy trials is limited by a lack of trained personnel, inadequate funding, and poor infrastructure, and the use of a special court system limits due process.

According to a 2004 report by Amnesty International torture, arbitrary detentions, and political arrests are widespread. Religious persecution and ill treatment of those trying to avoid military service are increasing, and torture is systematically practiced by the army. Political prisoners and members of minority churches are said to be particularly singled out. Prison conditions are poor, and prison monitors such as the International Committee of the Red Cross have been denied access to detainees. There have been reports of government and societal discrimination against the Kunama, one of nine ethnic groups, who reside primarily in the west.

Official government policy is supportive of free enterprise, and citizens generally have the freedom to choose their employment, establish private businesses, and function relatively free of government harassment. Until recently, at least, government officials have enjoyed a reputation for relative probity.

Women played important roles in the guerilla movement, and the government has worked in favor of improving the status of women. In an effort to encourage broader participation by women in politics, the PFDJ named 3 women to the party's executive council and 12 women to the central committee in 1997. Women participated in the Constitutional Commission (filling almost half of the positions on the 50-person committee) and hold senior government positions, including the positions of minister of justice and minister of labor. Equal educational opportunity, equal pay for equal work, and penalties for domestic violence have been codified. However, traditional societal discrimination persists against women in the largely rural and agricultural country.

Haiti

Political Rights: 7 ▼
Civil Liberties: 6
Status: Not Free
Ratings Change: Haiti's political rights rating declined from 6 to 7 due to the lack of a democratically derived sovereign authority resulting from the ouster of President Jean Bertrand Aristide, the imposition of an ineffective interim government, and the deployment of an international security force.

Overview:

On February 29, 2004, Jean-Bertrand Aristide resigned from the presidency and went into initial exile in the Central African Republic. Despite efforts to maintain a constitutional façade, the government continued to govern through force and intimidation, as Haiti became a dictatorship in all but name.

Since gaining independence from France in 1804 following a slave revolt, the Republic of Haiti has endured a history of poverty, violence, instability, and dictatorship. A 1986 military coup ended 29 years of rule by the Duvalier family, and the army ruled for most of the next eight years. Under international pressure, the military permitted the implementation of a French-style constitution in 1987.

Aristide was first elected in 1990. After having called on his supporters to use force in defending his government, he was deposed by a military triumvirate after only eight months in office and sent into exile. While paramilitary thugs terrorized the populace, the regime engaged in blatant narcotics trafficking. The United States and the United Nations imposed a trade and oil embargo. In September 1994, facing an imminent U.S. invasion, the officers stepped down.

U.S. troops took control of the country, and Aristide was reinstated. Aristide dismantled the military before the June 1995 parliamentary elections got underway. International observers questioned the legitimacy of the June election, and Aristide's supporters fell out among themselves. The more militant Lavalas Family (FL) party remained firmly behind him, while the National Front for Change and Democracy (FNCD), a leftist coalition that had backed him in 1990, claimed fraud and boycotted the runoff elections. The FL won an overwhelming parliamentary majority.

The FL nominated Rene Preval, who had been Aristide's prime minister in 1991, as its presidential candidate in the fall. In the December 17, 1995 election, marred by irregularities and fraud, Preval won about 89 percent of the vote with a turnout of less than one-third of those eligible; he took office on February 7, 1996. The United Nations had planned to withdraw its troops by the end of the month. The new U.S.-trained Haitian National Police (HNP), however, lacked the competence to fill the void. At Preval's urging, the United Nations extended its stay, but by June cut its presence to 1,300; the final U.S. combat force had withdrawn two months earlier.

Aristide, previously revered as a defender of the powerless, was swept to victory again in November 2000. The elections were boycotted by all major opposition parties and held amidst widespread civil unrest and voter intimidation. Aristide ran on a populist platform of economic reactivation; opponents claimed he was bent on establishing a one-party state. Aristide's nearly 92 percent of the vote in the presidential election was mirrored in contests for nine Senate seats-all won by his FL party-giving his new government all but one seat in the upper house. In parliamentary elections, which opponents claimed were rigged, the FL won 80 percent of the seats in the lower house.

Although constitutionally elected, Aristide ultimately lacked the domestic legitimacy and international backing to stay in power. Seeking to prevent chaos and the taking of power by the armed opposition, the United States and France landed a peacekeeping force. Aristide's troubled government, unable to overcome the fraudulent elections of 2000, which had given it a stranglehold over power, found itself alone in power as the mandates of 4 senators and all 83 deputies expired on January 12, 2004.

With no possibility for popular elections to be held in January and left with only 15 sitting senators-9 had already resigned-Aristide would be forced to govern by decree. The opposition, united under the Democratic Convergence (DC),

remained unwilling to negotiate a political solution that kept Aristide in office. In the meantime, an armed insurrection, led by the Front de Resistance, that had gradually taken shape in the previous months, crystallized on February 5. This development raised the prospect that the country could fall to an organized group of armed ruffians, many of whom had been Aristide supporters, previously known as the Cannibal Army (AC).

Upon Aristide's resignation in February, in line with constitutional procedures, Boniface Alexandre, head of the Supreme Court, was sworn into office as president. Yvon Neptune, an Aristide loyalist, agreed to remain in office to help the transition process. Political decay continued throughout the rest of the country. By March 1, the National Resistance Front for the Liberation of Haiti, led by the controversial Guy Philippe, a former soldier and the U.S.-trained chief of police of Cap Haitien, rolled into Port-au-Prince. Without a mandate to disarm the new arrivals, the peacekeeping force limited itself to patrols, while generalized looting took place.

On March 10, a commission of elder statesmen announced that Gerard Latortue, who had been in exile in Miami, would become the country's new prime minister. The multinational peacekeeping force gradually extended its reach from the capital and was renewed by the leadership of Brazil and forces from Chile, Argentina, and Uruguay, as well as others. These forces, however, continued to be spread thin, and violence still erupted around the country. Destructive floods that took more than 2,000 lives in May exacerbated the political chaos. In September, gangs of ex-soldiers challenged the by-now UN-led peacekeeping force. A protracted struggle led to an uneasy peace, with the peacekeepers holding nominal control over the country, but having a continuous presence only in major cities.

Political stability has not followed the anarchy that coincided with the departure of Aristide. After leaving the Central African Republic, his brief presence in neighboring Jamaica (before long-term exile in South Africa) fueled the discontent of his many followers, some of whom remain unconvinced that he departed of his own will. The government of Prime Minister Latortue, lacking a strong political base, continues to try to establish order, primarily through the use of a retrained police force. Negotiations with the opposition have not yet led to a clear indication of when parliamentary elections will take place, or if the presidential elections to be held in February 2005 can go on as scheduled.

Haiti has the lowest life expectancy and highest infant mortality rates in the Western Hemisphere. Haiti's people are among the poorest in the Western Hemisphere and have the lowest levels of human development, including a literacy rate of less than 50 percent. In August 2004, the UN Food and Agriculture Organization announced that 50 percent of Haiti's population lacks "food security," or the food needed to live a healthy and active life.

Political Rights and Civil Liberties:

Citizens of Haiti cannot change their government democratically. Haiti's 1987 constitution provides for a president elected for five years, an elected parliament composed of the 27-member Senate and the 83-member Chamber of Deputies, and a prime minister appointed by the president. Credible charges of irregularities and fraud have beset every election since 1990. The FL party has manipulated most elections, including the presidential POLL of 2000. Until the departure of President Jean-Bertrand Aristide, the FL controlled the presidential, legislative, and judicial branches, while most local and regional elected leaders were members of the same party.

Haiti received the dubious distinction of being ranked with Bangladesh as the most corrupt country in the world by Transparency International in its 2004 Corruption Perceptions Index.

Freedom of speech and the press continues to be limited, and violence against journalists is common. International observers find that media outlets still tend to practice self-censorship over fear of violent retribution. There are a variety of newspapers, including two French-language ones, with a combined circulation of less than 20,000 readers. Many newspapers include a page of news in Creole. While opposition to the government can be found in the written press, access to such views is beyond the reach of most, primarily because of illiteracy and cost. There are 275 private radio stations, including 43 in the capital. Most stations carry news and talk shows, which many citizens regard as their only opportunity to speak out with some freedom. Television is state-run and strongly biased toward the government. There are five television stations, and although satellite television is available, it has a minimal impact, as most Haitians cannot afford access to television. The few stations carrying news or opinion broadcasts express a range of views. There is no censorship of books or films, and access to the Internet is free.

There is freedom of religion. The official educational system was hostage to patronage and pressure from the FL.

Freedom of assembly and association, including labor rights, are not respected. Unions are too weak to engage in collective bargaining, and their organizing efforts are undermined by the country's high unemployment rate.

The judicial system continues to be corrupt, inefficient, and dysfunctional. The legal system is burdened by a large backlog, outdated legal codes, and poor facilities; business is conducted in French, rather than Creole, Haiti's majority language. Prison conditions are harsh, and the ponderous legal system guarantees lengthy pretrial detention periods. International reform efforts ended in 2000 following allegations of corruption involving the U.S. Agency for International Development (USAID), U.S. Justice Department contractors, and others.

The 5,200-member Haitian National Police (HNP) force has been politicized by the FL, is inexperienced, and lacks resources. The HNP has been accused of using excessive force and mistreating detainees, and accusations of corruption are frequent. The HNP was increasingly used against protesters attacking the government. Police brutality is still on the rise, and there is credible evidence of extrajudicial killings by members of the HNP.

Mob violence and armed gangs pose serious threats in urban areas. Former soldiers and others linked to the former military regime, as well as common criminals, are responsible for much of the violence, including political assassinations. Break-ins and armed robberies are commonplace, and many observers tie the growing violence directly to increases in the drug trade and local narcotics consumption. Haitian officials also say that the rise in crime is due to the repatriation of convicted criminals from other countries, particularly the United States. Turf wars between rival drug gangs have resulted in the killing of scores of people, including several policemen. Private security forces that carry out extralegal search and seizure are flourishing.

Trafficking of drugs and people is a serious problem. There is widespread violence against women and children. Up to 300,000 children serve in restavec ("live with" in Creole), a form of unpaid domestic labor with a long national history.

Laos

Political Rights: 7
Civil Liberties: 6
Status: Not Free

Overview:

In 2004, government harassment of the Christian minority in Laos continued, as did repressive actions against those seeking political reform. Laotian dissidents outside the country charged that the government denied food and medicine to thousands of civilians caught up in a military campaign against Hmong rebels in a northeastern province since 2003. In October, a court in southern Laos sentenced 16 alleged rebels to prison for attacking a checkpoint on the Thai-Laotian border in July 2000.

Laos, a landlocked and mountainous country, won independence in 1953 after six decades of French rule and Japanese occupation during World War II, and a constitutional monarchy was established. Backed by Vietnam's Viet Minh rebels, Communist Pathet Lao (Land of Lao) guerrillas quickly tried to topple the royalist government in Vientiane, which began a civil war involving the Communist, royalist, and "neutralist forces" in 1960. Amid continued internal fighting, Laos was drawn into the Vietnam War in 1964, when the United States began bombing North Vietnamese forces operating inside Laos. The Pathet Lao finally seized power in 1975, shortly after the Communist victory in neighboring Vietnam. A one-party Communist state was set up under Prime Minister Kaysone Phomvihane's Lao People's Revolutionary Party (LPRP).

By the 1980s, the Laotian economy was in tatters after years of civil war and the inept economic policies of the LPRP. Seeing the success of China's economic opening, the LPRP began to relax control on prices, encouraged foreign investment, and privatized farms and some state-owned firms. These actions

spurred much needed economic growth, but the government rejected deeper economic reform for fear of losing its grip on the nation. Moreover, those who called for political reform-however minor the proposed change-either were jailed or faced other forms of suppression.

Ethnic Hmong rebels, who are remnants of an army once backed by the U.S. CIA during the Vietnam War, are today a fractious and poorly equipped group. Critics charge that the government exaggerates the Hmong threat and contend that many civilians have been killed by the Laotian military in its campaign against the Hmong rebels. Laotian exiles also maintain that the government had starved 3,000 civilians to death in its blockade targeting rebels in Khouang Province since 2003.

In 2004, about 35 Christian families in Luang Prabang province were ordered to renounce their faith by district government officials. All Christians in a village in Savannakhet province were asked to renounce their faith or face arrest. In some cases, local governments ordered their agents to live in Christian homes and forced these impoverished families to bear the living costs of these agents.

Laos remains one of the poorest and least developed countries in the world. More than three-quarters of Laos's 5.3 million people live on less than $2 a day and about four-fifths of Laotians are subsistence farmers contributing about 53 percent of the gross domestic product. Trade, tourism, and sales of hydroelectric power to neighboring Thailand are key sources of foreign revenue. A recent decision to expand hydroelectric power generation in southern Laos is expected to displace more subsistence farmers. The economy has yet to recover from the regional financial crisis that began in 1997, and the government's refusal to deepen reform discourages foreign investment.

Political Rights and Civil Liberties:

Laotians cannot change their government democratically. The 1991 constitution makes the ruling LPRP the sole legal political party and gives it a leading role at all levels of government. The LPRP vets all candidates for election to the rubber-stamp National Assembly; elections are held once every five years. In the last election, held in 2002, only 1 of 166 candidates fielded for the assembly's 109 seats was not a LPRP cadre. Kaysone Phomvihane was prime minister and head of the LPRP from 1975 until his death in 1992. Khamtay Siphandone succeeded Kaysone as both head of the LPRP and chief executive.

Corruption and abuses by government officials is widespread. Official announcements and new laws to curb corruption have little real impact. Government regulation of virtually every facet of life provides corrupt officials with many opportunities to demand bribes. High-level officials in government and the military are also frequently involved in commercial logging and mining, as well as other enterprises aimed at exploiting Laotian natural resources. Laos was not ranked by Transparency International in its 2004 Corruption Perceptions Index.

Laotian media are controlled by the state and parrot the party line. For example, the party paper Paxoxon bans criticisms of "friendly" countries like Vietnam and Burma. Any journalists who criticize the government or discuss controversial political topics, such as questioning the authority of LRLP, are punishable by law. Two European journalists investigating conditions for the Hmong minority were arrested in June 2003 for the alleged killing of a village guard. They were sentenced to long prison terms but were quickly released and expelled. Although the state controls the country's television and radio stations, residents within frequency range of Radio Free Asia and other foreign broadcasts from Thailand can pick up these foreign broadcasts. Internet access is severely limited, and Web sites critical of the government are blocked. The government is the only Internet service provider.

Religious freedom is tightly restricted. Dozens of Christians have been detained on religious grounds, and several have been jailed for proselytizing or for other religious activities. A campaign was launched in some provinces in 1999 to shut churches and force Christians to renounce their faith. While the national campaign has eased, local officials have continued to harass Christians-from forcing them to renounce their faith to barring them from celebrating major religious holidays and withholding permission to build places of worship. For the majority of the population who are Buddhists, the LPRP controls training for the Buddhist clergy and oversees temples and other religious sites.

Academic freedom is highly restricted. University professors cannot teach or write about democracy, human rights, and other politically sensitive topics. However, a small but increasing number of young people have been allowed to travel overseas, including to the United States, for university and graduate-level training.

Laos has some nongovernmental welfare and professional groups, but they are prohibited from having political agendas and are subjected to strict state control.

All unions must belong to the official Federation of Lao Trade Unions. Strikes are not expressly prohibited, but workers rarely stage walkouts and workers do not have the right to bargain collectively. Laotian trade unions have little influence also because the vast majority of people are subsistence farmers and fishermen.

The courts are corrupt and are controlled by the LPRP. Long delays in court hearings are common, particularly for cases dealing with public grievances and complaints against government abuses. Security forces often illegally detain suspects, and some Laotians have allegedly spent more than a decade in jail without trial. Hundreds of political activists have also been held for months or years without trial. Prisoners are often tortured and must bribe prison officials to obtain better food, medicine, visits from family, and more humane treatment. The most recent controversy involves 16 men accused by the Laotian government of attacking a Thai-Laotian border checkpoint in July 2000. These men escaped to Thailand. In December 2003, a Thai appeal court threw out an extradition order from the Laotian government and ordered the men released within 48 hours. The United Nations High Commission on Refugees said these 16 men were eligible for consideration of asylum or resettlement in a third country. However, they were removed to a detention center and the Thai government decided in July 2004 to repatriate them to Laos, where a local court handed them long prison sentences soon after their return.

Ordinary Laotians enjoy somewhat greater freedom in their daily lives today. Subsistence farmers and fishermen now work for themselves, and many also run small businesses or are employed by private enterprises. Government surveillance of the population has been scaled back in recent years but searches without warrants still occur.

Discrimination against members of minority tribes is common at many levels. An estimated 15,000 to 20,000 Laotian women and girls, mainly highland ethnic minorities, are trafficked each year for prostitution.

Libya

Political Rights: 7
Civil Liberties: 7
Status: Not Free

Overview:

Although Libyan leader Colonel Mu'ammar al-Qadhafi introduced sweeping changes in 2004 with the aim of enabling the country to join the international community, these did not translate into reforms that affected political rights and civil liberties. Nevertheless, his announcement in 2003 to abandon weapons of mass destruction and his subsequent cooperation with international arms inspectors have earned him international favor and, this year, an end to U.S. trade and diplomatic sanctions. Libya also agreed to pay $35 million in compensation to victims of a Berlin nightclub bombing 18 years ago, blamed on Libya's intelligence agents. A number of Western countries established economic ties with the oil-rich state, and European leaders paid visits to the once-ostracized country, while oil companies announced their return to Libya.

Following centuries of Ottoman rule, Libya became an Italian colony after an invasion in 1912. French and British forces occupied Libya during World War II. The country's independence dates to 1951, when King Idris assumed power following a UN resolution establishing Libya as an independent and sovereign state.

In 1969, Qadhafi, at the age of 25, seized power in a military coup that deposed the staunchly pro-West King Idris. Qadhafi railed against Western control of Libya's oil fields and the presence of foreign military bases in Libya. He ushered in a highly personalized style of rule that combines elements of pan-Arabism with Islamic ideals and rejects both Western-style democracy and communism.

In the years following Qadhafi's rise to power, Libya became a pariah state with its sponsorship of various acts of terrorism, as well as its support of insurgencies throughout sub-Saharan Africa. Libyan involvement in the 1988 bombing of Pan Am flight 103 over Lockerbie, Scotland, led to UN sanctions on Libya in 1992, including an air embargo and a ban on the import of arms and oil production equipment. The United States had maintained its own sanctions against Libya since 1981, citing Libyan sponsorship of terrorism.

In 1999, Qadhafi embarked on a strategy to end Libya's international isolation. He surrendered two Libyan nationals suspected in the Pan Am 103 bombing and agreed to compensate families of victims of the 1989 bombing of a French airliner over Niger. The Libyan government also accepted responsibility for the 1984 death of British police officer Yvonne Fletcher, killed by shots fired from the Libyan Embassy in London.

In response, the United Nations suspended sanctions against Libya in 1999, and the United States eased some trade restrictions. Britain re-opened its embassy in Tripoli in March 2001. The European Union (EU) followed suit by lifting sanctions, but maintained an arms embargo.

The two Pan Am terrorism suspects went on trial in March 2000 at the International Court of Justice in The Netherlands, but under Scottish law. One of the suspects was found guilty of murder and sentenced to life imprisonment in January 2001, while the other suspect was acquitted and freed. In August 2003, the Libyan government offered to pay $2.7 billion in compensation to the families of the Pan Am bombing victims, roughly $10 million for each family. In response, the United Nations lifted sanctions on Libya. French families of the victims of the 1989 UTA airliner bombing over Niger sought a higher compensation package than that offered.

In 2004, Libya agreed to increase the UTA compensation to $170 million, about $1 million per family, and to pay $35 million to relatives of the victims of a 1986 attack on a discotheque in West Berlin. Qadhafi flew to Brussels in April 2004-his first visit to Europe in 15 years-for preliminary talks on joining an EU-Mediterranean association agreement. British Prime Minister Tony Blair, Italian Prime Minister Silvio Berlusconi and French President Jacques Chirac were among European dignitaries who visited Libya in 2004. In September, pressured by Italy to help Libya control illegal migrants crossing over to Europe from its shores, the EU agreed to lift its arms embargo on Tripoli.

In response to Libya's decision in December 2003 to renounce weapons of mass destruction, Washington suspended trade and economic sanctions against Libya in April 2004, and the U.S. Assistant Secretary of State for Near East Affairs, William Burns, visited Tripoli, in the first visit by a U.S. government official in more than 30 years. The United States lifted the sanctions in September, and a White House statement said Libya had removed virtually all of its declared nuclear weapons program, destroyed its chemical munitions, and provided "excellent cooperation and support" to international inspectors. Tripoli had threatened to cancel its Pan Am payments unless sanctions were lifted by mid-September. The change allowed U.S. oil companies to do business in Libya and ended a travel ban on Americans. The United States, however, kept Libya on the list of countries supporting terrorism, maintaining a ban on military-related exports and on full resumption of diplomatic ties. Reports in 2004 of Libyan involvement in an assassination plot against Saudi Arabia's Crown Prince Abdullah and of its support of a foiled coup attempt in Mauritania raised concerns in Washington; Libya has denied both accusations.

Despite its oil wealth, the Libyan economy remained hobbled by its years of isolation and corruption. Libya introduced wide-ranging economic reforms in 2003, liberalizing the exchange rate, privatizing companies and opening up the country to foreign investment. In 2004, the government announced plans to cut $5b worth of subsidies in fuel, food and electricity as part of its liberalization drive. Tripoli has also introduced a transparent bidding process for foreign oil companies seeking exploration rights in the country and offshore.

Political Rights and Civil Liberties:

Despite recent dramatic diplomatic developments, Libyans still cannot change their government democratically, and Colonel Mu'ammar al-Qadhafi rules by decree with little accountability or transparency. Libya is officially known as a jamahiriyah, or state of the masses, conceived as a system of direct government through popular organs at all levels of society. In reality, an elaborate structure of revolutionary committees and people's committees serves as a tool of repression. Real power rests with Qadhafi and a small group of close associates that appoints civil and military officials at every level. Libya's governing principles stem from Qadhafi's Green Book, a treatise that combines Islamic ideals with elements of socialism and pan-Arabism.

Libyans do not have the right to organize into different political parties. Extra-governmental bodies, including the revolutionary committees and people's committees, serve as tools of repression, and the multiple security services rely on an extensive network of informers.

Libya was among the poorest performing countries in the 2004 annual report by the corruption watchdog group Transparency International, which ranked Libya 108 of 146 countries surveyed.

Free media do not exist in Libya. The government severely limits freedom of speech and of the press, particularly any criticism of Qadhafi, and in 2004 suspended the publication of a number of papers and banned the distribution of a magazine from Egypt. The state owns and controls all print and broadcast media outlets, and thereby maintains a monopoly on the flow of information. Satellite television is widely available, although foreign programming is censored at times. Internet access increased in 2004.

The government restricts religious freedom and controls mosques and Islamic institutions. It is tolerant of other faiths and allows Christian churches to operate openly, according to the State Department's 2004 International Religious Freedom Report.

The government restricts academic freedom, and professors and teachers who discuss politically sensitive issues faced the risk of reprisals.

Freedom of assembly is severely restricted, as are the rights to hold public demonstrations and open public discussions. The government prohibits the right to form independent trade unions and professional associations, but workers can join the National Trade Unions federation, a quasi-governmental body.

The judiciary is not independent. Security forces have the power to pass sentence without a trial. Special People's Courts and the government have used summary judicial proceedings to suppress domestic dissent. Political trials are held in secret. Arbitrary arrest and torture are commonplace. In May 2004, a criminal court sentenced five Bulgarian nurses and a Palestinian doctor to death by firing squad after convicting them of deliberately contaminating some 400 hospital children with AIDS. The six medics, who are appealing the verdict, said they were tortured in order to extract a confession, which they later retracted in court. Amnesty International highlighted the case of Fathi al-Jahmi, a member of the General People's Congress, Libya's indirectly elected legislative branch, who was arrested and sentenced to one year in jail for demanding democratic reforms.

He was released in March 2004, but was beaten after he gave interviews to Arabic satellite channels. Subsequently, he and his immediate family disappeared. The case of some 150 alleged members of the Muslim Brotherhood remains open as the prosecution has appealed the acquittal of 66 of them and the rest are appealing verdicts against them.

In February 2004, a team from Amnesty International visited Libya for the first time in 15 years. Later, in April, Qadhafi referred in a speech to their recommendations for the improved treatment of prisoners and a reduction in the imposition of the death penalty. However, these changes were not discussed in the annual General People's Congress, and that, taken together with the AIDS case, signaled Tripoli's rejection of international pressure. A Libyan human rights society headed by Qadhafi's son, Saif al-Islam, initiated investigations into death in custody and torture allegations, but these were largely overshadowed by continued severe violations and an atmosphere of impunity. In April, Amnesty issue a strongly worded press release accusing Qadhafi of maintaining a "climate of fear," with a consistent pattern of violations.

The Berber and Tuareg minorities face discrimination. While women's status has improved in some areas, such as education and employment, discrimination continues in other areas where local traditions predominate. Female genital mutilation is still practiced in remote rural areas. Violence against women also continues to be a problem.

North Korea

Political Rights: 7
Civil Liberties: 7
Status: Not Free

Overview:

North Korea's foreign relations continued in 2004 to center around the rest of the world's efforts to engage the isolated Asian nation in talks about its self-proclaimed nuclear weapons program. No real progress on the issue had been made as of late 2004, as several rounds of talks held throughout the year produced empty promises. In September, a huge explosion suspected of being a nuclear test was reported.

The Democratic People's Republic of Korea was established in the northern part of the Korea Peninsula in 1948 following three years of post-World War II Soviet occupation. At independence, North Korea's uncontested ruler was Kim Il-sung, a former Soviet army officer who claimed to be a guerrilla hero in the struggle against Japan, which had annexed Korea as a colony in 1910. North Korea invaded South Korea in 1950 in an attempt to reunify the peninsula under Communist rule. Drawing in China and the United States, the ensuing three-year conflict killed as many as two million people and ended with a ceasefire rather than a peace treaty. Since then, the two Koreas have been on a continuous war footing, and the border remains one of the most heavily militarized places in the world.

Kim Il-sung solidified his power base during the Cold War, purging rivals, throwing thousands of political prisoners into labor camps, and fostering a Stalinist personality cult that promoted him as North Korea's "Dear Leader." The end of the Cold War, however, brought North Korea's command economy to the brink of collapse, as Pyongyang lost crucial Soviet and East Bloc subsidies and preferential trade deals.

Kim's death in 1994 ushered in even more uncertainty. Under his son, the reclusive Kim Jong-il, the regime has maintained its rigid political control but has taken modest steps to free up North Korea's centrally planned economy. During the initial years of Kim Jong-il's rule, the situation grew even bleaker as natural disasters, economic mismanagement, and restrictions on the flow of information combined to kill an estimated one to two million North Koreans between 1995 and 1997, according to the U.S. State Department.

The threat of acute famine has receded thanks in part to foreign food aid, but a 2002 UN study found that more than half the population suffers from malnutrition. Moreover, North Korea's state-run health system has all but collapsed, hospitals lack adequate medicine and equipment, and clean water is in short supply because of electricity and chlorine shortages.

Against this backdrop, the economic reforms launched in July 2002 have made life tougher for ordinary North Koreans by igniting inflation and increasing unemployment. While the regime eased price controls, many of the promised salary raises designed to offset the higher prices have not materialized. The government has given factories more autonomy and has also allowed farmers to set up small markets in cities, something it has quietly tolerated for decades in the countryside. These markets now sell consumer goods as well as food. There is no expectation, however, of more far-reaching market reforms. The regime is adamantly opposed to any measures that would grant North Koreans significantly greater control over their daily lives, for fear of undermining its tight grip on power.

In September 2004, U.S. President George W. Bush signed the North Korean Humanitarian Act of 2004, which bans non-humanitarian assistance to North Korea due to the country's dismal human rights record. North Korea criticized the bill the following month, claiming that it "will pose a bigger obstacle at the six-party talks to solve nuclear tensions on the Korean peninsula".

Tension over North Korea's nuclear weapons program was renewed in October 2002, when Pyongyang admitted to having a nuclear weapons program, and has remained unabated since then. In December 2002, North Korea threw out international inspectors monitoring its Yongbyon nuclear reactor. In 2003, Pyongyang not only made a series of boasts about its alleged nuclear capabilities and threatened to test a nuclear weapon, but also pulled out of the Nuclear Non-Proliferation Treaty.

International observers' worst fears seemed confirmed in September 2004 when a huge explosion was reported within the country. The North Korean foreign minister subsequently said that the explosion was merely the demolition of a mountain for a power project, not a nuclear test. Many analysts believe, however, that the greatest threat posed by North Korea is not an actual nuclear bomb, but the country's potential to sell plutonium to rogue states or terrorists for hard cash. In September 2004, North Korea postponed indefinitely the latest round of six-nation talks (including South Korea, the United States, Russia, China, and Japan) on the issue. No new date for the talks had been set as of November 2004, but North Korea did issue a statement in that month indicating that it would be "quite possible" to resolve the conflict if the US agreed to co-operate the with Communist regime rather than trying to destroy the entire system. The statement, the first since the re-election of U.S. President Bush in early November, was seen as something of a conciliatory gesture.

Political Rights and Civil Liberties:

North Korea is a dictatorship and one of the most tightly controlled countries in the world. The regime denies North Koreans even the most basic rights, holds tens of thousands of political prisoners under brutal conditions, and controls nearly every facet of social, political, and economic life.

Kim Jong-il, the North Korean leader since 1997, and a handful of elites from the Korean Worker's Party (KWP) rule by decree, although little is known about the regime's inner workings. Kim is formally general secretary of the KWP, supreme commander of North Korea's 1.1 million-strong army, and chairman of the National Defense Commission. This last post has been the "highest office of state" since the office of president was abolished in 1998. North Korea's parliament, the Supreme People's Assembly, is a rubber-stamp institution and meets only a few days each year. Parliamentary and local assembly elections were held in 1990, 1998, and, most recently, in August 2004. The elections were not free, and in the most recent elections, the Central Election Committee reported that Kim received 100 percent of the vote of his constituency. The government has created a few minority parties for the sake of appearances, but they do not fulfill any real electoral role.

North Koreans are subjected to intense political and ideological indoctrination. According to the U.S. State Department's human rights report for 2003, released in February 2004, "the cult of personality of Kim Jong Il and his father and the

official juche ideology has declined somewhat, but remained an important ideological underpinning of the regime, approaching the level of a state religion." Juche refers to a national ideology of self-reliance (the country is totally dependent on foreign aid); it is imparted to citizens through the school system, the state-controlled media, and work and neighborhood associations.

North Korea was not ranked by Transparency International in its 2004 Corruption Perceptions Index.

Press freedom does not exist in any sense. The KWP controls all cultural and media activities, and practices extensive censorship. Foreign media broadcasts are banned.

The "freedom of religious belief" guaranteed by the constitution does not exist in practice. Persons practicing unauthorized religious activity are subject to harsh punishment. Academic freedom is likewise nonexistent.

Although the constitution guarantees equal treatment to all citizens, the government maintains a highly developed system of official discrimination. Individuals are accorded security ratings, termed either "core," "wavering," or "hostile" in terms of their loyalty to the regime. Nearly all facets of life, including employment and educational opportunities, residence, access to medical facilities, and severity of punishment in case of legal infractions, are determined by the rating. The government rates its subjects on the basis of the reports of a huge network of informers. It monitors all correspondence and communication, and can subject entire communities to security checks.

The law bans independent civic, human rights, and social welfare groups. Unauthorized public meetings are forbidden, and there are no known associations or organizations other than those created by the government. The government controls all labor unions. Strikes, collective bargaining, and other basic organized-labor activities are illegal.

North Korea does not have an independent judiciary and does not acknowledge individual rights, emphasizing instead "socialist norms of life" and a "collective spirit." Little information is available about specific criminal justice practices, as outside observers are generally not tolerated. Security forces are known to commit the most serious human rights abuses. Reports of arbitrary detentions, disappearances, and extrajudicial killings are common; torture is widespread and severe. The crimes for which capital punishment is the mandatory penalty are so broadly defined-"opposing socialism," for example-as to render them

effectively "subjective criteria" rather than actual crimes, in the words of the UN Human Rights Committee. Starvation, torture, and execution in prisons are common, and because the government prohibits live births in prisons, forced abortions and infanticide are standard practices. The government engages in collective punishment, whereby an entire family can be imprisoned if one member of the family is accused of a crime. The regime also runs a network of "re-education through labor" camps that are notorious for their brutal and degrading treatment of inmates. In November 2004, refugees fleeing the country reported the occurrence of systematic medical and scientific experimentation on political prisoners.

Freedom of movement does not exist. Although internal travel rules have been relaxed to the extent that citizens are now allowed to travel beyond their home village, this means little in practice because very few citizens have had any means of transportation. Permission to enter Pyongyang is tightly controlled. Exit visas are issued only to officials and some artists, athletes, academics, and religious figures. Emigration is illegal, and defection and attempted defection are capital crimes.

Despite recent market reforms, North Korea's economy remains centrally planned. The government assigns all jobs, prohibits private property, and directs and controls nearly all economic activity. Besides being grossly mismanaged, the economy is hobbled by creaking infrastructure, shortages of energy and raw materials, and an inability to borrow on world markets or from multilateral banks because of sanctions and a past foreign debt default.

Little is known about how problems such as domestic violence or workplace discrimination may affect North Korean women. There were widespread reports of trafficking of women and girls among the tens of thousands of North Koreans who have recently crossed into China.

Saudi Arabia

Political Rights: 7
Civil Liberties: 7
Status: Not Free

Overview:

The Saudi government maintained strict limits on citizens' political rights and civil liberties in 2004, despite taking some steps forward in a slow and quiet process of political reform carefully managed from above by the royal family. The monarchy continued a series of national dialogues on reform and finalized plans for a series of limited municipal elections in certain parts of the country in early 2005, but it implemented few tangible changes directly affecting Saudi citizens' rights. Attacks on foreign oil companies and the Saudi government raised more questions about internal stability and contributed to record-high global oil prices. After a brutal attack in May on a residential compound housing foreign oil workers in Khobar, the government ramped up its counterterrorist efforts, achieving some success and a relative degree of calm by the fall of 2004.

In the 72 years since its unification in 1932 by King Abdul Aziz Al Saud, Saudi Arabia has been controlled by the Al Saud family, with King Fahd bin Abd al-Aziz Al Saud, the current king, the fifth in the Al Saud ruling dynasty. The Saudi monarchy rules in accordance with a conservative school of Sunni Islam. In the early 1990s, King Fahd embarked on a limited program of political reform, introducing an appointed consultative council, or Majlis al-Shura. However, this step did not lead to any substantial shift in political power. In 1995, King Fahd suffered a stroke, and since 1997, Crown Prince Abdullah bin Abd al-Aziz Al Saud has taken control of most decision making. Succession questions loom on the horizon-Crown Prince Abdullah is 81 years old, and the next closest successors are also aged.

Saudi Arabia has been under intense scrutiny since the September 11, 2001, attacks against the United States-15 of the 19 hijackers were Saudi citizens, and Osama bin Laden, the leader of the terrorist group al-Qaeda, is from a wealthy Saudi family. The Saudi government continued efforts to stem the flow of financial support to terrorist groups, implementing new rules against money laundering and more closely monitoring charitable contributions and organizations suspected of financing terrorist operations in Saudi Arabia and globally.

Terrorist groups that have posed a threat to Saudi Arabia for the past decade escalated their attacks in 2003 in an effort to destabilize the autocratic monarchy. These assaults continued through 2004, culminating in an attack in Khobar on residential compounds where mostly foreign oil workers lived and resulting in the killing of 22 people. The government increased its counterterrorism efforts, killing dozens of suspected terrorists, detaining hundreds on suspicion of involvement with terrorism, and claiming to have destroyed five of six major terrorist networks operating in the kingdom. In addition, the government declared a 30-day amnesty in early June for those involved with terrorist attacks. Attacks on soft targets such as foreign workers decreased but continued, with the kidnapping and beheading of American defense contractor Paul Johnson in June.

Attacks on foreigners and oil companies sent shock waves through the global oil markets, contributing to escalating oil prices. The record oil prices filled Saudi Arabia's coffers and alleviated some recent economic woes; Saudi Arabia was on track for earning $100 billion in revenue from its oil wealth in 2004, which led to record increases in the market capitalization of the country's stock exchange.

With the largest proven oil reserves in the world, Saudi Arabia is the world's leading oil producer and exporter. The country's oil wealth and importance to the global economy are key features affecting the country's external relations, and the Al Saud dynasty uses this unmatched wealth to shape and control internal politics.

The government's dominance of the economy, endemic corruption, and financial mismanagement have led to mounting economic woes, with the world's largest oil producer seeing a decline in real gross domestic product per person over the last decade. The government has not taken substantial steps to diversify its oil-dominated economy; nearly 90 percent of the country's export earnings come from oil, and oil earnings constitute 75 percent of budget revenues.

Unemployment is estimated at 30 percent, and this year, the government recognized the growing problem of poverty by announcing a strategy to create jobs and build housing for the underprivileged.

Amid the political instability and increased access to outside sources of information through satellite television and the Internet, pressure for political change has mounted. The government has responded by taking initial steps towards political reform, though it has not yet effectuated any concrete changes in the status of political rights and civil liberties. In the summer of 2003, Saudi Arabia established the King Abdul Aziz Center for National Dialogue, which has sponsored a national dialogue involving professionals and academics handpicked by the regime. In June, the national dialogue sponsored a session on the role of women in Saudi society. Municipal elections, announced in October 2003 and now tentatively scheduled for spring 2005, will provide Saudi men with a very limited opportunity for political participation.

Political Rights and Civil Liberties:

Saudi Arabia is an absolute monarchy, and its citizens have no power to change the government democratically. The country's 1992 Basic Law declares that the Koran is the country's constitution. A 120-member Majlis al-Shura (Consultative Council) is appointed by the monarch. This council has limited powers and does not affect decision making or power structures in a meaningful way. The Council of Ministers, an executive body appointed by the king, passes legislation that becomes law once ratified by royal decree. The monarchy has a tradition of consulting with select members of Saudi society, but this process is not equally open to all citizens.

Saudi Arabia does not have political parties, and the only semblance of organized political opposition exists outside of the country, with many Saudi opposition activists being based in London. The Al Saud dynasty dominates and controls political life in the kingdom.

Municipal elections, originally announced in October 2003, are tentatively scheduled to begin in Riyadh in February 2005 and take place in other parts of the country through the spring. These elections will afford Saudi men with a limited opportunity to select some of their leaders at the local level. According to electoral regulations published in August, male citizens who are at least 21 years old, are not serving in the military, and have resided in a particular electoral district for at least 12 months will be allowed to vote. Half of the seats are open

for election, and the other half will remain positions appointed by the monarchy. Officials in the Municipal and Rural Affairs Ministry and the Interior Ministry will screen candidates, and all results are subject to final approval from the government.

Corruption is one consequence of the closed nature of Saudi Arabia's government and society, with foreign companies reporting that they often pay bribes to middlemen and government officials to secure business deals. Saudi Arabia was ranked 71 out of 146 countries surveyed in the 2004 Transparency International Corruption Perceptions Index.

The government tightly controls content in domestic media outlets, but is unable to do much about regional satellite television coverage. Government authorities have banned or fired journalists and editors who publish articles deemed offensive to the country's powerful religious establishment or the ruling authorities. The Saudi regime has taken steps to limit the impact of new media. Government officials reportedly banned mobile phones with cameras from the country.

Religious freedom does not exist in Saudi Arabia, the birthplace of Islam and the location of the two holiest cities of Islam-Mecca and Medina. Islam is Saudi Arabia's official religion, and all citizens are required by law to be Muslims. The government prohibits the public practice of any religions other than Islam. Although the government recognizes the right of non-Muslims to worship in private, it does not always respect this right in practice. Academic freedom is restricted in Saudi Arabia, and informers monitor classrooms for compliance with limits on curricula, such as a ban on teaching Western philosophy and religions other than Islam. In 2004, the government began efforts to reform school curricula to delete disparaging religious references in textbooks.

Saudi citizens do not enjoy freedom of association and assembly. The government approved the establishment of the National Human Rights Association, a semiofficial organization charged with reviewing allegations of human rights violations and monitoring the country's compliance with international human rights agreements. Chaired by Shura council member Abdullah bin Saleh al-Obeid, the National Human Rights Association has 41 members, including 10 women. Saudi law does not address labor unions, but since 2001 the government has permitted the establishment of labor committees in local companies with more than 100 employees.

The judiciary lacks independence from the monarchy. The king appoints all judges on the recommendation of the Supreme Judicial Council, and the monarchy serves as the highest court of appeal. The rule of law is regularly flouted by the Saudi regime, with frequent trials falling short of international standards. Secret trials are common, and political opponents of the regime are often detained without charge and held for indefinite periods of time. Allegations of torture by police and prison officials are frequent, though access to prisoners by independent human rights and legal organizations is strictly limited.

In 2004, a number of democracy advocates in the kingdom mounted a petition campaign in favor of reforms. In March, the government arrested 13 reformers who had called for establishing a constitutional monarchy and holding parliamentary elections. Three-Ali al-Doumani, Dr. Matrouk al-Faleh, and Dr. Abdullah al-Hamed-were tried for creating political instability after refusing to sign a document renouncing their reform efforts. The trial got off to a rocky start in August, when the judge suspended initial hearings after hundreds of supporters of the defendants rallied outside the courtroom.

Although racial discrimination is illegal, substantial prejudice against ethnic, religious, and national minorities exists. Foreign workers from Asia and Africa are subject to formal and informal discrimination and have difficulty obtaining justice.

Citizens have the right to own property and establish private businesses, but much private enterprise activity is connected with members of the ruling family and the government. Although Saudi Arabia first joined the General Agreement on Tariffs and Trade in 1993, its slow process of privatization and economic reform has prevented it from becoming a member of the World Trade Organization.

Women are not treated as equal members of society. They may not legally drive cars, and their use of public facilities is restricted when men are present. By law and custom, women cannot travel within or outside of the country without a male relative. Laws discriminate against women in a range of matters including family law, and a woman's testimony is treated as inferior to a man's in court. The Committee to Prevent Vice and Promote Virtue, a semiautonomous religious police force commonly known as the mutawa'een, enforce a strict policy of segregation between men and women and often use physical punishment to ensure that women meet conservative standards of dress in public.

The government will not allow women to take part in the municipal elections scheduled for early 2005. Prince Mansour bin Muteb bin Abdul Aziz, head of the elections committee, announced in October that the country did not have sufficient time to prepare for both women and men to vote, indicating that Saudi Arabia would require separate polling stations run by female election judges before it allowed women to participate politically.

Education and economic rights for Saudi women have improved. Girls were not permitted to attend school until 1964, but now more than half of the country's university students are female. In May 2004, women won the right to hold commercial licenses, opening the door for greater economic participation. In addition, women have become more visible in a society that is deeply conservative and segregated along gender lines. In January, Saudi state television began using women as newscasters. Also in January, businesswomen appeared unveiled and mixed with men and participated at the Jeddah Economic Forum, prompting the Grand Mufti of Saudi Arabia, Sheikh Abdul Aziz al-Asheikh, to condemn the women and the media outlets that showed pictures of the women participating in the conference.

↑ Somalia

Political Rights: 6
Civil Liberties: 7
Status: Not Free
Trend Arrow: Somalia received an upward trend arrow due to progress in establishing a central government.

Overview:

After 13 years of civil strife and anarchy, the final phase of Somalia's marathon peace talks drew to a close in 2004. Under the guidance of the Intergovernmental Authority on Development, a grouping of seven Horn of Africa countries acting as mediators, Somali delegates concluded the contentious process of forming a 275-member parliament, the Transitional Federal Assembly (TFA), in August as part of the new Transitional Federal Government (TFG). In October, legislators elected Abdullahi Yusuf, an Ethiopian-backed career soldier and leader of the breakaway enclave of Puntland, to a five-year term as president of Somalia's TFG. Despite substantial progress in realizing the goals of the peace talks, intermittent clashes continue to erupt between various rival factions throughout the country, resulting in the deaths of hundreds of civilians.

Somalia, a Horn of Africa nation, gained independence in July 1960 with the union of British Somaliland and territories to the south that had been an Italian colony. Other ethnic Somali-inhabited lands are now part of Djibouti, Ethiopia, and Kenya. General Siad Barre seized power in 1969 and increasingly employed divisive clan politics to maintain power. While flood, drought, and famine racked the nation, the struggle to topple Barre has caused civil war, starvation, banditry, and brutality since the late 1980s. When Barre was deposed in January 1991, power was claimed and contested by heavily armed guerrilla movements and militias divided by traditional ethnic and clan loyalties.

Extensive television coverage of famine and civil strife that took approximately 300,000 lives in 1991 and 1992 prompted a U.S.-led international intervention. The armed humanitarian mission in late 1992 quelled clan combat long enough to stop the famine, but ended in urban guerrilla warfare against Somali militias. The last international forces withdrew in March 1995 after the combined casualty count reached into the thousands. Approximately 100 peacekeepers, including 18 U.S. soldiers, were killed. The $4 billion UN intervention effort had little lasting impact.

The Djibouti-hosted Conference for National Peace and Reconciliation in Somalia adopted a charter in 2000 for a three-year transition, established the Transitional National Government (TNG), and selected a 245-member Transitional National Assembly (TNA). The TNA elected Abdiqassim Salad Hassan as transitional president in August 2000. The TNG and more than 20 rival groups signed a ceasefire in October 2002 in Kenya as a first step toward establishing a federal system of government. However, over the next year, the talks deadlocked when some faction leaders dropped out to form their own parallel talks in Mogadishu.

The faltering peace process was revitalized at a national reconciliation conference in Nairobi in 2004. In August, the new TFG, consisting of the 275-member TFA, replaced the TNG. The country's four largest clans were each given 61 seats, and an alliance of minority clans took the remaining 31. The parliament chose a speaker who facilitated the presidential contest won by Abdullahi Yusuf; more than two dozen candidates competed for the post. However, ongoing lawlessness forced the fledgling parliament to convene across the border in Kenya.

Under the Somali National Charter adopted in 2003 and amended in early 2004, Yusef appointed Ali Muhammad Gedi, a prominent member of the political arm of the United Somali Congress, as his prime minister in November 2004. Under the interim charter, Gedi will lead a five-year central government based in the Somali capital of Mogadishu. That government will face the daunting tasks of enforcing a ceasefire among warring clan-based militias, forming a new police force and army, and rebuilding the economic infrastructure. Somali leaders have agreed to undertake a national census while a new constitution, which must be approved in an internationally supervised referendum, is being drafted. The new government must also address the question of autonomy for the neighboring region of Somaliland, whose leadership has boycotted the peace talks. The presence of rival militias with suspected links to al-Qaeda and other

terrorist organizations further complicate the picture, although President Yusef is perceived as an ally of the U.S.-led war on terror.

The UN Security Council has extended its mandate in the country until 2005. Despite a 12-year-old arms embargo, the Security Council says that illegal weapons and ammunition continue to be sold openly in Somali markets, particularly in the capital.

Somalia is a poor country where most people survive as pastoralists or subsistence farmers. More than a decade of conflict and a persistent drought have devastated the country's agricultural and livestock production, leaving 1.3 million people in dire need of food aid. Since the freezing of assets in 2001 belonging to Somalia's Al-Barakaat telecommunications and money-transfer firm, which was accused of aiding terrorist groups, private remittance companies have taken steps to self-regulate the industry, including the creation of a new watchdog body, the Somali Financial Services Association. Together, the companies facilitate the transfer of $750 million into the country each year.

Political Rights and Civil Liberties:

Somalis cannot change their government democratically. The 2000 elections marked the first time Somalis had an opportunity to choose their government on a somewhat national basis since 1969. Some 3,000 representatives of civic and religious organizations, women's groups, and clans came together under the Intergovernmental Authority on Development, following Djibouti-hosted peace talks, to elect a transitional parliament in August 2000. In August 2004, the new 275-member parliament, the TFA, came into existence. Abdullahi Yusuf, leader of the breakaway enclave of Puntland, was elected to a five-year term as president

The region of Somaliland has exercised de facto independence from Somalia since May 1991, although it has failed to gain international recognition. A clan conference led to a peace accord among its clan factions in 1997, establishing a presidency and bicameral parliament with proportional clan representation. Somaliland is far more cohesive than the rest of the country, although reports of some human rights abuses persist. A referendum on independence and a new constitution were approved in May 2001, opening the way for a multiparty system. Dahir Riyale Kahin of the ruling Unity of Democrats party emerged as the winner of historic presidential elections in 2003. Kahin had been vice president under Mohamed Egal, who died of kidney failure in 2002.

International observers from 14 countries declared the voting to be free and fair. Municipal elections in December 2002 also drew 440,000 people to the polls.

Puntland established a regional government in 1998, with a presidency and a single-chamber quasi legislature known as the Council of Elders. Political parties are banned. The traditional elders chose Abdullahi Yusuf, now the new president of Somalia, as the region's first president for a three-year term. After Jama Ali Jama was elected to replace him in 2001, Abdullahi Yusuf refused to relinquish power, claiming he was fighting terrorism. Yusuf seized power in 2002, reportedly with the help of Ethiopian forces.

Somalia was not ranked by Transparency International in its 2004 Corruption Perceptions Index.

Somalia's charter provides for press freedom. The country has about 20 privately owned newspapers, a dozen radio and television stations, and several Internet Web sites. Most of the independent newspapers or newsletters that circulate in Mogadishu are linked to a specific faction. Although journalists face harassment, most receive the protection of the clan supporting their publication. The transitional government launched its first radio station, Radio Mogadishu, in 2001. Press freedom is very limited in the country's two self-declared autonomous regions. In January 2004, two radio journalists were briefly detained by authorities in Puntland for coverage of the escalating border dispute between Puntland and Somaliland. In April, the editor of an independent weekly newspaper, War-Ogaal, was arrested and jailed for more than a month without charge for publishing an article accusing a Puntland minister of corruption. In September, the editor of the Somaliland independent daily newspaper Jamhuuriya was arrested for the fifteenth time in ten years. Reporters Sans Frontieres described the incident as the latest in a long campaign of legal harassment.

Somalia is an Islamic state, and religious freedom is not guaranteed. The Sunni majority often views non-Sunni Muslims with suspicion. Members of the small Christian community face societal harassment if they proclaim their religion, but a number of international Christian aid groups operate without hindrance. Academic freedom faces some restrictions similar to those imposed on the media, and there is no organized higher education system in most of the country.

Several indigenous and foreign nongovernmental organizations operate in Somalia with varying degrees of latitude. A number of international aid organizations, women's groups, and local human rights groups operate in the country. The charter provides workers with the right to form unions and assemble freely, but

civil war and factional fighting led to the dissolution of the single labor confederation, the government-controlled General Federation of Somali Trade Unions. Wages are established largely by ad hoc bartering and the influence of clan affiliation.

Somalia's charter provides for an independent judiciary, although a formal judicial system has ceased to exist. In Mogadishu, Sharia (Islamic law) courts have been effective in bringing a semblance of law and order to the city. Efforts at judicial reform are proceeding slowly. The Sharia courts in Mogadishu are gradually coming under the control of the transitional government. Most of the courts are aligned with various subclans. Prison conditions are harsh in some areas, but improvements are under way.

Human rights abuses, including extrajudicial killing, rape, torture, beating, and arbitrary detention by Somalia's various armed factions, remain a problem. Many violations are linked to banditry. Two aid workers with the German Development Agency were killed in Somaliland in 2004 when their car was ambushed. Police arrested five Somalis in connection with the murders. A member of the UN field security team was abducted by a militia group but was released unharmed nine days later.

Although more than 80 percent of Somalis share a common ethnic heritage, religion, and nomadic-influenced culture, discrimination is widespread. Clans exclude one another from participation in social and political life. Minority clans are harassed, intimidated, and abused by armed gunmen.

Women's groups were instrumental in galvanizing support for Somalia's peace process. However, delegates forming the new parliament flouted a provision requiring that 33 of the 275 seats be reserved for women, appointing only 23. Women legislators are now seeking a constitutional amendment to increase that number by 14. The country's new charter prohibits sexual discrimination, but women experience intense discrimination under customary practices and variants of Sharia. Infibulation, the most severe form of female genital mutilation, is routine, and women's groups launched a national campaign to discourage the practice in March. UN agencies and nongovernmental organizations are working to raise awareness about the health dangers of this practice. Various armed factions have recruited children into their militias.

Sudan

Political Rights: 7
Civil Liberties: 7
Status: Not Free

Overview:

A long-simmering conflict in Sudan's western Darfur region exploded into widespread acts of ethnic cleansing, massacre, rape, and forced displacement in 2004. The United States classified the situation as genocide. Sudanese government forces and state-backed Arab militias killed at least 70,000 black Africans and created a massive refugee crisis affecting at least 1.5 million people. Despite a ceasefire between rebel groups and the government, and the passage of UN Security Council resolutions against Khartoum, attacks against civilians continued throughout the year. The conflict in Darfur threatened to jeopardize progress toward a final resolution of the 22-year-long war in the country's South. The government carried out a broad security clampdown in response to an alleged coup attempt, re-arresting Hassan al-Turabi, a leading Sudanese Muslim cleric and former leader of the ruling political party.

Africa's largest country, which achieved independence in 1956 after nearly 80 years of British rule, has been embroiled in civil wars for 38 of its 48 years as an independent state. The Anyanya movement, representing mainly Christian and animist black Africans in southern Sudan, battled Arab Muslim government forces from 1956 to 1972. In 1969, General Jafar Numeiri toppled an elected government and ushered in a military dictatorship. The South gained extensive autonomy under a 1972 accord, and for the next decade, an uneasy peace prevailed. Then, in 1983, Numeiri restricted southern autonomy and imposed Sharia (Islamic law). Civil war resumed, and Numeiri was overthrown in 1985. Civilian rule was restored in 1986 with the election of a government led by

Sadiq al-Mahdi of the moderate Islamic Ummah Party. War, however, continued. Lieutenant General Omar al-Bashir ousted al-Mahdi in a 1989 coup, and al-Mahdi spent seven years in prison or under house arrest before fleeing to Eritrea. Until 1999, al-Bashir ruled through a military-civilian regime backed by senior Muslim clerics including Hassan al-Turabi, who wielded considerable power as the ruling National Congress (NC) party leader and speaker of the 360-member National Assembly.

Tensions between al-Bashir and al-Turabi climaxed in December 1999; on the eve of a parliamentary vote on a plan by al-Turabi to curb presidential powers, al-Bashir dissolved parliament and declared a state of emergency. He fired al-Turabi as NC head, replaced the cabinet with his own supporters, and held deeply flawed presidential and parliamentary elections in December 2000, which the NC won overwhelmingly. In June 2000, al-Turabi formed his own party, the Popular National Congress (PNC), but he was prohibited from participating in politics. In January 2001, the Ummah Party refused to join al-Bashir's new government despite the president's invitation, declaring that it refused to support totalitarianism.

Al-Turabi and some 20 of his supporters were arrested in February 2001 after he called for a national uprising against the government and signed a memorandum of understanding in Geneva with the southern-based, rebel Sudanese People's Liberation Army (SPLA). In May 2001, al-Turabi and four aides were charged with conspiracy to overthrow the government and al-Turabi was placed under house arrest. In September 2002, he was moved to a high-security prison and subsequently released in October 2003.

By sidelining al-Turabi, who was considered a leading force behind Sudan's efforts to export Islamic extremism, al-Bashir began to lift Sudan out of international isolation. Although Vice President Ali Osman Mohammed Taha-who replaced al-Turabi as Islamic ideologue-remains firmly committed to Sudan's status as an Islamic state and to the government's self-proclaimed jihad against non-Muslims, al-Bashir has managed in recent years to repair relations with several countries, including the United States. After the September 11 terrorist attacks against the United States, al-Bashir offered his country's cooperation in combating terrorism. Sudan had previously provided a safe haven for Osama bin Laden and al-Qaeda, the terrorist network.

In March 2004, al-Turabi was again placed under house arrest, this time on suspicion of plotting a coup with sympathizers of rebel groups in Darfur; Al-

Turabi had been outspokenly critical of the government's tactics in the region. In September, al-Turabi was jailed amidst a broad security crackdown after the government said it foiled a coup attempt by his supporters. Thirty members of al-Turabi's PNC were detained, and authorities said they uncovered weapons caches in several locations around Khartoum.

Sudan's international image was substantially tarnished in 2004 as events in Darfur reached horrific proportions. The conflict began in earnest in February 2003 when the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM), representing black farmers and villagers in Darfur, attacked Sudanese military garrisons in the region. Darfur residents had long complained of official discrimination, a lack of economic and land rights, and occasional pogrom-style attacks by state-backed Arab militias, known as "Janjaweed." By early 2004, government and Janjaweed attacks against villages in Darfur were well underway, creating mass casualties and an enormous refugee crisis. Sudanese jet fighters and helicopter gunships routinely bombed and strafed villages. Horse- and camel-mounted Janjaweed militiamen, in seeming coordination with airborne government forces, would often follow air strikes, massacring survivors, especially men and boys. Hundreds of thousands of people, their villages torched, were forcibly displaced, relegated to makeshift, government-run refugee camps. Tens of thousands escaped westward to neighboring Chad. Attacks seemed to focus on three black tribal groups-the Fur, Massalit, and Zhagawa-which led to charges of racial discrimination, ethnic cleansing, and genocide by international human rights organizations. Many independent refugee accounts described a systematic campaign of rape of women by Janjaweed and government soldiers. By November 2004, approximately 70,000 people were dead and 1.5 million displaced.

Government-run camps for internally displaced people (IDPs) set up throughout Darfur lacked adequate sanitation facilities, water, or feeding centers. The government also routinely blocked humanitarian workers from accessing the camps. To discourage villagers from returning home, Janjaweed militiamen dumped the corpses of executed civilians into village wells to poison the water. Male refugees generally avoided venturing outside refugee camps for fear of being murdered; women generally went out in search of firewood and water, often exposing themselves to rape. By the fall of 2004, the World Health Organization announced that at least 10,000 people were dying monthly in the substandard and fetid camps. The UN World Food Program announced that nearly 22 percent of children under age five in Darfur were malnourished.

An April 2004 ceasefire between Darfur's rebel groups and government and Janjaweed forces broke down amidst renewed Janjaweed attacks and failure by the government to disarm the militias. In July, the United States declared that the situation in Darfur amounted to genocide and the African Union dispatched 300 monitors to the region. The UN Security Council adopted a resolution imposing a 30-day deadline on Khartoum to restore stability by disarming the Janjaweed and allowing the safe return of refugees. The resolution did not outline penalties for failure to adhere to its terms, and the deadline passed without Sudanese government compliance. In August, the government and rebel groups began what would become on-and-off peace talks in Nigeria. Meanwhile, the United Nations reported that traumatized refugees were being forcibly returned to unsafe villages vulnerable to attack by the Janjaweed, in violation of the government's prior agreement with the UN. In September, reports of continued fighting and renewed refugee movements emerged. The UN Security Council authorized another resolution, but again declined to threaten specified sanctions.

In late October, in the face of mounting international pressure, the Sudanese government approved the dispatch of 3,500 additional African Union troops. Their mobilization was delayed, however, because of lack of funds; the United States provided air transport for some. Khartoum approved the dispatch of the additional troops on condition that they not assume a civilian protection role. Rebel groups reported fresh government air attacks after Khartoum signed a peace pact in November and agreed to ban military flights over Darfur.

The Darfur crisis threatened to derail progress made in finally resolving the 22-year-long civil war in the country's South. While hostilities in the South declined markedly in 2004, a final settlement to the conflict was not achieved by the end of the year. The war pitted government forces and government-backed, northern Arab Muslims against African animists and Christians in the country's oil-rich South. A convoluted mix of historical, religious, ethnic, and cultural tensions has made peace elusive, while competition for economic resources-most notably, oil-has fueled the conflict. Past ceasefire attempts have failed, with Khartoum insisting on an unconditional ceasefire and the SPLA demanding the establishment of a secular constitution first.

Throughout the war, the government regularly bombed civilian targets, including villages, churches, and humanitarian relief facilities. The government also denied humanitarian relief workers access to rebel-held areas or areas containing large concentrations of internal refugees. The SPLA also engaged in attacks on civilians

and child soldier recruitment. Human Rights Watch has documented how the Sudanese government used roads, bridges, and airfields built by international oil companies to wage war in the South, especially in the oil rich Western Upper Nile region. Some of the companies were criticized for ignoring government attacks against civilian targets.

A peace plan proposed in December 2001 by former U.S. senator John Danforth called for "one country, two systems" in Sudan, with an Islamic government in the North and a secular system in the South. The international community stepped up its mediation efforts in the civil war in 2002, in part to prevent Sudan from becoming a breeding ground for terror, as Afghanistan had prior to September 11, 2001. In 2003, substantive peace talks under the auspices of the Intergovernmental Authority on Development (IGAD) finally resulted in a relaxation of hostilities and a high degree of optimism that a final resolution of the conflict was within reach. In December 2003, an agreement was reached on the sharing of oil wealth.

Talks continued in 2004, culminating in the June signing of the Nairobi Declaration. The agreement paved the way toward a comprehensive ceasefire and a six-year transition period leading to a referendum on southern secession, during which time the government would withdraw 80 percent of its troops from the South. However, continued negotiations in the summer broke down amidst the worsening crisis in Darfur, effectively stalling the IGAD process. Several international nongovernmental organizations (NGOs) expressed concern that the West was neglecting the IGAD process while focusing almost exclusively on Darfur.

By October, the protocols signed in 2003 were still not in place. However, optimism was high that a peace accord would be signed early in the New Year.

While the United Nations has lifted sanctions against Sudan, the United States still maintains its own based on the country's human rights abuses and its alleged continuing support for terrorism.

Political Rights and Civil Liberties:

Sudanese citizens cannot change their government democratically. December 2000 presidential and parliamentary elections cannot credibly be said to have reflected the will of the people. The major opposition parties, which are believed to have the support of most Sudanese, boycotted in protest of what they said

were attempts by a totalitarian regime to impart the appearance of fairness. The European Union declined an invitation to monitor the polls to avoid bestowing legitimacy on the outcome. Omar al-Bashir, running against former president Jafar Numeiri and three relative unknowns, won 86 percent of the vote. NC candidates stood uncontested for nearly two-thirds of parliamentary seats. Voting did not take place in some 17 rebel-held constituencies, and government claims of 66 percent voter turnout in some states were denounced as fictitious. The president can appoint and dismiss state governors at his discretion.

Sudan was ranked 122 out of 146 countries surveyed in the 2004 Transparency International Corruption Perceptions Index.

There is little press freedom in Sudan. Journalists practice self-censorship to avoid harassment, arrest, and closure of their publications. However, there are several daily newspapers and a wide variety of Arabic- and English-language publications, and while all of these are subject to censorship, some do criticize the government. Radio and television stations are owned by the government and are required to reflect government policy in broadcasts. Penalties apply to journalists who allegedly harm the nation or economy or violate national security. A 1999 law imposes penalties for "professional errors." In recent years, several journalists have been detained without explanation and newspapers have been arbitrarily shut down by the authorities. There were reports throughout the year that the government was preventing journalists from traveling to Darfur in order to cover the conflict there.

Islam is the state religion, and the constitution claims Sharia (Islamic law) as the source of its legislation. At least 75 percent of Sudanese are Muslim, though most southern Sudanese adhere to traditional indigenous beliefs or Christianity. The overwhelming majority of those displaced or killed by war and famine in Sudan have been non-Muslims, and many have starved under a policy of withholding food pending conversion to Islam. Officials have described their campaign against non-Muslims as a holy war. Under the 1994 Societies Registration Act, religious groups must register in order to legally gather. Registration is reportedly difficult to obtain. The government denies permission to build churches and sometimes destroys Christian schools, centers, and churches. Roman Catholic priests face random detention and interrogation by police.

Emergency law severely restricts freedom of assembly and association. Students are forbidden to participate in political activities, according to the Acts of Student Codes, introduced in 2002 after several university students in Khartoum were

suspended for engaging in human rights activities, including organizing symposiums on women's rights and attending a conference on democracy. Other students have been expelled for organizing political activities, and security forces have forcefully broken up demonstrations and periodically closed the University of Khartoum.

According to the Los Angeles Times, in April Janjaweed gunmen attacked a school in the Darfur town of Kailek, killing six teachers and 36 children. Many other villages reported similar attacks on schools, stemming from what was claimed to be a government policy of anti-black discrimination.

While many international NGOs operate in Sudan, the government at times restricts their movement and ability to carry out their work, which often includes providing essential humanitarian assistance. In early November, the UN World Food Program reported that Sudanese army and police had surrounded IDP camps in Darfur and were barring outside access to the camps' inhabitants. Humanitarian workers have also been targeted, and in some cases kidnapped and killed, by rebel groups.

There are no independent trade unions. The Sudan Workers Trade Unions Federation is the main labor organization, with about 800,000 members. Local union elections are rigged to ensure the election of government-approved candidates. A lack of labor legislation limits the freedom of workers to organize or bargain collectively.

The judiciary is not independent. The chief justice of the Supreme Court, who presides over the entire judiciary, is government-appointed. Regular courts provide some due process safeguards, but special security and military courts, which are used to punish political opponents of the government, provide none. "Special Courts" often deal with criminal matters, despite their use of military judges. Criminal law is based on Sharia and provides for flogging, amputation, crucifixion, and execution. Ten southern, predominantly non-Muslim states are officially exempted from Sharia, although criminal law allows for its application in the future if the state assemblies choose to implement it. Arbitrary arrest, detention, and torture are widespread, and security forces act with impunity. Prison conditions do not meet international standards.

Serious human rights abuses by nearly every faction involved in the country's longstanding civil war and in the Darfur conflict have been reported. Secret police reportedly have operated "ghost houses"-detention and torture centers-in several cities. Government forces are said to have routinely raided villages,

burning homes, killing residents, and abducting women and children to be used as slaves in the North. Relief agencies have discovered thousands of people held captive in the North and have purchased their freedom so they could return to the South. In 2002, the International Eminent Persons Group-a fact-finding mission composed of humanitarian relief workers, human rights lawyers, academics, and former European and American diplomats-confirmed the existence of slavery in Sudan. The group also reported on abductions and forced servitude under the SPLA's authority. Although there has been no organized effort to compile casualty statistics in southern Sudan since 1994, the total number of people killed by war, famine, and disease is believed to exceed two million, with millions more displaced as refugees.

In February, national security agency officials arrested Salih Mahmoud Osman, a lawyer and member of the Sudanese Organization Against Torture (SOAT), after he advocated publicly on behalf of civilians in Darfur. He reportedly began a hunger strike at the end of June while being held incommunicado and without having been formally charged. According to Amnesty International, in August several civilians in Darfur reported being imprisoned for speaking with foreign journalists and visiting dignitaries, including U.S. secretary of state Colin Powell and UN secretary general Kofi Annan. SOAT has reported on the arbitrary arrest and torture of several people, including students suspected of engaging in political activities or harboring SPLA sympathies.

An anonymously written book about ingrained discrimination in Sudan circulated widely during the year. Called the "Black Book," it laid out in succinct detail a broad system of favoritism of northern Arabs over other peoples in Sudan. The book states that Sudan's northern region, constituting roughly 5 percent of the country's population, is overly represented in government. Most of the national budget is devoted to northern development, with other, non-Arab regions notably neglected by Khartoum, the book says. Equality of opportunity and business and property rights are generally restricted to Sudan's Arab Muslim community.

Women face discrimination in family matters such as marriage, divorce, and inheritance, which are governed by Sharia. Women are represented in parliament and hold 35 of the assembly's 360 seats. Public order police frequently harass women and monitor their dress for adherence to government standards of modesty. Female genital mutilation occurs despite legal prohibition, and rape is reportedly widespread in war zones. In March, the BBC reported the mass rape of at least 100 women by militiamen in Darfur. UN High Commissioner for

Human Rights Louise Arbour speculated during the year that the systematic raping of women in Darfur would constitute crimes against humanity. There was also evidence of official attempts to cover up the problem: police arrested a Darfur man filing a complaint with the African Union ceasefire commission about attacks against women at a camp in El Fasher. He was released only after UN intervention. According to Amnesty International, women have less access to legal representation than men. President al-Bashir announced in January 2001 that Sudan would not ratify the international Convention on Eradication of All Forms of Discrimination against Women because it "contradicted Sudanese values and traditions." Children are used as soldiers by government and opposition forces in the Darfur conflict, just as they were used in the civil war in the South.

Syria

Political Rights: 7
Civil Liberties: 7
Status: Not Free

Overview:

Political and civil liberties in Syria continued to deteriorate palpably in 2004 for the fourth year in a row. Although President Bashar Assad freed several hundred aging political prisoners jailed during his father's 30-year reign, he showed no such clemency to those opposed to his own autocratic rule. Some 2,000 Kurds were jailed for weeks or months without charge following antigovernment riots in March, while dozens of intellectuals were detained during the year for peacefully expressing their opinions.

Located at the heart of the Fertile Crescent, the Syrian capital of Damascus is the oldest continuously inhabited city in the world and once controlled a vast empire extending from Europe to India. The modern state of Syria is a comparatively recent entity, established by the French after World War I and formally granted independence in 1946. The country's precarious democratic institutions survived nominally in the face of persistent military coups until 1963, when the pan-Arab Baath Party seized power and amended the constitution to guarantee itself "the leading role in society and in the state."

The Syrian government has been dominated by Alawites, adherents of an offshoot sect of Islam who constitute just 12 percent of the population, since a 1970 coup brought General Hafez Assad to power. For the next 30 years, the Assad regime managed to maintain control of Syria's majority Sunni Muslim population, brutally suppressing all dissent. In 1982, government forces stormed the northern town of Hama to crush a rebellion by the Muslim Brotherhood and killed as many as 20,000 insurgents and civilians in a matter of days.

In 2000, Assad's son and successor, Bashar, inherited control of a country with the region's most stagnant economy and highest rate of population growth, with unemployment estimated at well over 20 percent. In his inaugural speech, the young leader pledged to eliminate government corruption, revitalize the economy, and establish a "democracy specific to Syria." The first six months of Assad's tenure, known as the "Damascus Spring" witnessed dramatic changes. Informal networks of public figures from all sectors of civil society were allowed to openly discuss the country's social, economic, and political problems. Assad released more than 600 political prisoners, closed the notorious Mazzeh prison, allowed scores of exiled dissidents to return home, reinstated dissidents who had been fired from state-run media outlets and universities, and allowed the establishment of the country's first privately owned newspaper.

In February 2001, however, the regime abruptly reinstated restrictions on public freedoms and launched an escalating campaign of threats, intimidation, and harassment against the reform movement. Ten of the country's leading reformists were arrested during the year and eventually sentenced to heavy prison terms. Economic reform also fell by the wayside as dozens of reform laws remained unimplemented, were put into effect half-heartedly, or lacked supporting regulatory changes needed to attract international investment.

The regime's renewed assault on political and civil liberties initially elicited little criticism from Western governments, in part because of Assad's cooperation in the war against the al-Qaeda terrorist network. However, Assad's covert efforts to assist Saddam Hussein's rearmament prior to the March 2003 U.S.-led invasion of Iraq and his unwillingness to disrupt the flow of foreign terrorist infiltration into the country after the war led to rapid deterioration in his relations with the administration of U.S. president George W. Bush, culminating in the May 2004 imposition of American economic sanctions on Syria. Meanwhile, Assad's refusal to relax Syrian control over Lebanon severely alienated France, which co-sponsored a September 2004 UN Security Council resolution calling on Damascus to immediately end its lucrative occupation altogether and opened the way for tough diplomacy by the European Union (EU).

Scenes of Iraqis celebrating the downfall of a government so strikingly similar to the Assad regime inspired Syria's pro-democracy movement to reassert itself. After the fall of Baghdad, nearly 300 intellectuals signed a petition demanding the release of all political prisoners, the cancellation of the state of emergency, and other political reforms. However, while the regime was willing to adjust the manner in which its control over society is legitimized and reproduced-most

notably by reducing the two-million-member Baath Party's oversight of policy decisions-it remained unwilling to substantially loosen its grip on power.

Notwithstanding its claim to be threatened by radical Islamists, the Assad regime's behavior indicated that it feels most threatened not by religious fundamentalists, but by secular opposition forces seen as prospective allies of the West. In March 2004, security forces fired on a crowd of Kurdish soccer fans who had hoisted posters of Bush, touching off eight days of riots throughout Kurdish-inhabited areas of the country. At least 30 people, mostly Kurds, were killed as security forces suppressed the riots and arrested some 2,000 people.

While hundreds of Islamists and radical leftist political prisoners were released during the year, secular liberal activists were subjected to a steadily intensifying crackdown. The president of the Committeesfor the Defense of Democratic Liberties and Human Rights (CDDLHR), Aktham Naisse, was arrested in April after he organized a petition and rally calling for the lifting of emergency law. In September, the security forces detained the outspoken leader of a newly established liberal movement, Nabil Fayyad, and held him for 33 days. Fayyad, who had condemned the country's political leaders as "intellectual terrorists" for their intolerance of free speech just months earlier, emerged from prison broken and subdued, praising Assad for "defending public liberties."

Political Rights and Civil Liberties:

The Syrian people cannot change their government or exert influence over policy making through democratic means. Under the 1973 constitution, the president is nominated by the ruling Baath Party and approved by a popular referendum. In practice, these referendums are orchestrated by the regime, as are elections to the 250-member People's Assembly, which holds little independent legislative power. The only legal political parties are the Baath Party and its six small coalition partners in the ruling National Progressive Front (NPF). All 167 of the NPF's candidates won seats in the March 2003 parliamentary elections, with heavily vetted independent candidates taking the remaining 83 seats.

Syria was ranked 71 out of 146 countries surveyed in the 2004 Transparency International Corruption Perceptions Index. Key regime officials and their offspring monopolize many lucrative import markets and benefit from a range of other illicit economic activities.

Freedom of expression is heavily restricted. Vaguely worded articles of the Penal Code and Emergency Law give the government considerable discretion in punishing those who express views or publish information that "opposes the goals of the revolution" or tarnishes the image of the state. Apart from a handful of non-news radio stations licensed in 2003, the broadcast media are state-owned,. While there are a few privately owned newspapers and magazines, a press law enacted in September 2001 permits the government to arbitrarily deny or revoke publishing licenses for reasons "related to the public interest" and compels privately owned print media outlets to submit all material to government censors on the day of publication. The country's leading independent newspaper, Al-Doumari, closed in 2003 in the face of recurrent bureaucratic harassment. Satellite dishes are illegal, but generally tolerated.

Muhammad Ghanem, a Syrian journalist for two newspapers based in the United Arab Emirates (UAE), was detained for 13 days in March 2004 after he wrote an article arguing that all Syrian Kurds should be granted citizenship. Even local journalists who publish material in foreign publications under pseudonyms have been unable to escape prosecution because of the government's extensive surveillance of telephone and Internet communication. In July, three journalists who wrote articles using pseudonyms for a UAE-based online newspaper-Muhammad Quteish, Haytham Quteish, and Yahia al-Aws-were sentenced to prison terms ranging from two to four years. In June, Abdel Rahman Shaguri was sentenced to two and a half years in prison on charges of "harming the image and national security of Syria" for sending e-mail copies of a dissident newsletter to friends and relatives. In October, Masoud Hamid was sentenced to five years in prison for sending e-mail photos of a June 2003 Kurdish demonstration in Damascus to a number of dissident-run Web sites.

Syrians are permitted to access the Internet only through state-run servers, which block access to a wide range of Web sites. Shortly after the outbreak of the March 2004 Kurdish riots, the authorities blocked access to two Kurdish-language Web sites that carried news, photos, and video clips of the violence. E-mail correspondence is extensively monitored by the intelligence agencies.

Although the constitution requires that the president be a Muslim, there is no state religion in Syria and freedom of worship is generally respected. The Alawite minority dominates the officer corps of the military and security forces. Since the eruption of an Islamist rebellion in the late 1970s, the government has tightly monitored mosques and controlled the appointment of Muslim clergy. Academic freedom is heavily restricted. University professors have been routinely

dismissed from state universities in recent years because of their involvement in the pro-democracy movement, and some have been imprisoned.

Freedom of assembly is largely nonexistent. While citizens can ostensibly hold demonstrations with prior permission from the Interior Ministry, in practice only the government, the Baath Party, or groups linked to them are allowed to organize demonstrations. Security forces forcibly dispersed a small crowd of activists who staged a demonstration against the state of emergency on March 8, arresting six people and briefly detaining two foreign journalists and an American diplomat who attended the rally.

Freedom of association is restricted. All nongovernmental organizations must register with the government, which generally denies registration to reformist groups. Although a few unregistered human rights groups have been allowed to operate in Syria, individual leaders of these groups have been jailed for human rights related activities. In addition to Aktham Naisse, two other leaders of the CDDLHR were detained in 2004 for more than a month.

All unions must belong to the General Federation of Trade Unions (GFTU). Although ostensibly independent, the GFTU is headed by a member of the ruling Baath Party and is used by the government to control all aspects of union activity in Syria. Strikes in nonagricultural sectors are legal, but they rarely occur.

While regular criminal and civil courts operate with some independence and generally safeguard defendants' rights, most politically sensitive cases have been tried by two exceptional courts established under emergency law: the Supreme State Security Court (SSSC) and the Economic Security Court (ESC). Both courts deny or limit the right to appeal, limit access to legal counsel, try most cases behind closed doors, and admit as evidence confessions obtained through torture. The ESC was formally abolished in 2004; henceforth, economic crimes will be tried by criminal courts.

The state of emergency in force since 1963 gives the security agencies virtually unlimited authority to arrest suspects and hold them incommunicado for prolonged periods without charge. Many of the estimated 3,000 remaining political prisoners in Syria have never been tried for any offense. The security agencies, which operate independently of the judiciary, routinely extract confessions by torturing suspects and detaining members of their families. There were scores of reports of torture by the security services during the year, and according to local human rights groups, at least four people (all of them Kurds) died from suspected torture by the security services. At least four people who

returned from exile in 2004 were arrested and detained upon their arrival. The government carried out two major releases of political prisoners during the year-around 120 in January and more than 250 in late July and early August.

The Kurdish minority in Syria faces cultural and linguistic restrictions, and suspected Kurdish activists are routinely dismissed from schools and jobs. Some 200,000 Syrian Kurds are deprived of citizenship and unable to obtain passports, identity cards, or birth certificates, which in turn prevents them from owning land, obtaining government employment, or voting. The September 2001 press law requires that owners and editors-in-chief of publications be Arabs. Scores of Kurds arrested during and after the March 2004 riots remained in detention as of November 30. Following the riots, the authorities explicitly banned all major independent Kurdish political groups.

Although most Syrians do not face travel restrictions, prominent activists living in Syria, as well as relatives of exiled dissidents, are routinely prevented from traveling abroad. Many Kurds lack the requisite documents to leave the country. Equality of opportunity has been compromised by rampant corruption and conscious government efforts to weaken the predominantly Sunni urban bourgeoisie.

The government has promoted gender equality by appointing women to senior positions in all branches of government and providing equal access to education, but many discriminatory laws remain in force. A husband may request that the Interior Ministry block his wife from traveling abroad, and women are generally barred from leaving the country with their children unless they can prove that the father has granted permission. Syrian law stipulates that an accused rapist can be acquitted if he marries his victim, and it provides for reduced sentences in cases of "honor crimes" committed by men against female relatives for alleged sexual misconduct. Personal status law for Muslim women is governed by Sharia (Islamic law) and is discriminatory in marriage, divorce, and inheritance matters. Violence against women is widespread, particularly in rural areas.

Turkmenistan

Political Rights: 7
Civil Liberties: 7
Status: Not Free

Overview:

The government of President Saparmurat Niyazov continued its campaign in 2004 against real and perceived opponents of the regime, including dismissing a number of senior state officials. Despite limited gestures toward improving civil liberties, such as the formal abolition of an exit-visa system and the easing of some restrictions on nongovernmental organizations and religious groups, Turkmenistan remained one of the most repressive societies in the world. Meanwhile, the country's strained relations with Russia and Uzbekistan appeared to show small signs of improvement during the year.

The southernmost republic of the former Soviet Union, Turkmenistan was conquered by the Mongols in the thirteenth century, seized by Russia in the late 1800s, and incorporated into the U.S.S.R. in 1924. Turkmenistan gained formal independence in 1991 after the dissolution of the Soviet Union.

Niyazov, the former head of the Turkmenistan Communist Party, was the sole candidate in elections to the newly created post of president in October 1990. After the adoption of a new constitution in 1992, he ran unopposed again and was reelected for a five-year term with a reported 99.5 percent of the vote. The main opposition group, Agzybirlik, which was formed in 1989 by leading intellectuals, was banned. In a 1994 referendum, Niyazov's tenure as president was extended for an additional five years, until 2002, which exempted him from having to run again in 1997 as originally scheduled. In the December 1994 elections to the unicameral National Assembly (Mejlis), only Niyazov's Democratic Party of Turkmenistan (DPT), the former Communist Party, was permitted to field candidates.

In the December 1999 Mejlis elections, every candidate was selected by the government and virtually all were members of the DPT. The Central Election Commission (CEC) claimed that voter turnout was 98.9 percent. The Organization for Security and Cooperation in Europe (OSCE), citing the lack of provision for nongovernmental parties to participate and the executive branch's control of the nomination of candidates, refused to send even a limited assessment mission. In a further consolidation of his extensive powers, parliament unanimously voted in late December to make Niyazov president for life. With this decision, Turkmenistan became the first country in the Commonwealth of Independent States to formally abandon presidential elections.

Although Niyazov continued to exercise widespread power throughout the country in 2002, cracks in his regime became more visible during the year. Several high-level government defections, along with a purge by Niyazov of Turkmenistan's intelligence service, highlighted growing political tensions and challenges to the government. On November 25, Niyazov survived an alleged assassination attempt in Ashgabat when gunmen fired at the president's motorcade. The incident sparked a widespread crackdown against the opposition and perceived critics of the regime, drawing condemnation from foreign governments and international organizations, including the OSCE and the United Nations.

While some observers speculated that Niyazov himself had planned the shooting as an excuse to increase repression of his political enemies, others maintained that it was a failed attempt by certain members of the opposition to oust the president from power. According to the government, former foreign minister and prominent opposition leader Boris Shikhmuradov, along with three other former high-ranking officials living in exile, had organized the attack. He was alleged to have returned to Turkmenistan from exile in Russia with the help of the Uzbek authorities, an accusation which soured already strained relations with Uzbekistan. Shikhmuradov was arrested on December 25 and made a televised confession four days later that critics maintain had been coerced. On December 30, he was sentenced to life in prison following what human rights groups condemned as a Soviet-style show trial. Two of the alleged co-conspirators received life sentences in absentia, while many other suspects were given lengthy prison sentences.

The president subsequently announced early elections for the Halk Maslahaty (People's Council) in April 2003. The decision to hold the poll two years ahead of schedule was probably intended to eliminate any remaining opposition to

Niyazov's government through a redistribution of legislative posts. There was no election campaign, and the state media did not provide information about the candidates, all of whom were nominated by the presidential administration. The CEC announced voter turnout of 99.8 percent, although the real figure is believed to be much lower.

A series of high-profile government reshuffles in 2004 highlighted ongoing political tensions and concerns about potential challengers to the regime. During the year, the minister of finance, the heads of two television channels, and several bank chairmen were dismissed on charges of corruption and nepotism. Other personnel changes involved the deputy mayor of Ashgabat, the head of the state border service, the country's ambassador to Belgium, and two regional governors. In a rare example of public opposition to the president, leaflets calling for Niyazov's overthrow were distributed in Ashgabat in July. No one claimed responsibility for the leaflets, and their distributors were not caught.

In the run-up to the December 19 Mejlis polls, the list of candidates was reportedly personally approved by Niyazov. The government refused to invite any international observers to monitor the election, which most analysts described as little more than a staged vote, given that all candidates will be approved by the authorities.

Relations with Russia appeared to improve in 2004 after having been strained the previous year. In April 2003, Ashgabat had unilaterally withdrawn from a 1993 dual citizenship agreement with Moscow, a decision that it decided to apply retroactively, thereby forcing dual citizenship holders to choose a nationality. The move provoked strong opposition from members of Russia's parliament and the media, who accused Moscow of having sold out the rights of ethnic Russians in Turkmenistan in exchange for a lucrative, long-term energy deal, which the two countries concluded in the same month. In 2004, Russian-Turkmen relations seemed to have stabilized with the February signing of a cooperation agreement covering economic, scientific, and cultural matters. Meanwhile, both Moscow and Ashgabat downplayed the citizenship issue as their economic relationship dominated the bilateral agenda.

The tense relationship between Uzbekistan and Turkmenistan, particularly after Ashgabat accused Tashkent of complicity in the 2002 assassination attempt against Niyazov, showed some signs of easing in late 2004. The presidents of the two countries met for the first time in four years on November 19 in the Uzbekistan city of Bukhara, where they signed a friendship treaty and an

agreement simplifying travel for residents of their border areas. Nevertheless, serious problems remained over issues including border demarcation, the joint use of water resources, and the cross-border smuggling of gasoline and weapons.

Political Rights and Civil Liberties:

Citizens of Turkmenistan cannot change their government democratically. President Saparmurat Niyazov enjoys virtually absolute power over all branches and levels of government. In recent years, the government has undergone a rapid turnover of personnel as Niyazov has dismissed many officials whom he suspects may challenge his authority.

The country has two parliamentary bodies, neither of which enjoys genuine independence from the executive branch: the unicameral Mejlis (National Assembly), composed of 50 members elected by popular vote for five-year terms, and the approximately 2,500-member Halk Maslahaty (People's Council), composed of various elected and appointed members, which was officially made the country's supreme legislative body in August 2003. The 1994, 1999, and 2003 legislative elections were neither free nor fair.

Niyazov has established an extensive cult of personality, including erecting monuments to his leadership throughout the country. In 1994, he renamed himself Turkmenbashi, or leader of the Turkmen. He has enacted bizarre decrees, including ordering the renaming of the days of the week and months of the year after himself and his mother.

Only one political party, the Niyazov-led DPT, has been officially registered. Opposition parties have been banned, and their leading members face harassment and detention or have fled abroad. In September 2003, four prominent opposition groups in exile united to form the Union of Democratic Forces, whose stated goal is the replacement of Niyazov's government with one based on democratic principles. Some analysts have cited the wave of post-assassination attempt reprisals as the impetus for the long-divided opposition groups to put aside enough of their differences to join forces. Nevertheless, the opposition remains weak and unlikely to pose a serious challenge to the Niyazov regime.

Corruption is widespread, and the authorities have used anticorruption campaigns to remove potential rivals. Turkmenistan was ranked 133 out of 146 countries surveyed in Transparency International's 2004 Corruption Perceptions Index.

Freedom of speech and the press is severely restricted by the government, which controls all radio and television broadcasts and print media. Reports of dissenting political views are banned, as are even mild forms of criticism of the president. Subscriptions to foreign newspapers and magazines are forbidden, and foreign journalists have few opportunities to visit Turkmenistan. In July, the Turkmen government shut down broadcasts of Russia's Radio Mayak, the last foreign media outlet to reach Turkmenistan, ostensibly for technical reasons regarding the station's transmission equipment. A new Turkmen satellite television channel was launched by the government in October with the official purpose of promoting the country's image abroad. The state-owned Turkmen Telekom is the only authorized Internet provider in the country.

Two freelance journalists for Radio Free Europe/Radio Liberty (RFE/RL), Rakhim Esenov and Ashyrguly Bayryev, were detained in late February and early March, respectively, by agents from the National Security Ministry. Esenov was accused of smuggling copies of his novel from Russia into Turkmenistan, where it had been banned for ten years, and charged with instigating social, ethnic, and religious hatred. His son-in-law was also arrested as part of the government's policy of collectively punishing family members of the accused. The authorities did not specify the charges against Bayryev. Although both men were released in mid-March, the charges against them were not dismissed, and they were told to stop reporting for RFE/RL. Another RFE/RL correspondent, Mukhamed Berdiyev, was attacked by three men on April 30 and suffered serious head injuries.

The government restricts freedom of religion, and independent religious groups continue to face persecution. Members of religious groups not legally registered by the government, including Armenian Apostolic, Roman Catholic, and Pentecostal communities, have been fined, beaten, and imprisoned by security forces. The government controls access to Islamic education and restricts the number of Muslim mosques throughout the country. According to Forum 18, a religious freedom watchdog group based in Norway, the authorities demolished at least seven mosques in 2004, apparently to prevent unapproved Muslim services. The authorities have pressured houses of worship to display a copy of the Rukhnama, a quasi-spiritual guide allegedly authored by Niyazov.

A law on religion that came into effect in November 2003 criminalized the practice of religious groups not officially registered and prescribed up to one year of corrective labor against violators. The law effectively applied to all religions other than Sunni Islam and Russian Orthodoxy, the only two faiths that had

successfully achieved registration. The registration fee was set at ten times the average monthly wage, and only clergymen with Turkmen citizenship and a university qualification in theology were authorized to lead a congregation. Under mounting international pressure, the government lifted some of its restrictions against religious organizations in 2004. The authorities eased registration requirements for religious groups in March by lowering from 500 to 5 the number of members required in each locality in which a group wished to register. In May, Niyazov decreed that practicing an unregistered religion would no longer be a criminal offense, although it remains illegal, with violators subject to fines. Although Seventh Day Adventist, Baha'i, Hare Krishna, and Baptist communities achieved formal registration shortly thereafter, other groups have experienced difficulties in attempting to register. Furthermore, members of independent religious congregations continued to face pressure from the authorities, including threats, detention, and confiscation of religious materials.

The government places significant restrictions on academic freedom, with schools increasingly being used to indoctrinate, rather than educate, students. The Rukhnama is required reading throughout the school system and has largely replaced many other traditional school subjects. All new textbooks must meet the government's strict ideological requirements. In February, Niyazov issued an order invalidating most higher education decrees received outside the country since 1993 and dismissing holders of such degrees from state jobs. Analysts view this decree as part of a broader effort to eliminate foreign influences from Turkmen society. Bribes are commonly required for admission to various schools and institutes.

The state security services regularly monitor the activities of citizens and foreign nationals, limiting open and free private discussion. Security officers use such surveillance techniques as wiretapping, the interception of mail, and the recruitment of informers. After the November 2002 assassination attempt, Niyazov reportedly directed law enforcement bodies to carefully monitor people's conversations in public places and called on people to assist the police by informing on their fellow citizens. In February 2004, Niyazov ordered the government to intensify video surveillance, including at all strategic economic facilities, public buildings, and government offices.

While the constitution guarantees peaceful assembly and association, these rights are severely restricted in practice. Public demonstrations against state policies are extremely rare. Nongovernmental organizations (NGOs) have faced increased harassment and threats for their activities as part of the post-November 2002

crackdown. In November 2003, a law on NGOs entered into force that effectively criminalized the activities of unregistered organizations and imposed penalties that include heavy fines, the confiscation of property, and imprisonment. In an apparent reversal, a new law was adopted in November 2004 that abolishes criminal penalties for unregistered NGOs. However, most observers suspect that the law is designed primarily to counter international criticism of the country's poor human rights record, rather than to genuinely improve the environment for Turkmenistan's civil society sector.

The government-controlled Colleagues Union is the only central trade union permitted. There are no legal guarantees for workers to form or join unions or to strike, although the constitution does not specifically prohibit these rights. Strikes in Turkmenistan are extremely rare.

The judicial system is subservient to the president, who appoints and removes judges for five-year terms without legislative review. The authorities frequently deny rights of due process, including public trials and access to defense attorneys. Police abuse and torture of suspects and prisoners, often to obtain confessions, is reportedly widespread. Those arrested and sentenced for complicity in the assassination attempt against Niyazov suffered ill treatment or torture, had no access to legal counsel of their own choosing, and were convicted in closed trials; many of their friends and relatives were targeted for harassment and intimidation. In early 2003, the government broadened the definition of treason to cover a wide range of activities, including attempting to undermine the public's faith in the president's policies and failing to inform the authorities of a wide range of crimes. Prisons suffer from overcrowding and inadequate nutrition and medical care, and international organizations are not permitted to visit prisons.

Employment and educational opportunities for ethnic minorities are limited by the government's policy of promoting Turkmen national identity and its discrimination against those who are not ethnic Turkmen. Following the 2002 assassination attempt against Niyazov, which Turkmenistan openly accused Uzbekistan of supporting, the Turkmen authorities took a harder line against ethnic Uzbeks in Turkmenistan. The government has reportedly ordered the forced relocation of part of the Uzbek population living along the border with Uzbekistan and their replacement with ethnic Turkmen. Many ethnic Uzbek imams (Muslim religious leaders) have been dismissed and replaced by ethnic Turkmen, as have Uzbeks in other leadership positions in the country. In March 2004, the country's former chief mufti, Nasrullah ibn Ibadullah, an ethnic Uzbek, was sentenced to 22 years in prison on charges of treason; he had been

removed from his post in January 2003 and was succeeded by an ethnic Turkmen. In April 2003, Ashgabat unilaterally abrogated its dual citizenship agreement with Russia. After Turkmen authorities set a deadline of June 22 of the same year for the selection of either Russian or Turkmen citizenship, many Russians holding dual citizenship reportedly frantically applied to leave Turkmenistan or risk automatically becoming Turkmen citizens. The authorities have ordered the closure of a variety of Russian-language institutions, including schools, throughout the country.

Freedom of movement and residence is severely restricted. Following the 2002 assassination attempt, travel within the country became more closely monitored, with travelers having to pass through various identity checkpoints. In March 2004, Niyazov formally abolished the country's exit-visa requirement-which had been eliminated in January 2002 but reintroduced the following year-to stave off trade restrictions by the United States. However, this decision is unlikely to ease travel abroad, which is extremely difficult for most Turkmen citizens and often requires the payment of bribes to government officials. In addition, the government is believed to maintain a lengthy blacklist of people-possibly thousands-who are not permitted to travel abroad, including those suspected of opposition to the authorities. In 2003, the State Service for the Registration of Foreign Citizens was established to monitor foreign visitors, whose activities are strictly regulated.

A continuing Soviet-style command economy and widespread corruption diminish equality of opportunity. Profits from the country's extensive energy exports rarely reach the general population, most of whom live in poverty. Police forcibly seize grain from farmers-who can only sell grain to a purchasing company that has a government monopoly-without providing compensation. In a move believed to stem from a government budget crisis, some 15,000 medical workers were dismissed in early 2004 and replaced with conscript soldiers, who essentially represent free labor. According to the Vienna-based International Helsinki Federation for Human Rights, the Turkmen government has engaged in "widespread violations of property rights" as part of a dramatic urban reconstruction project in Ashgabat that was launched in 2001. Hundreds of residents have reportedly been forced to vacate their homes on extremely short notice and have received little or no financial compensation or equivalent accommodation from the authorities.

The government restricts various personal social freedoms, including the wearing of long hair or beards by men. Traditional social and religious norms limit

professional opportunities for women, and anecdotal reports suggest that domestic violence is common. A payment of $50,000 is required of foreign citizens wishing to marry Turkmen women; the money is ostensibly designed to provide for the couple's children if the marriage ends in divorce. Children are commonly used as forced labor during the annual fall cotton harvest.

Uzbekistan

Political Rights: 7
Civil Liberties: 6
Status: Not Free

Overview:

A series of suicide bombings and subsequent violent clashes in March and April and again in July 2004 underscored the tenuous nature of Uzbekistan's political stability, even as the government continued its repressive policies against perceived opponents of the regime. The authorities responded to the attacks with a wave of arrests and convictions, targeting suspected members of banned Islamic groups. Repression against media outlets and foreign-based nongovernmental organizations (NGOs) working in Uzbekistan intensified during the year, partly in an effort to stifle dissent in advance of the December parliamentary elections. Meanwhile, the European Bank for Reconstruction and Development (EBRD) and the U.S. government cut financial assistance to the Uzbek government as a result of the regime's failure to implement meaningful political and human rights reforms.

Located along the ancient trade route of the famous Silk Road, Uzbekistan was incorporated into Russia by the late 1800s. The Uzbekistan Soviet Socialist Republic was established in 1924, and its eastern region was detached and made the separate Tajik Soviet Socialist Republic five years later.

On December 29, 1991, more than 98 percent of the country's electorate approved a popular referendum on Uzbekistan's independence. In a parallel vote, Islam Karimov, former Communist Party leader and chairman of the People's Democratic Party (PDP), the successor to the Communist Party, was elected president with a reported 88 percent of the vote. The only independent candidate to challenge him, Erk (Freedom) Party leader Mohammed Solih,

charged election fraud. Solih fled the country two years later, and his party was forced underground. The opposition group Birlik (Unity) was barred from contesting the election and was later refused legal registration as a political party, and the Islamic Renaissance Party (IRP) and other religious-based groups were banned entirely. Only pro-government parties were allowed to compete in elections to the first post-Soviet legislature in December 1994 and January 1995. A February 1995 national referendum to extend Karimov's first five-year term in office until the year 2000 was allegedly approved by 99 percent of the country's voters.

The government's repression of members of the political opposition and of Muslims not affiliated with state-sanctioned religious institutions intensified following a series of deadly bombings in Tashkent in February 1999. The authorities blamed the attacks, which they described as an assassination attempt against Karimov, on the Islamic Movement of Uzbekistan (IMU), an armed group seeking the overthrow of Uzbekistan's secular government and its replacement with an Islamic state. The state justified its increasing crackdowns on moderate secular and religious groups under the pretext of fighting violent Islamist organizations, including the IMU.

Of the five parties that competed in the December 1999 parliamentary election, which was strongly criticized by international election observers, all supported the president and differed little in their political platforms. In the January 2000 presidential poll, Karimov defeated his only opponent, Marxist history professor Abdulhasiz Dzhalalov, with 92 percent of the vote. The government refused to register genuinely independent opposition parties or permit their members to stand as candidates. Meanwhile, in August 2000, the IMU engaged in armed clashes with government troops; the following month, the U.S. government placed the IMU on its list of international terrorist organizations for its ties to Osama bin Laden's terrorist network, al-Qaeda, and to the Taliban. As part of its declared effort to prevent renewed invasions by the IMU, Uzbekistan subsequently placed land mines along portions of its borders with Kyrgyzstan and Tajikistan, leading to protests by both governments and reports of accidental deaths of civilians in the region.

After the September 11, 2001, terrorist attacks, Uzbekistan became a key strategic ally of the United States in its military operations in Afghanistan. Tashkent's decision to permit the deployment of U.S. troops on its territory for search-and-rescue and humanitarian operations was widely seen as an effort to obtain various concessions from the West, including economic assistance, security

guarantees, and reduced criticism of its poor human rights record. In March 2002, the United States and Uzbekistan signed a Declaration on Strategic Partnership and Cooperation Framework, in which both countries agreed to cooperate on economic, legal, humanitarian, and nuclear proliferation matters. Uzbekistan's continued collaboration with the U.S.-led antiterrorism campaign led to American commitments of financial assistance in exchange for promises from Karimov of political reforms.

In March 2003, the EBRD set a one-year deadline for compliance with three broad benchmarks for reform in Uzbekistan: greater political openness and freedom of the media, free functioning of civil society groups, and implementation of the recommendations of the UN Special Rapporteur on Torture. The EBRD announced that it would limit investments in Uzbekistan if the benchmarks were not met. Two months later, the EBRD held its annual meeting in Tashkent, the first such large-scale function in Central Asia. In the weeks surrounding the meeting, police intensified harassment of human rights defenders and relatives of religious prisoners in an attempt to prevent them from staging public protests about government abuses.

For the January 2004 local elections, all candidates were vetted in advance by Karimov's administration. The government claimed a voter turnout of 97 percent. The elections were for local neighborhood committees (mahallahs), which the government uses to observe and control the general population.

The fragile state of Uzbekistan's political stability was highlighted by a series of suicide bomb attacks and related violent clashes in late March and early April in Bukhara and Tashkent, in which some 50 people lost their lives. Most media outlets provided limited coverage of the events and focused almost exclusively on official government accounts, which led to widespread rumors about the identities and motives of the attackers. The fact that police appeared to be the main targets of the violence prompted speculation that the bombings were acts of revenge carried out by relatives of those imprisoned for alleged religious extremism. The authorities maintained that the bombings were the work of radical international Islamist groups-singling out the banned Hizb-ut-Tahrir group and the IMU-and dismissed charges of any links between the violence and the government's repressive political and economic policies. Meanwhile, a previously unknown Islamist group called Jamoat, a successor to the IMU, claimed responsibility.

In the days following the attacks, law enforcement agencies detained and arrested hundreds of alleged suspects and increased security measures in the capital and other large cities. According to Human Rights Watch, they targeted Muslims practicing outside of state-controlled mosques, including women. Dozens of defendants were convicted in the second half of the year for their alleged roles in the attacks, and all received lengthy prison sentences in trials that did not meet basic standards of due process. On July 30, several people were killed when suicide bombers struck again, in coordinated attacks on the U.S. and Israeli Embassies and the office of Uzbekistan's prosecutor-general. Several Islamic groups, including the IMU and Jamoat, claimed responsibility.

In April, the EBRD announced its decision to limit investment in Uzbekistan, citing the government's lack of progress on democratic and economic reform benchmarks established one year earlier. Similarly, in July, the United States suspended $18 million of the $55 million originally earmarked for Uzbekistan in 2004; U.S. aid had peaked at $220 million in 2002. The decision was based on the 2002 Strategic Partnership and Cooperation Framework, which makes U.S. assistance to the Uzbek government conditional on Tashkent's introduction of meaningful political reforms and curbs in human rights abuses.

In the run-up to the December 26, 2004, elections for the lower house of the new bicameral parliament, only the country's five legal parties, all of which are considered to be pro-presidential, were granted registration to participate in the elections. Several opposition groups, including Erk and Birlik, announced in November that they will boycott the vote after being unable to register candidates. The Organization for Security and Cooperation in Europe (OSCE) announced that it will send a limited observer mission to monitor the vote.

Political Rights and Civil Liberties:

Citizens of Uzbekistan cannot change their government democratically. President Islam Karimov and the executive branch dominate the legislature and judiciary, and the government severely represses all political opposition. The national legislature largely confirms decisions made by the executive branch. The 1994-1995 and 1999 parliamentary elections and the 2000 presidential poll, in which only pro-government candidates could participate, were neither free nor fair. In a January 2002 nationwide referendum, 91 percent of voters allegedly approved amending the country's constitution to extend the presidential term from five to seven years. Karimov's current term in office will therefore end in

2007, rather than in 2005. In a parallel vote, 93 percent of voters officially supported replacing the country's 250-member single-chamber legislature with a bicameral parliament consisting of a 120-seat lower house and a 100-member upper house (Senate). Independent observers raised serious doubts about the validity of the referendum, citing the presence of police in polling stations and the fact that some people had been able to vote on behalf of several individuals. In April 2003, parliament adopted legislation providing former presidents immunity from prosecution and lifelong state-funded security for them and their immediate family.

A 1997 law prohibits parties based on ethnic or religious affiliations and those advocating subversion of the constitutional order. Only five parties, all pro-government, have been registered, and no genuine political opposition groups function legally or participate in the government. Members of unregistered secular opposition groups, including Birlik and Erk, are subject to discrimination, and many are in exile abroad. Although the authorities allowed both Erk and Birlik to hold open meetings in Tashkent in 2003, neither group was allowed to register officially as a political party. In May 2004, several members of Erk and at least one member of Birlik were arrested or threatened with arrest in a move denounced by the opposition as politically motivated.

Corruption is reportedly widespread throughout various levels of government, with bribery a common practice to obtain lucrative positions. Uzbekistan was ranked 114 out of 146 countries surveyed in Transparency International's 2004 Corruption Perceptions Index.

The state imposes strict limits on freedom of speech and the press, particularly with regard to reports on the government and Karimov. The government controls major media outlets and newspaper printing and distribution facilities. The country's private broadcast and print media outlets generally avoid political issues, are largely regional in scope, and suffer from administrative and financial constraints. Although official censorship was abolished in May 2002, the responsibility for censoring material was transferred to newspaper editors, who were warned by the State Press Committee that they would be held personally accountable for what they publish. Self-censorship is widespread, while the few journalists who dare to produce probing or critical reports of the authorities face harassment, physical violence, and closure of their media outlets. The government has blocked a number of non-Uzbek news Web sites, and access to controversial information on the Internet remains extremely difficult.

Most Uzbek media were slow to report the March and April 2004 bomb attacks, and coverage of both those and the July bombings was limited largely to official government statements. In September, the authorities ordered the international media training and support organization Internews-Uzbekistan to be shut down for six months for alleged technical violations. According to media watchdog groups, the closure represented an attempt by the authorities to stifle criticism in advance of the December parliamentary elections. The previous month, five independent television channels linked to Internews were stripped of their broadcasting licenses.

In a case that attracted international attention, independent journalist and human rights activist Ruslan Sharipov, who had written widely on government corruption, was sentenced in August 2003 to five and a half years in prison on charges of homosexuality-which is a criminal offense in Uzbekistan-and of having sexual relations with a minor. Sharipov reportedly confessed to the charges under duress and was tortured while in custody. In September, an appeals court reduced his sentence to four years, and in March 2004, he was transferred from prison to house arrest. Following continuing international pressure, Sharipov's prison term was replaced in June 2004 with two years of community service in his hometown of Bukhara. In September, he was granted asylum in the United States.

The government exercises strict control over Islamic worship, including the content of imams' sermons, and is suspicious and intolerant of followers of Muslim organizations not sanctioned by the state. Many members of such groups have been arrested or imprisoned on charges of anti-constitutional activities, often under the pretext of the government's fight against militant Islamists. Muslim prisoners are frequently tortured for their religious convictions or to compel them to renounce their beliefs. Authorities have targeted members of the banned Hizb-ut-Tahrir (Islamic Party of Liberation), an international movement calling for the creation of an Islamic caliphate throughout the Muslim world. Suspected members have been forced to give confessions under torture, and their family members have been subjected to interrogation, arrest, and extortion. According to Forum 18, the authorities followed the wave of 2004 suicide bomb attacks with a new crackdown against religious Muslims, as well as believers of other faiths, including Protestants and Jehovah's Witnesses.

The government permits the existence of certain mainstream religions, including approved Muslim and Jewish communities, as well as the Russian Orthodox Church and some other Christian denominations. As of January 2004, the

authorities had registered some 2,100 religious congregations and organizations. However, the activities of other congregations are restricted through legislation that requires all religious groups to comply with burdensome state registration criteria. Involvement in religious activities carried out by unregistered groups is punishable by fines or imprisonment, and meetings held by such groups have been raided and participants interrogated and arrested. The 1998 Law on Freedom of Conscience and Religious Organizations prohibits activities including proselytizing and private religious instruction, and requires groups to obtain a license to publish or distribute materials.

The government limits academic freedom, according to the 2003 U.S. State Department Country Reports on Human Rights Practices, published in 2004. While professors generally are required to have their lectures pre-approved, implementation of this restriction varies, the report stated, and university professors reportedly practice self-censorship. Corruption is widespread throughout the educational system, with bribes commonly required to gain entrance into exclusive universities and to obtain good grades.

Open and free private discussion is limited by the mahalla committees, a traditional neighborhood organization that the government has turned into an official system for public surveillance and control. According to a 2003 Human Rights Watch report, the mahalla committees maintain files on those considered to be overly pious in their religious expression and alert the police of so-called suspicious religious and other activities.

Freedom of association is restricted. Although nonpolitical associations and social organizations are generally allowed to register, complicated regulations and governmental bureaucracy make the process difficult. Unregistered NGOs, including the Human Rights Society of Uzbekistan (HRSU), do not exist as legal entities and can face difficulties operating. Regulations require NGOs to confer with the Ministry of Justice about holding meetings and to allow ministry representatives to attend such gatherings. In December 2003, the government prevented a conference on the death penalty from being held in Tashkent just one day before it was scheduled to take place. The meeting was organized by a local group, Mothers against the Death Penalty and Torture, and supported by the OSCE, the British Embassy, and Freedom House. The authorities cancelled the conference on the grounds that the local group was not a legally registered organization. On February 16, 2004, police arrested Muidinjon Kurbanov, chairman of a regional branch of the HRSU, on weapons and narcotics charges. Civil society workers maintain that the evidence was planted and that Kurbanov's arrest was politically motivated.

In 2004, the government moved against foreign NGOs working in Uzbekistan by beginning enforcement of a 1999 order requiring all foreign NGOs to reregister with the Ministry of Justice. The government refused to allow the Open Society Institute, funded by businessman and philanthropist George Soros, to renew its registration. While authorities accused the institute of funding educational materials seeking to discredit government political and economic policies, critics of the move charged that it was part of a wider government attempt to control foreign NGO activities throughout the country. New banking restrictions requiring government oversight on foreign grant transactions has led to lengthy delays in grant payments to local recipients; Uzbek NGOs rely largely on international assistance to fund their operations.

Despite constitutional provisions for freedom of assembly, the authorities severely restrict this right in practice. Law enforcement officials have used force to prevent demonstrations against human rights abuses in the country, and participants have been harassed, detained, and arrested. In recent years, there have been some small protests by human rights activists and family members of people jailed for allegedly being members of violent Islamic groups. In November, thousands of merchants rioted in the Fergana Valley region when police and tax officials began confiscating goods belonging to traders who were not complying with new controversial and onerous trade regulations. Demonstrators burned police cars and beat three tax inspectors and a police officer. The Council of the Federation of Trade Unions is dependent on the state, and no genuinely independent union structures exist. Organized strikes are extremely rare.

The judiciary is subservient to the president, who appoints all judges and can remove them from office at any time. Police routinely physically abuse and torture suspects to extract confessions, which are accepted by judges as evidence and often serve as the basis for convictions. Law enforcement authorities reportedly often plant narcotics, weapons, and banned religious literature on suspected members of Islamic groups or political opponents to justify their arrest. Executions are regarded as state secrets, and relatives are sometimes not informed until months after the execution has occurred. The authorities conducted waves of arrests of alleged suspects following the suicide bomb attacks in March-April and July. According to Human Rights Watch, the police in many cases made arrests without warrants, conducted unsanctioned searches of people's homes, and planted evidence. Detainees experienced incommunicado detention, limited access to attorneys, and mistreatment during the investigative phases, and their trials failed to meet basic standards of due process, Human Rights Watch reported.

Prisons suffer from severe overcrowding and shortages of food and medicine. The Jaslyk prison camp is notorious for its extremely harsh conditions and ill-treatment of religious prisoners. Inmates, particularly those sentenced for their religious beliefs, are often subjected to ill-treatment or torture, and Human Rights Watch has documented a number of torture-related deaths in custody during the last few years. An estimated 5,000 to 6,000 political prisoners are being held in Uzbekistan's penal institutions.

Although racial and ethnic discrimination is prohibited by law, the belief that senior positions in government and business are reserved for ethnic Uzbeks is widespread.

The government severely limits freedom of movement and residence within the country and across borders. There are restrictions on foreign travel, including the use of a system of exit visas, which are often issued selectively. Permission is required from local authorities to move to a new city, and the authorities rarely grant permission to those wishing to move to Tashkent. Bribes are often paid to obtain the necessary registration documents. In July, the mayor of Tashkent ordered residents of the capital without official residence permits to be expelled and dismissed from their jobs; he justified the move as necessary to guard against terrorist attacks by Islamist groups.

Widespread corruption, bureaucratic regulations, and the government's tight control over the economy limit most citizens' equality of opportunity. There has been little reform in the country's large and predominantly centrally planned agricultural sector, in which the state sets high production quotas and low purchase prices for farmers. A series of government regulations and decrees over the last few years have placed increasing restrictions on market traders and their ability to continue to operate.

Women's educational and professional prospects are restricted by traditional cultural and religious norms and by ongoing economic difficulties throughout the country. Victims of domestic violence are discouraged from pressing charges against their perpetrators, who rarely face criminal prosecution. The trafficking of women abroad for prostitution remains a serious problem. Local authorities frequently use schoolchildren as free or cheap labor to harvest cotton; many children work long hours under unhealthy conditions, often receiving inadequate food and water.

Vietnam

Political Rights: 7
Civil Liberties: 6
Status: Not Free

Overview:

The Vietnamese government continued to deny its citizens basic freedoms in 2004, as evidenced by the adoption of a new law on religion that will further reinforce state control of religion and churches. Two trials-of a former academic and of a military historian-contributed to the ongoing political suppression of those who advocate political reform. The U.S. House of Representatives passed a bill to restrict official development assistance to Vietnam unless Hanoi improves its human rights record, beginning with the release of political and religious prisoners.

Vietnam won independence from France in 1954 after a century of colonial rule followed by Japanese occupation during World War II. At independence, the country was divided into the Western-backed Republic of South Vietnam and the Communist-ruled Democratic Republic of Vietnam in the North. A war erupted between the two sides, and U.S. military support for South Vietnam persisted for more than a decade. The violence and destruction killed tens of thousands of soldiers and civilians and maimed many more on both sides. Hostilities also spilled into neighboring countries. In 1975, the North claimed victory and united the country the following year.

Poor economic policies left the tattered country in deeper poverty. In 1986, the government began to dismantle collectivized farms and encourage small-scale private enterprise. Economic reforms have since continued, spurring rapid economic growth. A stock exchange was set up in 2000, tourism became a major source of revenue, and the country has become a major exporter of foodstuff

and manufactured products. Nevertheless, Vietnam's leadership continues to be divided over the pace and depth of privatization and other market reforms. Moderates see deep-rooted reforms as essential to modernizing the impoverished country and creating enough jobs to stave off social unrest. Hard-liners fear that further loosening of the state's control over the economy, including the privatization of state-owned businesses, will leave millions out of work and possibly lead to a social backlash.

Political reform has not followed economic change. Since 2001, after several thousand Montagnards held protests to demand greater religious freedom, increased land rights, and political autonomy for the region, Hanoi has cracked down on the group, an ethnic and religious minority (mainly Christian) in the central highlands. More than 70 Montagnards ("mountain dwellers" in French) are serving long jail sentences for participating in protests or trying to flee to Cambodia. Several Montagnards were arrested by the Vietnamese government in April at a rally in Dak Lak province to protest government seizure of their lands. Vietnam is fast becoming the top producer of coffee beans in the world, and land seized from the highland Montagnards are often turned over to lowland Vietnamese to grow commercial crops like coffee beans. To date, hundreds of Montagnards have escaped to Cambodia's Ratanakiri province in the northeast and nearly 400 have been airlifted or made their way to UN safe houses in the Cambodian capital. However, the Cambodian government has asserted it will not allow the refugees to remain in Cambodia, and the UN High Commissioner for Refugees has stated it will not petition the Vietnamese government on the refugees' behalf and interfere with internal affairs in Vietnam.

In 2001, the Communist Party of Vietnam (CPV) elected Nong Duc Manh as its new leader. The following year, Phan Van Khai was chosen as prime minister and Tran Duc Luong as state president. The appointment of these three men from northern, central, and southern Vietnam preserved the leadership troika's traditional regional balance. In the May 2002 parliamentary elections, the CPV vetted all candidates for the legislature.

In July 2004, Tran Khue, a former academic held since December 2002, was given a 19-month prison sentence for "abusing the right to democracy and freedom" and breaking a house arrest order made in October 2001. Tran was initially accused of espionage after publishing numerous articles and open letters critical of government policies and advocating political reform. Also in July, Pham Que Duong, a 73-year-old military historian, faced trial for signing a petition calling for reforms and measures against graft.

The continued suppression of political rights and civil liberties by the Vietnamese government was condemned by the United States, which cited Vietnam as among the worst violators of religious freedom in 2004. The U.S. House of Representatives passed legislation to restrict development aid transfers to Vietnam-reaching some $40 million in 2003-until the country begins to release its political and religious prisoners. However, the U.S. Senate was not expected to pass its own version of the bill or turn the House bill into law.

SARS-severe acute respiratory syndrome-and the bird flu had an enormous impact on the economy. The government confirmed in August that three persons died form the latest attack of the bird flu.

Political Rights and Civil Liberties:

Ruled by the CPV as a single-party state, Vietnam is one of the most tightly controlled countries in the world. The CPV's Central Committee is the top decision-making body in Vietnam. The National Assembly, whose 498 members are elected to five-year terms, generally follows the party's dictates in legislation. The party-controlled Fatherland Front vets all assembly candidates and allows only CPV cadres and some independents to run. However, delegates speak out for grassroots complaints, influence legislation, question state ministers, and debate legal, social, and economic issues-within limits set by the party. They also regularly criticize officials' performance and governmental corruption and inefficiency.

Senior party and government officials have publicly acknowledged growing public discontent with official abuses and corruption. However, in the last several years, the government has largely responded with high-profile prosecutions, rather than fundamental reforms at all levels of government. For example, a deputy trade minister was arrested in November for selling export quotas to Vietnamese garment makers, and a former deputy sports minister was sentenced to 8 years in prison in October for raping a 13-year old girl. The announcement by the CPV in 2004 to begin scrutinizing alleged corruption in the Transportation, Industry, and Education Ministries was notable because results of a survey paid for by a Swedish government grant will be made publicly available in January 2005. Vietnam was ranked 102 out of 146 countries surveyed in the 2004 Transparency International Corruption Perceptions Index.

The Ministry of Culture and Information manages and supervises press and broadcasting activities. Officials have punished journalists who overstepped the

bounds of permissible reporting by jailing or placing them under house arrest, taking away their press cards, or closing down newspapers. Publications deemed bad or inaccurate are subject to official bans. Government control also relies on a 1999 law that requires journalists to pay damages to groups or individuals found to be harmed by press articles, even if the reports are accurate. At least one suit has been filed under this law, although it was later withdrawn. While journalists cannot report on sensitive political or economic matters or openly question the CPV's single-party rule, they have reported on high-level governmental corruption and mismanagement, providing a small outlet for public grievances.

Television is the dominant medium. Vietnam Television broadcasts to the whole country, and there are many provincial television stations. Satellite television is officially restricted to senior officials, international hotels, and foreign businesses, but many Vietnamese homes and businesses pick up some foreign stations via satellite. About two million Vietnamese have access to the Internet, which is tightly controlled by the government. A 2003 law formally banned receipt and distribution of antigovernment e-mail messages, and Web sites considered "reactionary" are blocked. Owners of domestic Web sites are required to submit their Web content for official approval.

The regime sharply restricts religious freedom by regulating religious organizations and clergy and harassing independent religious groups and their leaders. All religious groups and most individual clergy must join a party-controlled supervisory body. One such body exists for each religion that the state officially recognizes-Buddhism; Roman Catholicism; Protestantism; Islam; Cao Daiism, a synthesis of several religions; and the Hoa Hao faith, a reformist Buddhist church. Religious groups must obtain permission to build or refurbish places of worship; run religious schools or do charitable work; hold conventions, training seminars, and special celebrations; and train, ordain, promote, or transfer clergy. These regulations hinder efforts by religious groups to expand schools, obtain teaching materials, publish religious texts, and increase the number of students training for the clergy.

Cao Daiists have largely been barred since 1975 from ordaining new priests. Protestants were largely prohibited from training new clergy until the government agreed in 2003 to allow Protestants in southern Vietnam to re-open a long-closed seminary. Reported abuses by local officials have been particularly severe: churchgoers were jailed, religious gatherings were prohibited, children of Protestant families were barred from attending school beyond the third grade, and food rations were withheld from believers.

A new law on religion, the Ordinance on Beliefs and Religions took effect on November 15. The new law expands state control over freedom of worship. The government claims that the new law will ensure people's basic right to beliefs and religious freedom.

Academic freedom is limited. University professors must adhere to party views when teaching or writing on political topics and refrain from criticizing government policies. Nevertheless, ordinary Vietnamese, particularly those living in major cities, are increasingly free of government intrusion into their daily lives. The regime continues to rely on informers, block wardens, and a household registration system to keep tabs on individuals, but this surveillance is now directed mainly at known dissidents rather than the general population.

Human rights organizations and other private groups with rights-oriented agendas are banned. However, the leadership increasingly allows farmers and others to hold small protests over local grievances, which often concern land seizures. Thousands of Vietnamese try to gain redress each year by writing letters to or personally addressing officials. In addition to land matters, citizens complain about official corruption, economic policies, governmental inefficiency, and opaque bureaucratic procedures.

Trade unions remain state-controlled, but hundreds of independent "labor associations" are permitted to represent many workers at individual firms and in some service industries. Nevertheless, union membership is low given that most workers are small-scale farmers in rural areas. Enforcement of child labor, workplace safety, and other labor laws is poor.

Vietnam's judiciary is subservient to the CPV, which controls courts at all levels. Defense lawyers cannot call or question witnesses and sometimes are permitted only to appeal for leniency for their clients. While defendants have a constitutional right to counsel, scarcity of lawyers often makes this right impossible to enforce. Moreover, many lawyers reportedly are reluctant to take human rights and other sensitive cases because they fear harassment and retribution by the state.

Police at times beat suspects and detainees, and prison conditions are poor. Inmates generally are required to work, but receive little or no wages. The death penalty is applied mainly for violent crimes, but is sometimes also used against Vietnamese convicted of nonviolent crimes, including economic and drug-related offenses. The actual number of political prisoners is unknown. Since 2001, at least 10 Vietnamese Internet dissidents have been arrested, with 6 of them sentenced to long jail terms. The government denies holding any prisoners on political grounds.

Ethnic minorities face unofficial discrimination in mainstream society, and some local officials restrict minority access to schooling and jobs. Minorities generally have little input into development projects that affect their livelihoods and communities.

Economic opportunities have grown for women, but they continue to face discrimination in wages and promotion. Many women are victims of domestic violence, and thousands are trafficked internally and externally each year for the purpose of prostitution.

Zimbabwe

Political Rights: 7 ▼
Civil Liberties: 6
Status: Not Free
Ratings Change: Zimbabwe's political rights rating declined from 6 to 7 due to government repression of political opponents, civil society activists, and independent media representatives.

Overview:

Zimbabwe descended further into crisis in 2004 as the authoritarian government of President Robert Mugabe continued to stifle dissent, and militia loyal to Mugabe attacked opposition supporters with impunity. Economic collapse, and with it serious food shortages, deepened as the government expanded its ruinous policy of expropriating white-owned commercial farmland, and as other economic mismanagement and corruption widened. The government further curtailed the freedom of journalists, opposition parties, and civil society organizations.

Zimbabwe gained independence in 1980 after a guerrilla war against a white-minority regime that had declared unilateral independence from Britain in 1965 in what was then Southern Rhodesia; Mugabe has ruled the country since then. For a few years, Zimbabwe was relatively stable, although from 1983 to 1987, the government suppressed resistance from the country's largest minority group, the Ndebele, to dominance by Mugabe's majority ethnic Shona group. Severe human rights abuses accompanied the struggle, which ended with an accord that brought Ndebele leaders into the government.

The 2000 parliamentary elections were deemed by observers to be fundamentally flawed prior to balloting. Candidates and supporters of the opposition Movement

for Democratic Change (MDC) faced violence and intimidation, including the use of rape as a weapon. A constitutional provision empowering Mugabe and allied traditional leaders to appoint one-fifth of parliament's members helped to ensure the continued majority in parliament of the ruling Zimbabwe African National Union-Patriotic Front (ZANU-PF). Voter registration, identification procedures, and tabulation of results were judged highly irregular by some independent observers. The state-controlled media offered limited coverage of opposition viewpoints, and the ZANU-PF used state resources heavily in campaigning. Mugabe issued a pardon for thousands of people, most of them from ZANU-PF, for crimes committed during the election campaign, including assault, arson, kidnapping, torture, rape, and attempted murder. According to the Zimbabwe Human Rights Forum, the rights of more than 18,000 people were violated.

In 2002, Mugabe claimed victory in a deeply flawed presidential election that failed to meet minimum international standards for legitimacy. The election pitted Mugabe against the MDC's Morgan Tsvangirai, a popular trade union leader who was arrested and charged with treason in 2003 after organizing national strikes.

Parliamentary by-elections held in 2003 in two districts near the capital, Highfield and Kuwadzanaw, were marred by intimidation against the MDC, which nonetheless won the polls. Party members were prevented from undertaking normal campaign activities and were detained, beaten, and harassed.

The MDC announced in August 2004 that it would suspend its participation in parliamentary and local elections because it believed there was no hope of a fair poll. The move could backfire, however, by allowing ZANU-PF to gain the two-thirds majority necessary to rewrite the constitution and further restrict democratic rights. In September, ZANU-PF increased its seats in parliament to 98, versus the MDC's 51, after the opposition party boycotted by-elections. The next parliamentary poll is planned for March 2005.

In the biggest split in the ZANU-PF since independence, Information Minister Jonathon Moyo was reprimanded and six of the party's ten provincial chairmen were suspended after a failed revolt against the appointment of a new vice president, Joyce Mujuru.

In recent years, Mugabe has turned against student groups, NGOs, labor unions, and white landowners to create the country's worst crisis since independence. War veterans and government-supported youth militias have occupied or

disrupted opposition strongholds and white-owned land, with the overt or complicit backing of the government. Arrests of opposition members and protestors continued throughout 2004.

The government's seizures of white-owned farmland, which began in 2000, have prompted economic collapse, particularly in commercial farming on which exports, foreign exchange, and 400,000 jobs depended. Much of the seized land has gone to ZANU-PF officials, who often have no farming background, instead of to the landless rural black Zimbabweans who were supposed to benefit. The gross domestic product has fallen 30 percent since the land reform began, with the result that Zimbabwe has become one of the world's fastest shrinking economies. Fewer than 500 white-owned farms remain out of the 4,500 that existed when land invasions started. Unemployment exceeds 70 percent. Inflation was 132.6 percent in December 2004, down from a record 622.8 percent in January 2004 but still one of the highest in the world. Aid agencies have warned that nearly half of Zimbabwe's 12 million people need emergency food aid, largely because of faults in the redistribution policy. Party officials handling distribution have manipulated food aid that arrives, withholding relief from suspected opposition supporters. The situation is likely to worsen, considering the government's announcement in June that it planned to nationalize all productive farmland in the country.

Severe shortages of drugs and equipment have pushed hospitals and clinics close to ruin. Infant mortality rates have risen, and the resource-starved health system cannot cope with an HIV epidemic-one of the worst in the world-that has infected one in four adults.

Zimbabwe is in arrears to internal and external creditors, which has led to suspension of disbursements and credit lines. This situation has created shortages of key imports, such as fuel. Concern about the land-reform program was one reason that the IMF suspended financial support to Zimbabwe.

Political Rights and Civil Liberties:

Zimbabweans cannot change their government democratically. President Robert Mugabe and the ZANU-PF, which have dominated the political landscape since independence, manipulate political structures to ensure continued control. The party remains the predominant power through its control over the security forces, most of the media, and much of the economy. Since 1987, at least 15 amendments to the constitution-including scrapping the post of prime minister

in favor of an executive president and abolishing the upper chamber of parliament, the Senate-have given the executive more power. In turn, popular opposition to Mugabe has deepened, with trade unions often at the forefront, and the opposition MDC has experienced rapid growth.

The last few years have seen political violence by ZANU-PF youth militias, which have disrupted meetings and campaigning by opposition members. Meanwhile, security forces have targeted church leaders and civic organizations. Mugabe has on several occasions invoked the Presidential Powers Act, which enables him to bypass normal governmental review and oversight procedures.

Corruption is rampant throughout the country, including at the highest levels of government. Charges of corruption emerged in the 1990s when Mugabe began to award government contracts to his relatives. Ruling party and government officials have been allocated extensive properties seized from white farmers. Reports of extensive corruption and nepotism have reduced public and investor confidence in Zimbabwe's economy. Zimbabwe was ranked 114 out of 146 countries surveyed in the 2004 Transparency International Corruption Perceptions Index.

Freedom of the press is severely restricted. No privately owned radio or television stations exist in Zimbabwe, and the state-controlled newspapers and radio and television stations serve as mouthpieces of the government. The Parliamentary Privileges and Immunities Act has been used to force journalists to reveal their sources, especially regarding reporting on corruption, before the courts and parliament. The government in June proposed to censor e-mail by requiring Internet service providers to turn over to the authorities "objectionable, obscene, unauthorized" messages.

The 2002 Access to Information and Protection of Privacy Act (AIPPA), which gives the information minister sweeping powers to decide who can work as a journalist, has been used to silence media critics of the government. The AIPPA created a governmental commission that hands out "licenses" for journalists, and those operating without a license face fines or prison. In 2004, authorities shut down Africa Tribune Newspapers, whose publisher had criticized AIPPA, for failing to inform them of title and format changes. The previous year, the government closed down The Daily News, an independent newspaper that had harshly criticized Mugabe, for failing to register for an AIPPA license. A subsequent application for a license was rejected, and five of the newspaper's directors were arrested. Several other Zimbabwean journalists have been assaulted

or detained over the years. In May, the editor and a reporter of The Standard, an independent newspaper, were arrested for reporting on the murder of a mining boss. Foreign reporters face extreme difficulty gaining approval to work in or even visit the country, and several have been deported.

Freedom of religion is generally respected, but academic freedom is limited. Security forces and ruling party thugs harass dissident university students, who have been arrested or expelled from school for protesting against government policy.

The small nongovernmental sector is active, and several groups focus on human rights. However, NGOs report increased difficulty in operating due to intimidation and legal harassment. Public demonstrations and protests are essentially illegal under the 2002 Public Order and Security Act, which forbids criticism of the president, limits public assembly, and allows police to impose arbitrary curfews. Security forces often disrupt opposition meetings or declare them illegal or allow party militias to attack opposition activists with impunity. Intelligence agencies are among law enforcers empowered to disperse "illegal" assemblies and arrest participants. In 2004, the government drafted the Non-Governmental Organizations Bill, which would empower a government-appointed body to investigate and audit any group's activities and funding. The measure would ban foreign-funded organizations involved in governance and human rights issues.

The right to collective action is limited under the Labor Relations Act, which allows the government to veto collective bargaining agreements that it deems harmful to the economy. Strikes are allowed except for industries declared "essential" under the act. Mugabe has used his presidential powers to declare strikes illegal, and labor organizers are common targets of government harassment. Most notably, security forces arrested more than 400 people in response to a two-day general strike in 2003; many were beaten or tortured while in police custody. Because the labor movement provides the core of the most organized resistance to Mugabe's authoritarian rule, it has become a particular target for repression.

While some courts have struck down or disputed government actions, increasing pressure by the regime may soon end the judiciary's capacity to act independently. The high court in May quashed the defamation conviction of three journalists for a story that misreported facts surrounding the draft constitution. The government, however, has repeatedly refused to enforce court orders and has

replaced senior judges or pressured them to resign. The judicial system has been burdened by the vacancy of nearly 60 magistrate posts, which has caused a backlog of 60,000 cases that require processing.

Security forces often ignore basic rights regarding detention, search, and seizure. With the decline in law and order, war veterans and ruling party militants have taken over traditional policing roles in land redistribution. The military has assumed more policing roles in food distribution and elections. The government has taken no clear action to halt the rising incidence of torture and mistreatment of suspects held by police or security services. In June, the government passed the Criminal Procedure and Evidence Amendment Act that allows police to hold suspects accused of economic crimes for up to four weeks without bail. Human rights activists assert this contravenes the constitutional right to be presumed innocent until proved guilty. The country's 47 prisons are bulging with 8,000 inmates above the nominal 16,600 capacity. This overcrowding has contributed to a rise in AIDS and TB infections and to food shortages. Deaths in prisons are often caused by poor health conditions or beatings by guards.

The ruling party that is dominated by the Shona majority ethnic group continues to encourage political and economic discrimination against the minority Ndebele people. A clash between the two ethnic groups in the 1980s culminated in the government's massacre of thousands of Ndebele. Today, the Ndebele tend to be marginalized politically and their region (Matabele, which is an opposition stronghold) lags behind in economic development.

In theory, the state does not control travel or residence. But in practice the land confiscations prevent whites from living on big farms, and foreign critics of the regime are expelled or prevented from entering the country.

The government controls the prices of many major commodities and food staples, and state-linked companies dominate many sectors. The current political turmoil and investment flight does not bode well for the business environment. In September, Mugabe announced that the government would seize half of the country's private mining companies. A profound lack of transparency in government tenders and other operations has allowed corruption to thrive.

Women enjoy extensive legal protections, but de facto societal discrimination and domestic violence persist. Youth militias supporting Mugabe use rape as a political weapon. The Supreme Court declared that women who marry under customary law must leave their original families and cannot therefore inherit their property. Married women cannot hold property jointly with their

husbands. Access to education for women is especially limited in rural areas. Female heads of households have borne the brunt of the current economic hardships.

China (Tibet)

Political Rights: 7
Civil Liberties: 7
Status: Not Free

Overview:

China maintained its control over Tibet in 2004, jailing dissidents and managing the daily affairs in major Buddhist monasteries and nunneries. However, some positive signs were in evidence as well during the year, as the Chinese government indicated its willingness to allow a human rights delegation and nongovernmental organizations to visit in 2005.

China's occupation of Tibet has marginalized a Tibetan national identity that dates back more than 2,000 years. Beijing's modern-day claim to the region is based on Mongolian and Manchurian imperial influence over Tibet in the thirteenth and eighteenth centuries, respectively. Largely under this pretext, China invaded Tibet in late 1949 and, in 1951, formally annexed the Central Asian land. In an apparent effort to undermine Tibetan claims to statehood, Beijing split up the vast region that Tibetans call their traditional homeland. It incorporated roughly half of this region into four different southwestern Chinese provinces beginning in 1950. The rest of this traditional homeland was named the Tibet Autonomous Region (TAR) in 1965.

The defining event of Beijing's rule took place in 1959, when Chinese troops suppressed a local uprising by killing an estimated 87,000 Tibetans in the Lhasa area alone. The massacre forced the Tibetan spiritual and political leader, the fourteenth Dalai Lama, Tenzin Gyatso, to flee to Dharamsala, India, with 80,000 supporters. Mao Zedong's Cultural Revolution further devastated Tibet; China jailed thousands of monks and nuns, and nearly all of Tibet's 6,200 monasteries were destroyed. As resistance to Beijing's rule continued, Chinese soldiers forcibly

broke up mainly peaceful protests throughout Tibet. Few large-scale protests against Chinese rule have occurred since 1989, when Beijing imposed martial law on Lhasa and the surrounding areas following three days of antigovernment protests and riots. Officials lifted martial law in 1990.

In addition to jailing dissidents, Chinese officials have stepped up their efforts to control religious affairs and undermine the exiled Dalai Lama's religious and political authority. In a flagrant case of interference with Tibet's Buddhist hierarchy, China in 1995 detained six-year-old Gedhun Choekyi Nyima and rejected his selection by the Dalai Lama as the eleventh reincarnation of the Panchen Lama. The Panchen Lama is Tibetan Buddhism's second-highest religious figure. Officials then stage-managed the selection of another six-year-old boy as the Panchen Lama. Since the Panchen Lama identifies the reincarnated Dalai Lama, Beijing potentially could control the identification of the fifteenth Dalai Lama. The government has also tried to control the identification and education of other religious figures.

Political Rights and Civil Liberties:

Under Chinese rule, Tibetans lack the right to determine their political future. The Chinese Communist Party rules the TAR and traditional Tibetan areas in nearby Qinghai, Sichuan, Gansu, and Yunnan provinces through appointed officials whose ranks include some Tibetans. No Tibetan, however, has ever held the peak post of TAR party secretary. Tibetans suffer the same lack of political freedom as their Han Chinese counterparts.

China controls the flow of information in Tibet, tightly restricting all media and regulating Internet use. The government blocks access to Tibetan-language broadcasts of Voice of America and Radio Free Asia (as well as the Norway-based Voice of Tibet), as it does for the Chinese-language broadcasts. Radio Free Asia reports that Tibetans who listen to foreign-language radio broadcasts may be liable for official intimidation or fines. In early 2004, the government banned a book written by a Tibetan that discussed religious issues and asserted that Tibetans revere the Dalai Lama.

Chinese officials permit Tibetans to take part in many religious practices, and most Tibetans practice some degree of Buddhism. However, since 1996, the government has also strengthened its control over monasteries under a propaganda campaign that is aimed largely at undermining the Dalai Lama's influence as a spiritual and political leader. Under this "patriotic education

campaign," government-run "work teams" visit monasteries to conduct mandatory sessions on Beijing's version of Tibetan history and other political topics. Officials also require monks to sign a declaration agreeing to reject independence for Tibet, denounce the Dalai Lama, not listen to Voice of America radio broadcasts, and reject the boy whom the Dalai Lama identified as the eleventh Panchen Lama.

The government directly manages monasteries through Democratic Management Committees (DMCs) and local bureaus. Only "patriotic and devoted" monks and nuns may lead DMCs, and the government must in any case approve all committee members. According to the U.S. State Department's 2003 Human Rights Report, released in February 2004, "the government continue[s] to discourage the proliferation of monasteries, which it contend[s are] a drain on local resources and a conduit for political infiltration by the Tibetan exile community."

In universities, professors cannot lecture on politically sensitive topics, and many reportedly are required to attend political education sessions. The government also limits course materials to prevent campus-based political and religious activity, and bans ancient and/or religious texts from classrooms on political grounds.

Independent civic groups, human rights groups, and trade unions are illegal. However, in October, at a human rights conference in Australia, Chinese officials indicated that they would invite a human rights delegation to visit Tibet in 2005. Moreover, for the first time ever, Chinese officials invited nongovernmental organizations to take part in the human rights discussion that will be held in China in 2005. Though improvements in the human rights situation thus far have been marginal at best, the observation made by the deputy secretary of the Australian Department of Foreign Affairs and Trade that China is being "increasingly forthcoming" in its response to Australian expressions of concern about the situation gives hope that conditions might begin to show more serious improvement in coming years.

Tibet is governed by China's corrupt, poorly developed, state-controlled legal system. Like the rest of China, it does not enjoy the rule of law. Human Rights Watch said in February that the government "is misusing criminal charges to repress political, cultural and religious expression in Tibetan communities." The organization was responding to the news that Tenzin Delek Rinpoche, a senior lama, was being held in a high-security prison. He had been sentenced to death in December 2002, but the sentence was suspended for two years and may be

commuted to life in prison. Neither his trial nor any of the evidence against him-he was allegedly involved in a bombing-was made available to the public, on the grounds that "state secrets" were involved. In November 2004, the US State Department renewed pressure on China to allow him a fair hearing before his stay of execution expired on December 2nd.

Tibetan political dissidents face particularly severe human rights abuses. Security forces routinely engage in arbitrary arrest and detention, torture, and execution, without due process, to punish even nonviolent protesters against Chinese rule. In March 2004, for example, security officials arrested a popular Tibetan singer and a composer because of the allegedly political content of their music. The previous month, security officials near Lhasa arrested a monk for possessing a photograph of the Dalai Lama and a Tibetan flag.

There are many political prisoners-strictly controlled access to the TAR makes it difficult to determine exactly how many, according to the 2003 U.S. State Department report-and they suffer beatings, physical and psychological torture, forced labor, and "political investigation" sessions that result in further punishment if detainees are not found to be loyal enough to the state. In October, the head of a Tibetan Buddhist monastery was shot and killed by the police; he and other monks had asked that the police repay them for medical treatment they had required after being beaten while in custody.

The issue of human rights scored an apparent victory in March, when one of the so-called "singing nuns" was released from prison after 15 years. Phuntsog Nyidron was detained in 1989 on charges of "counterrevolutionary propaganda and incitement" for her part in an independence march. She and 13 other imprisoned Tibetan women became known for smuggling a tape out of jail that had on it songs about their commitment to Tibet. However, Phuntsog Nyidron remains under constant government supervision, according to Human Rights Watch; at least two security officials out of the four assigned to her-two prison representatives and two public security officers-monitor her 24 hours a day. Calling China's strategy a "nasty game," the executive director of the organization's Asia Division remarked, "China tries to score points with other governments by opportunistically releasing activists, then keeping them isolated and under constant surveillance."

Because they belong to one of China's 55 recognized ethnic minority groups, Tibetans receive some preferential treatment in university admissions and governmental employment. Tibetans, however, generally need to learn Mandarin

Chinese in order to take advantage of these preferences or to hold many private sector jobs. Many Tibetans are torn between a desire to learn Chinese in order to compete for university slots and jobs and the realization that increased use of Chinese threatens the survival of the Tibetan language and culture. Government development policies have helped most Tibetans to some extent, but the policies still benefit Han Chinese disproportionately.

Tibetans reportedly face difficulties obtaining passports. Up to 3,000 Tibetans, many without valid travel documents, cross the border into Nepal each year. Many seek to study or settle in India. The government restricts foreign travel to the TAR and restricts Tibetans' movements during particularly sensitive anniversaries or events.

In November 2004, however, the Russian government granted the Dalai Lama a visa for the first time in 13 years, risking the displeasure of China, with whom it has increasing political and military ties. The Dalai Lama led prayers in the Russian republic of Kalmykia, one of the largest centers of Buddhism in that country. China responded by indicating that it "opposes…visits by the Dalai Lama to countries with diplomatic relations with China" and expressing its hope that Russia would "strictly abide by…relevant political agreements between the two sides".

State employment policies are generally less restrictive for Tibetans than for Han Chinese. Officially, the government maintains the right to refuse an individual's application to take up religious orders, but this is not often exercised. In the private sector, employers favor Han Chinese for many jobs-especially in urban areas-and give them greater pay than Tibetans for the same work. Tibetans also find it more difficult than Han Chinese to obtain permits and loans to open businesses. Tibetans are limited in many areas because of their relatively poor command of Mandarin Chinese, the language that has become widespread in urban areas and many businesses.

China's restrictive family planning policies are somewhat more lenient towards Tibetans and other ethnic minorities than towards the Han Chinese majority. Officials generally limit urban Tibetans to two children and encourage-but do not require-rural Tibetans to stop at three children. These restrictions were in any case not enforced in 2004. As in other parts of China, prostitution is a growing problem in the TAR.

Morocco (Western Sahara)

Political Rights: 7
Civil Liberties: 6
Status: Not Free

Overview:

Hope for independence or self-determination for the Western Sahara people suffered numerous setbacks in 2004, starting with the resignation of UN special envoy James Baker and culminating in October, when a UN-backed plan for autonomy failed to win full approval of a key UN General Assembly committee. However, some encouraging signs of confidence-building emerged during the year as hundreds of families from the territory and from Sahrawi refugee camps visited one another, some for the first time in decades. The Polisario Front released 100 Moroccan POWs, but held on to some 400 more.

Western Sahara was a Spanish colony from 1884 until 1975, when Spanish forces withdrew from the territory following a bloody two-year conflict with the Polisario Front. Moroccan claims to the territory date to Moroccan independence in 1956. Mauritania also laid claim to the southern portion of the territory. In 1976, Morocco and Mauritania partitioned the territory under a tripartite agreement with Spain, but the Polisario declared the establishment of an independent Sahrawi Arab Democratic Republic (SADR) and fought to expel foreign forces. Mauritania renounced its claims to the land and signed a peace agreement with the Polisario in 1979, prompting Morocco to seize Mauritania's section of territory.

In 1991, the United Nations brokered an agreement between Morocco and the Polisario that called for a ceasefire and the holding of a referendum on independence to be supervised by the newly created Mission for a Referendum in Western Sahara (MINURSO). However, the referendum, initially scheduled for January 1992, was repeatedly postponed after Morocco insisted that the list of eligible voters include an additional 48,000 people who, according to the Polisario and most international observers, were Moroccan nationals.

In the ensuing years, Morocco has attempted to cement its hold on the Western Sahara by settling Moroccans in the territory and by offering incentives such as salaries and free housing to Sahrawis who relocated from the territory to Morocco. At the same time, the Moroccans have repeatedly rebuffed UN attempts to broker a lasting solution to the conflict. On ascending the Moroccan throne in 1999, King Muhammad made some important gestures toward reconciliation, including releasing prisoners and allowing limited activity for Sahrawi human rights groups. In 2003, he formed a special commission to resolve the question of hundreds of Sahrawis who were forcibly "disappeared" during his father's reign.

In his 2004 report to the UN Security Council, Secretary-General Kofi Annan expressed his regret over the resignation of UN special envoy Baker and the failure of the conflicting parties to have benefited from his experience. He appointed Alvaro de Soto to replace Baker, but said an agreement on self-determination for the Western Sahara appeared more distant than at the start of the year. He also registered concern over an escalation in rhetoric between the conflicting parties, as Morocco and Algeria, which hosts the Sahrawi refugee camps, traded accusations of blocking progress on a resolution. At the end of October, the UN Security Council granted a six-month extension to MINURSO's mandate.

In September, a special committee in the UN General Assembly failed to reach a consensus on a peace plan, proposed by Baker and backed by Algeria, that would make the territory a semiautonomous part of Morocco during a four- to five-year transition period. After that, a referendum would let residents choose independence, continued semiautonomy, or integration with Morocco. The UN vote, which is nonbinding but reflects international opinion, passed by 52-0, but a majority of the 191-member committee abstained. In April, the plan had won UN Security Council backing, but Morocco said it could not accept any eventual referendum that made independence an option; the Polisario had accepted the plan.

Despite the deadlock in peace plans, both Morocco and the Polisario went ahead with a package of confidence-building measures promoted by MINURSO and the UN High Commissioner for Refugees (UNHCR). The measures included family visits and limited telephone and personal mail services. By the end of August, some 1,200 persons from refugee camps in Algeria and the territory had exchanged visits, and more were planned for the rest of the year. Flown on UN planes and accompanied by UN civilian police officers, many Sahrawis were able to see their close relatives for the first time in 30 years.

During the year, the Polisario released 200 Moroccan POWs, who were repatriated under the auspices of the International Red Cross. The United Nations said another 412 prisoners remain in Polisario camps in Tindouf, Algeria, and in Polisario-controlled areas of Western Sahara, some for more than 20 years. The Polisario claims that Morocco holds, or withholds information on, some 150 combatants and supporters, but the Moroccan government officially denies holding any former Sahrawi fighters.

Political Rights and Civil Liberties:

Sahrawis have never been able to elect their own government. The Moroccan government organizes and controls local elections in the Moroccan-held areas of the territory. Only Sahrawis whose views are consonant with the Moroccan government hold seats in the Moroccan parliament.

Freedom of expression remains very restricted both for Sahrawis and for foreign journalists covering the Western Sahara. In 2004, the authorities expelled five Norwegian and French journalists for meeting with Sahrawi activists. Moroccan security forces closely monitor the political views of Sahrawis, and police and paramilitary forces resort to repressive measures against those suspected of supporting the Polisario and independence. Private media and Internet access are virtually nonexistent.

The overwhelming majority of Sahrawis are Sunni Muslim, and the Moroccan authorities generally respect freedom of worship. Restrictions on religious freedom in Western Sahara are similar to those found in Morocco. Academic freedom is severely restricted.

Freedom to assemble or to form political organizations is restricted. For example, Sahrawis are largely unable to form political associations or politically oriented nongovernmental organizations. In January, King Muhammad pardoned some

20 political prisoners and detainees, among them activists working on human rights in the Western Sahara. Nonviolent demonstrations are often dispersed with excessive force by security forces, particularly in the form of beatings.

Little organized-labor activity occurs. The same labor laws that apply in Morocco are employed in Moroccan-controlled areas of the territory. Moroccan unions are present in these areas, but not active.

The civilian population living in Moroccan-controlled areas of Western Sahara is subject to Moroccan law. Activists in the territory and in Morocco suspected of opposing the government's Western Sahara policies have over the past decades been subject to particularly harsh treatment, including arbitrary killing, incommunicado detention, and torture.

Local and international human rights organizations say hundreds, if not more than 1,000, Sahrawis remain "disappeared." A new Equity and Reconciliation Commission, created in late 2003, has begun to investigate and document disappearances and other abuses that occurred between 1956 and 1999, but it has a limited mandate and no judicial authority. In a report issued in October, Human Rights Watch urged the commission to handle Western Sahara-related abuses "as thoroughly and fairly as those that occurred elsewhere." It said authorities "continue to persecute advocates of an independent Western Sahara, and are generally less tolerant of dissent in this region than elsewhere."

Freedom of movement within Western Sahara is limited in militarily sensitive areas, within both the area controlled by Morocco and the area controlled by the Polisario.

As in Morocco itself, women are subjected to various forms of legal and cultural discrimination. Female illiteracy is very high, especially in rural areas.

Russia (Chechnya)

Political Rights: 7
Civil Liberties: 7
Status: Not Free

Overview:

In 2004, the debilitating, long-term civil war in Chechnya continued to victimize civilians through acts of terrorism, "disappearances," and war crimes perpetrated by various parties to the conflict. Violence spread significantly outside the confines of Chechnya, as rebels and terrorists conducted strikes in neighboring regions and in the Russian heartland. Attacks included suicide bombings that brought down two Russian passenger airlines in August and an assault on a school in the town of Beslan in neighboring North Ossetia. The year also saw the assassination in May of Akhmad Kadyrov, the Kremlin's handpicked Chechen president. On August 29, after an election to fill the post of the assassinated president, the authorities declared the former interior minister, Alu Alkhanov, president.

A small, partly mountainous Northern Caucasus republic, Chechnya has been at war with Russia for much of its history since the late 1700s. In February 1944, the Chechens were deported en masse to Kazakhstan under the pretext of their having collaborated with Germany during World War II. Officially rehabilitated in 1957 and allowed to return to their homeland, they remained politically suspect and were excluded from the region's administration.

After being elected Chechnya's president in October 1991, former Soviet Air Force Commander Dzhokhar Dudayev proclaimed Chechnya's independence. Moscow responded with an economic blockade. In 1994, Russia began assisting Chechens opposed to Dudayev, whose rule was marked by growing corruption and the rise of powerful clans and criminal gangs. Russian president Boris Yeltsin sent 40,000 troops into Chechnya by mid-December and attacked the

capital, Grozny, widening the conflict. As casualties mounted, Russian public opposition to the war increased, fueled by criticism from much of the country's then-independent media. In April 1996, Dudayev was killed by a Russian missile.

A peace deal was signed in August 1996, resulting in the withdrawal of most Russian forces from Chechnya. However, a final settlement on the republic's status was put off until 2001. In May 1997, Russia and Chechnya reached an accord recognizing the elected president, Aslan Maskhadov, as Chechnya's legitimate leader.

Following incursions into neighboring Dagestan by renegade Chechen rebels and deadly apartment bombings in Russia that the Kremlin blamed on Chechen militants, then-Russian prime minister Vladimir Putin launched a second military offensive on Chechnya in September 1999. Russian troops conquered the flat terrain in the north of the republic, but progress slowed considerably as they neared heavily defended Grozny. Amid hostilities, Moscow withdrew recognition of Maskhadov.

Russia's indiscriminate bombing of civilian targets caused some 200,000 people to flee Chechnya, most to the tiny neighboring Russian republic of Ingushetia. After federal troops finally captured Grozny in February 2000, the Russian military focused on rebel strongholds in the southern mountainous region. Russian security sweeps led to atrocities in which civilians were regularly beaten, raped, or killed. Russian forces were subject to almost daily guerilla bomb and sniper attacks by rebels. The renewed campaign enjoyed broad popular support in Russia fueled by the media's now one-sided reporting favoring the official government position.

Following the September 11, 2001 terrorist attacks on the United States, Moscow defended its actions in Chechnya as part of the broader war on global terrorism, asserting a connection between Chechen separatists and terrorists linked to Osama bin Laden, leader of al-Qaeda, the terrorist network; no connections have been proven. As the war has persisted and atrocities have mounted, some Chechen fighters have engaged in terrorist acts. In an ordeal covered live by Russian television, a group of Chechen rebels stormed a Moscow theater on October 23, 2002, taking 750 people hostage. More than 120 hostages died, most from the effects of a sedative gas that Russian troops used to incapacitate the rebels. Russian authorities reported that all 41 of the rebels had been killed.

As part of a largely unsuccessful Russian campaign to build up the authority of pro-Moscow Chechen factions, a March 23, 2003 referendum on a new Chechen constitution took place in the absence of open and free media, with opponents of the referendum and its questions effectively silenced. Chechnya's Moscow-appointed administration claimed results indicated a voter turnout of 85 percent, with 96 percent of voters in favor of the Kremlin-backed constitution. However, an independent survey of voter sentiments by the Russian rights group Memorial found that 80 percent of the indigenous population opposed the referendum.

After the referendum, presidential and legislative elections, which were held on October 5, 2003, saw the victory of Kremlin-backed candidate Akhmad Kadyrov as president. The Organization for Security and Cooperation in Europe criticized the elections for not offering voters significant choice, and the U.S. government judged them as "seriously flawed."

Reliable estimates suggest that thousands of Chechens, mostly civilians, died in 2004 as a result of the conflict. Rights groups estimate that an average of 50 people disappear each month, usually as a result of abductions believed to originate with Russian forces. Increasingly women, children, and adolescent males from pro-rebel families are targeted. Pro-Russian Chechen officials this year admitted that more than 200,000 have died since war broke out in Chechnya in 1994 and hundreds of thousands have been wounded and displaced.

Officially more than 70,000 Russian troops and security forces remain in Chechnya. In 2004, Russia attempted to transfer increased responsibility for the counterinsurgency effort to Chechen units linked to criminal activities, torture, and gross rights violations.

Chechen fighters assassinated Kadyrov and a dozen others in May 2004 in an explosion that ripped through a stadium. The bomb had been planted in the concrete months earlier when the stadium was under repair. In August, female shahid (martyr) terrorists opposed to the Russian occupation blew up two Russian passenger airplanes that had left Moscow.

After Kadyrov's death, authorities scheduled a new election on August 29. Alu Alkanov, a graduate of the U.S.S.R.'s Academy of the Interior Ministry and Chechnya's interior minister since 2003, won with a reported 74 percent of the vote amid a claimed 85 percent voter turnout. Journalists observing the process pronounced the voter-turnout figure wildly inflated.

On September 1, anti-Russian terrorist guerrillas carried out a military assault in the neighboring republic of North Ossetia, taking over a school in the town of Beslan. Some 400 people-half of them children-died in the hostage situation, after local citizens moved to rescue their relatives.

Political Rights and Civil Liberties:

Residents of Chechnya do not have the means to change their government democratically. While the 1997 presidential elections-conducted by the region's separatist authorities-were characterized by international observers as reasonably free and fair, the resumption of war in the republic in 1999 led to the total evisceration of the political rights of Chechens. President Aslan Maskhadov fled the capital city in December 1999, and the parliament elected in 1997 ceased to function. In June 2000, Russian president Vladimir Putin enacted a decree establishing direct presidential rule over Chechnya.

Claims by the Russian government that they were returning the region to democratic rule by means of a March 2003 referendum lacked credibility. The referendum was orchestrated by the Kremlin, with no opportunity for debate, widespread vote rigging, and official results that indicated a voter turnout of 85 percent and nearly unanimous support for a new constitution.

In the subsequent presidential and parliamentary elections of October 5, 2003, candidates representing a genuine alternative were not on the ballot and real debate was stifled in an atmosphere of repression and censorship. After the assassination of the newly elected president, Akhmad Kadyrov, in May 2004, a new election was conducted under similarly undemocratic circumstances. Under the authoritarian rule of President Alu Alkhanov, as under Kadyrov, there is no party pluralism and politicians who advocate Chechen state independence are unable to work openly and freely. The current regime, which includes Ramzan Kadyrov, son of the assassinated president, is linked to a network of criminal Chechen groups and is denounced by Maskhadov and separatist Chechens as traitorous.

The disruptive effects of the war continue to severely hinder news production and the free flow of information. Russian state-run television and radio continue to broadcast in Chechnya, although much of the population remains without electricity. Alkhanov's administration effectively controls all other broadcast and most print media, which predominantly reflect official viewpoints. There are three licensed television broadcasters, whose content is pro-regime. The Chechen

rebel government operates a Web site with reports about the conflict and other news from its perspective. The editors of an independent weekly, Groznensky Rabochy, left Chechnya in 1999. The paper is now edited in Moscow and has limited distribution in Chechnya amid increased government restrictions on media coverage of the conflict. The paper's editor reports that there is widespread self-censorship by reporters who fear violent reprisals from rebels and pro-government forces.

The Russian military imposes severe restrictions on journalists' access to the widening Chechen war zone, issuing accreditation primarily to those of proven loyalty to the Russian government. Few foreign reporters are allowed into the breakaway republic, and when they are allowed entry, access is restricted by military and police authorities, as journalists covering the war must be accompanied at all times by military officials. In 2004, Russian and Georgian journalists who traveled to the region to cover the aftermath of the siege at Beslan appear to have been drugged, presumably by Russian authorities. One Russian journalist employed by U.S.-funded Radio Liberty was detained by Russian authorities and prevented from covering the siege.

Most Chechens are Muslims who practice Sufism, a mystical form of Islam. The Wahhabi sect, with roots in Saudi Arabia and characterized by a strict observance of Islam, has been banned, although adherents to its radical fundamentalist Islamic teachings form an important core of those engaged in terrorism against civilians. Since the start of the last war in 1994, many of the republic's schools have been damaged or destroyed, and education in Chechnya has been sporadic. Most schools have not been renovated and continue to lack such basic amenities as textbooks, electricity, and running water.

Some charitable nongovernmental organizations (NGOs) working on humanitarian, cultural, and social issues are allowed to operate but are under increasing Russian government criticism and pressure. An important but small Western-supported NGO, the LAM Center for Complex Research and Popularization of Chechen Culture, conducts activities in Russia to promote intergroup understanding and makes small grants to a small network of embattled NGOs. However, associational and trade union life is dominated by pro-regime organizations, and any groups and NGO activists that are viewed as sympathetic to the cause of Chechen independence are subject to persecution.

Russian government officials threaten international NGOs active in the country. In May 2004, the official spokesman for the Russian Foreign Ministry, Alexander

Yakovenko, told a press conference in Moscow that most humanitarian organizations in Chechnya are improperly involved in monitoring activities instead of giving humanitarian assistance. His remarks echoed those of Putin, who had broadly criticized Russian NGOs in his state of the nation address.

Occasional protests are held by family members pressing for action on the abduction and murder of their relatives. In March 2004, medical students in Grozny protested the forced abduction of a colleague. There have been occasional strikes including one by teachers and students protesting forced abductions and raids on schools by masked gunmen associated with the Russian occupation.

Amid widespread conflict, the rule of law is virtually nonexistent. Civilians are subject to harassment and violence, including torture, rape, and extrajudicial executions, at the hands of Russian soldiers. Senior Russian military authorities have shown disregard for these widespread abuses. The new police and security structures-some of them created by recruitment from private armies and militarized gangs loyal to Alkhanov's new regime-are engaged in widespread criminal activity and rights violations. Particularly notorious is the former Presidential Security Service-renamed the Akhmad Kadyrov Special Purpose Regiment in 2004-which is reportedly involved in extortion, adductions, trading in contraband, and the maintenance of unsanctioned prisons and torture chambers.

Extrajudicial killings, disappearances, and other war crimes are rarely investigated and even more rarely punished. In an unprecedented development, on July 25, 2003, a military court in Rostov-on-Don, Russia, found Russian Colonel Yuri Budanov guilty of kidnapping and murdering a Chechen woman and sentenced him to 10 years in a maximum security prison. In 2004, this sentence was upheld on appeal by higher Russian courts. In December 2003, a Russian military court initiated the trial of four soldiers for murders alleged to have been committed in the Shattoi region of Chechnya in January 2002.

Russian troops engage in so-called mopping-up operations in which they seal off entire towns and conduct house-to-house searches for suspected rebels. During these security sweeps, soldiers have been accused of beating and torturing civilians, looting, and extorting money. Thousands of Chechens have gone missing or been found dead after such operations. In 2002, Chechnya issued new rules for troops conducting sweeps, including identifying themselves and providing a full list of those detained. Rights activists have accused federal troops, as well as pro-Russian Chechen government forces, of widely ignoring

these rules. Human rights groups report the ongoing operation of illegal filtration camps by Russian authorities and Alkhanov's security forces. The camps detain and "filter" out Chechens suspected of ties to rebel groups, with "filtration" often used as a euphemism for "murder."

While many external refugee camps have been closed and Chechens who fled the violence have been pressured to return to their homes, there are still tens of thousands of refugees outside of Chechnya. Many refugees who return live in appalling conditions in tent camps, abandoned buildings, or cramped quarters with friends or relatives. There are tens of thousands of additional internally displaced persons inside the region and well over 100,000 long-term homeless, many of them orphaned children and teens.

Travel to and from the republic and inside its borders is severely restricted. After the resumption of the war, the Russian military failed to provide safe exit routes from the conflict zones for noncombatants.

Widespread corruption and the economic devastation caused by the war severely limit equality of opportunity. Ransoms obtained from kidnapping and the lucrative illegal oil trade provide money for Chechens and members of the Russian military. Much of the republic's infrastructure and housing remains damaged or destroyed after years of war, with reconstruction funds widely believed to have been substantially misappropriated by corrupt local authorities. In the capital city of Grozny, the long-term conflict has devastated civilian life, with more than 60 percent of all buildings completely destroyed. Much of the population ekes out a living selling produce or other goods at local markets. Residents who have found work are employed mostly by the local police, the Chechen administration, or the oil and construction sectors, or at small enterprises, including cafés.

While women continue to face discrimination in a traditional, male-dominated culture, the war has resulted in many women becoming the primary breadwinners for their families. Russian soldiers reportedly rape Chechen women in areas controlled by federal forces. Increasing numbers of women were reported to have been abducted and have disappeared.

Appendix A: Tables

Freedom in the World 2005

Table of Independent Countries

	Country	PR	CL	Freedom Rating
	Afghanistan	5▲	6	Not Free
	Albania	3	3	Partly Free
	Algeria	6	5	Not Free
	Andorra	1	1	Free
	Angola	6	5	Not Free
	Antigua and Barbuda	2▲	2	Free
↑	Argentina	2	2	Free
	Armenia	5▼	4	Partly Free
	Australia	1	1	Free
	Austria	1	1	Free
	Azerbaijan	6	5	Not Free
	Bahamas	1	1	Free
	Bahrain	5	5	Partly Free
↓	Bangladesh	4	4	Partly Free
	Barbados	1	1	Free
	Belarus	7▼	6	Not Free
	Belgium	1	1	Free
	Belize	1	2	Free
↓	Benin	2	2	Free
	Bhutan	6	5	Not Free
	Bolivia	3	3	Partly Free
	Bosnia-Herzegovina	4	3▲	Partly Free
	Botswana	2	2	Free
	Brazil	2	3	Free
↑	Brunei	6	5	Not Free
	Bulgaria	1	2	Free
	Burkina Faso	5▼	4	Partly Free
	Burma	7	7	Not Free
↑	Burundi	5	5	Partly Free
↑	Cambodia	6	5	Not Free
	Cameroon	6	6	Not Free
	Canada	1	1	Free
	Cape Verde	1	1	Free
	Ctrl. African Republic	6▲	5	Not Free
	Chad	6	5	Not Free
	Chile	1	1	Free
	China	7	6	Not Free
↓	Colombia	4	4	Partly Free
	Comoros	4▲	4	Partly Free
	Congo (Brazzaville)	5	4	Partly Free
	Congo (Kinshasa)	6	6	Not Free
	Costa Rica	1	1▲	Free
	Cote d'Ivoire	6	6▼	Not Free
↑	Croatia	2	2	Free
	Cuba	7	7	Not Free
	Cyprus	1	1	Free
	Czech Republic	1	1▲	Free
	Denmark	1	1	Free
	Djibouti	5	5	Partly Free
	Dominica	1	1	Free
	Dominican Republic	2▲	2	Free
	East Timor	3	3	Partly Free
	Ecuador	3	3	Partly Free
	Egypt	6	5▲	Not Free
	El Salvador	2	3	Free
	Equatorial Guinea	7	6	Not Free
	Eritrea	7	6	Not Free
	Estonia	1	1▲	Free
	Ethiopia	5	5	Partly Free
	Fiji	4	3	Partly Free
	Finland	1	1	Free
	France	1	1	Free
	Gabon	5	4	Partly Free
	The Gambia	4	4	Partly Free
	Georgia	3▲	4	Partly Free
	Germany	1	1	Free
↑	Ghana	2	2	Free
	Greece	1	2	Free

	Country	PR	CL	Freedom Rating
	Grenada	1	2	Free
	Guatemala	4	4	Partly Free
✚	Guinea	6	5	Not Free
	Guinea-Bissau	4▲	4	Partly Free
✚	Guyana	2	2	Free
	Haiti	7▼	6	Not Free
	Honduras	3	3	Partly Free
	Hungary	1	1▲	Free
	Iceland	1	1	Free
✚	India	2	3	Free
✚	Indonesia	3	4	Partly Free
✚	Iran	6	6	Not Free
✚	Iraq	7	5	Not Free
	Ireland	1	1	Free
	Israel	1	3	Free
	Italy	1	1	Free
✚	Jamaica	2	3	Free
	Japan	1	2	Free
	Jordan	5	4▲	Partly Free
	Kazakhstan	6	5	Not Free
	Kenya	3	3	Partly Free
	Kiribati	1	1	Free
✚	Kuwait	4	5	Partly Free
	Kyrgyzstan	6	5	Not Free
	Laos	7	6	Not Free
	Latvia	1	2	Free
	Lebanon	6	5	Not Free
	Lesotho	2	3	Free
	Liberia	5▲	4▲	Partly Free
	Libya	7	7	Not Free
	Liechtenstein	1	1	Free
	Lithuania	2▼	2	Free
	Luxembourg	1	1	Free
✚	Macedonia	3	3	Partly Free
	Madagascar	3	3	Partly Free
	Malawi	4▼	4	Partly Free
	Malaysia	4▲	4	Partly Free
✚	Maldives	6	5	Not Free
	Mali	2	2	Free
	Malta	1	1	Free
	Marshall Islands	1	1	Free
	Mauritania	6	5	Not Free
	Mauritius	1	1▲	Free
	Mexico	2	2	Free
	Micronesia	1	1	Free
	Moldova	3	4	Partly Free
	Monaco	2	1	Free
	Mongolia	2	2	Free
	Morocco	5	4▲	Partly Free
	Mozambique	3	4	Partly Free
	Namibia	2	3	Free
	Nauru	1	1	Free
	Nepal	5	5▼	Partly Free
	Netherlands	1	1	Free
	New Zealand	1	1	Free
	Nicaragua	3	3	Partly Free
	Niger	3▲	3▲	Partly Free
✚	Nigeria	4	4	Partly Free
	North Korea	7	7	Not Free
	Norway	1	1	Free
	Oman	6	5	Not Free
✚	Pakistan	6	5	Not Free
	Palau	1	1	Free
✚	Panama	1	2	Free
	Papua New Guinea	3	3	Partly Free
✚	Paraguay	3	3	Partly Free
✚	Peru	2	3	Free
	Philippines	2	3	Free
	Poland	1	1▲	Free
	Portugal	1	1	Free
	Qatar	6	5▲	Not Free
	Romania	3▼	2	Free
	Russia	6▼	5	Not Free
✚	Rwanda	6	5	Not Free
	Saint Kitts and Nevis	1	2	Free
	Saint Lucia	1	2	Free
	St Vincent and Grenadines	2	1	Free
	Samoa	2	2	Free
	San Marino	1	1	Free
	Sao Tome and Principe	2	2	Free
	Saudi Arabia	7	7	Not Free
✚	Senegal	2	3	Free
✚	Serbia and Montenegro	3	2	Free
	Seychelles	3	3	Partly Free
✚	Sierra Leone	4	3	Partly Free
	Singapore	5	4	Partly Free
	Slovakia	1	1▲	Free
	Slovenia	1	1	Free
	Solomon Islands	3	3	Partly Free
✚	Somalia	6	7	Not Free
	South Africa	1	2	Free
	South Korea	1▲	2	Free
	Spain	1	1	Free
	Sri Lanka	3	3	Partly Free
	Sudan	7	7	Not Free
	Suriname	1	2	Free
✚	Swaziland	7	5	Not Free
	Sweden	1	1	Free
	Switzerland	1	1	Free
	Syria	7	7	Not Free
	Taiwan	2	1▲	Free
	Tajikistan	6	5	Not Free
	Tanzania	4	3	Partly Free
✚	Thailand	2	3	Free
✚	Togo	6	5	Not Free

	Country	PR	CL	Freedom Rating
⬇	Tonga	5	3	Partly Free
	Trinidad and Tobago	3	3	Partly Free
	Tunisia	6	5	Not Free
	Turkey	3	3▲	Partly Free
	Turkmenistan	7	7	Not Free
	Tuvalu	1	1	Free
	Uganda	5	4	Partly Free
	Ukraine	4	3▲	Partly Free
	United Arab Emirates	6	6	Not Free
	United Kingdom	1	1	Free
	United States	1	1	Free
	Uruguay	1	1	Free
	Uzbekistan	7	6	Not Free
	Vanuatu	2	2	Free
	Venezuela	3	4	Partly Free
	Vietnam	7	6	Not Free
⬇	Yemen	5	5	Partly Free
	Zambia	4	4	Partly Free
	Zimbabwe	7▼	6	Not Free

Table of Related Territories

Country	PR	CL	Freedom Rating
(China)			
Hong Kong	5	2▲	Partly Free
(United States)			
Puerto Rico	1	2	Free

Table of Disputed Territories

	Country	PR	CL	Freedom Rating
	(Armenia/Azerbaijan)			
	Nagorno-Karabakh	5	5	Partly Free
	(China)			
	Tibet	7	7	Not Free
	(Cyprus)			
	Northern (Turkish) Cyprus	2	2	Free
	(Georgia)			
	Abkhazia	6	5	Not Free
	(India)			
	Kashmir	5	5	Partly Free
	(Israel)			
⬇	Israeli-Occupied Territories	6	6	Not Free
⬇	Palestinian Authority-Administered Territories	5	6	Not Free
	(Moldova)			
	Transnistria	6	6	Not Free
	(Morocco)			
	Western Sahara	7	6	Not Free
	(Pakistan)			
	Kashmir	7	5	Not Free
	(Russia)			
	Chechnya	7	7	Not Free
	(Serbia and Montenegro)			
	Kosovo	6▼	5	Not Free

PR and CL stand for Political Rights and Civil Liberties, respectively; 1 represents the most free and 7 the least free rating.

▲▼ up or down indicates a change in Political Rights or Civil Liberties since the last survey.

⬆⬇ up or down indicates a trend arrow.

The freedom ratings reflect an overall judgment based on survey results.

NOTE: The ratings in this table reflect global events from December 1, 2003, through November 30, 2004.

Appendix B: Methodology

The preceding reports were excerpted from the forthcoming 2005 edition of *Freedom in the World*, an annual Freedom House survey that monitors the progress and decline of political rights and civil liberties in 192 countries and 14 select related and disputed territories. The survey rates each country and territory on a seven-point scale for both political rights and civil liberties, with 1 representing the most free and 7 the least free, and then assigns each country and territory a broad category status of Free (for countries whose ratings average 1.0 to 2.5), Partly Free (3.0 to 5.0), or Not Free (5.5 to 7.0). Those countries and territories which received scores of 6 for political rights and 7 for civil liberties, 7 for political rights and 6 for civil liberties, and 7 for both political rights and civil liberties are included in the group of "most repressive regimes." Within these groups are gradations of freedom that make some more repressive than others.

A change in a country's or territory's political rights or civil liberties rating from the previous year is indicated by an arrow next to the rating in question, along with a brief ratings change explanation preceding the country or territory report. Freedom House also assigned upward or downward "trend arrows" to certain countries and territories which saw general positive or negative trends during the year that were not significant enough to warrant a ratings change. Trend arrows are indicated with arrows placed before the name of the country or territory in question, along with a brief trend arrow explanation preceding the report.

The *Freedom in the World* ratings are not only assessments of the conduct of governments, but are intended to reflect the reality of daily life. Freedom can be affected by state actions as well as by non-state actors. Thus, terrorist movements or armed groups utilize violent methods which can dramatically restrict essential freedoms within a society. Conversely, the existence of non-state activists or

journalists who act courageously and independently despite state restrictions can also positively impact the ability of the population to exercise its freedoms.

The survey enables an examination of trends in freedom over time and on a comparative basis across regions with different political and economic systems. The survey, which is produced by a team of in-house regional experts, consultant writers, and academic advisors, derives its information from a wide range of sources. Most valued of these are the many human rights activists, journalists, editors, and political figures around the world who keep us informed of the human rights situation in their countries. *Freedom in the World*'s ratings and narrative reports are used by policy makers, leading scholars, the media, and international organizations in monitoring the ebb and flow of freedom worldwide.

For a more detailed analysis of last year's survey methodology, please consult the methodology chapter from *Freedom in the World 2004*. The methodology for the forthcoming survey edition will be published in *Freedom in the World 2005*.

Appendix C: About Freedom House

Founded in 1941 by Eleanor Roosevelt and others, Freedom House is the oldest non-profit, non-governmental organization in the United States dedicated to promoting and defending democracy and freedom worldwide. Freedom House supports the global expansion of freedom through its advocacy activities, monitoring and in depth research on the state of freedom, and direct support of democratic reformers throughout the world.

Advocating Democracy and Human Rights

For over six decades, Freedom House has played an important role in identifying the key challenges to the global expansion of democracy, human rights and freedom. Freedom House is committed to advocating a vigorous U.S. engagement in international affairs that promotes human rights and freedom around the world.

Monitoring Freedom

Despite significant recent gains for freedom, hundreds of millions of people around the world continue to endure dictatorship, repression, and the denial of basic rights. To shed light on the obstacles to liberty, Freedom House issues studies, surveys, and reports on the condition of global freedom. Our research is meant to illuminate the nature of democracy, identify its adversaries, and point the way for policies that strengthen and expand democratic freedoms. Freedom House projects are designed to support the framework of rights and freedoms guaranteed in the Universal Declaration of Human Rights.

Supporting Democratic Change

The attainment of freedom ultimately depends on the actions of courageous men and women who are committed to the transformation of their societies. But history has repeatedly demonstrated that outside support can play a critical role in the struggle for democratic rights. Freedom House is actively engaged in these struggles, both in countries where dictatorship holds sway and in those societies that are in transition from autocracy to democracy. Freedom House functions as a catalyst for freedom by working to strengthen civil society, promote open government, defend human rights, enhance justice, and facilitate the free flow of information and ideas.