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Human Rights Watch and the Muslim World

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Human Rights
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Human Rights Watch (HRW), an independent non-governmental organization based in New York, investigates and reports on human rights abuses in some seventy countries, including the United States. HRW's purpose is to hold governments accountable for violations of internationally recognized human rights and humanitarian law, and to generate pressure from other governments, international organizations, and civil societies to end such abuses. We address the practices of governments without regard to ideological or geopolitical orientation, and of all ethnic and religious persuasions. The organization also responds to abuses committed by armed insurgent groups. Among the major concerns of the organization are freedom of thought and expression, due process and equal protection of the law, torture, arbitrary imprisonment, and disappearances. HRW recognizes the indivisibility of human rights, including economic, social, and cultural rights, although its main work focuses on civil and political rights, including the right of workers to exercise freedom of association and to engage in collective bargaining.

The organization began modestly in 1978 as Helsinki Watch, with the purpose of monitoring compliance by the participating states in the Conference on Security and Cooperation in Europe with the human rights provisions of the Final Act of the conference, known as the Helsinki Agreement. An Americas Watch division emerged in the early 1980s to monitor human rights developments in Central and Latin America and US human rights policy there. Today HRW also includes divisions that monitor developments in Africa, Asia, and the Middle East and North Africa. Three thematic divisions focus on Women's Rights, Children's Rights, and Arms (the role of arms transfers to abusive forces and particular weapons systems that are inherently cruel or indiscriminate, such as landmines). A current theme of Human Rights Watch is international justice, which includes support for the special international criminal tribunals in former Yugoslavia and Rwanda, the campaign to establish an International Criminal Court, and, following on Spain's request to extradite former Chilean dictator Augusto Pinochet, efforts to encourage national judicial systems to prosecute crimes of recognized international jurisdiction such as war crimes, genocide and crimes against humanity.

HRW premises its efforts on the universality of the core rights specified in the 1948 Universal Declaration and subsequently codified as treaty law in the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). From this perspective HRW applies the same criteria when it monitors the practices of governments claiming to be Islamic as when it examines states that discriminate against or persecute Muslims. We have been outspokenly critical of Sudan, for instance, where the Islamist government has invoked religious grounds for its scorched-earth war policy that has targeted civilians in the largely non-Muslim south of the country and generally employed tactics that cannot be justified by the tenets of any religion. HRW has been a main source of documentation of mass killings and other atrocities in former Yugoslavia, notably in Bosnia and now Kosovo, where Muslims comprise the majority of victims. In Indonesia, HRW's Asia division has been monitoring abuses growing out of, and contributing to, communal tensions following the resignation of President Suharto. The violence there has sometimes been directed at, and at other times perpetrated by, Muslims. HRW recently urged the Jakarta embassies of Egypt and Jordan to help form a diplomatic delegation to investigate attacks by security forces in the largely Muslim region of Aceh and to help defuse mounting tensions there. HRW's reports and public advocacy in such circumstances

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make a point of addressing the economic, political, and social factors underlying conflicts that are expressed primarily in terms of religious identity.

Most situations we investigate do not turn on questions of religious belief. HRW has looked with equivalent scrutiny at the abusive interrogation and detention practices of the governments of Syria, Bahrain, Israel, Iran and Egypt, for example. In some instances these abuses arise out of political or armed conflict involving demands for civil rights and economic justice by communities claiming to suffer from discrimination and exclusion based on religious belief. In cases such as Algeria and Egypt, where armed opposition groups calling themselves Islamic justify atrocities against civilians in those terms, HRW has condemned the violations of humanitarian law unequivocally, but also insisted that the governments counter the violence without recourse to outlawed practices such as torture and arbitrary arrests. Furthermore, HRW insists that governments not abridge the rights to free association and expression of Islamists attempting to promote their political views by peaceful means.

Governments in the newly independent states of Central Asia have reacted warily to growing interest in Islam, preferring to maintain control by appointing clerics and requiring registration of congregations. HRW has decried the repression of independent Muslim activists in Uzbekistan, where the government has arrested hundreds of believers on fabricated drug charges. We have also documented discrimination against pious Muslims in education, such as the dismissal of young men and women from schools and universities for wearing beards and *hijab*.

One area of HRW's work that confronts most directly the claimed Islamic character of certain human rights abuses involves issues of freedom of belief and of religion. HRW published a 1997 report detailing extensive human rights violations by the Islamic Republic of Iran against religious (and ethnic) minorities, notably Baha'is, evangelical Christians, and Sunni Muslims. The organization has similarly criticized Saudi Arabia's official and widespread discrimination against its Shi'a Muslim minority, and its intolerance of non-Wahabi beliefs and practices generally, including non-Wahabi Sunni Muslims. In other cases, HRW has protested a government's failure to protect the rights of citizens threatened by groups attempting to impose their interpretation of Islam. Human Rights Watch has been critical of recent steps by the Egyptian authorities conferring semi-official powers of censorship on the Islamic Research Academy of al-Azhar, for example. We also intervened in the case of Nasr Hamid Abu Zayd, a professor of Islamic Studies and Linguistics at Cairo University, who felt compelled to leave Egypt following threats against his life after a group of Islamist lawyers had secured civil court judgements declaring Abu Zayd an apostate on the basis of his scholarly writings and ordering him to be divorced from his wife against their will. HRW initiated a joint letter of protest to President Mubarak signed by twenty-one human rights, women's rights, Arab-American and Muslim American organizations, urging the authorities to support publicly Professor Abu Zayd's right

to exercise free expression without harassment and threats of physical harm, to provide him and his wife with adequate security should they return to live in Egypt, and to submit new legislation that would strengthen guarantees and protection of freedom of expression and academic research.

Another area where governments and movements have attempted to impose their understanding of Islamic values is women's rights. In Algeria, HRW has called attention to the actions of armed groups claiming to be Islamic who have raped, mutilated and murdered women, in some cases for defying their rules of dress and work outside the home. The organization has condemned the extreme steps of the Taliban government in Afghanistan stripping women of their rights to work, travel and attend school. HRW has documented the discriminatory impact of civil and criminal codes in Iran, Pakistan, Morocco, Egypt, and elsewhere that, in the name of promoting Islamic values, subordinate women's social status and restrict their personal freedoms. The organization also works on the problem of domestic violence around the world, including countries with Muslim majorities or large minorities, in an effort to persuade governments to fulfil their responsibility to protect women's lives and physical security.

In all these areas, Human Rights Watch works closely with local human rights defenders and organizations. While local human rights movements are numerous and active in several Muslim countries, such as Pakistan and Egypt, generally speaking the Middle East and North Africa probably have the youngest and least-developed movement. In many countries the groups lack legal status. In Egypt, where the human rights community has become quite diverse, they operate very much at the uncertain sufferance of the government. More typically, in Syria and Bahrain for instance, no local activity is permitted and international organizations are generally not allowed to conduct fact-finding missions. Tunisia is somewhat unique: few governments in the world devote as much time to promoting their human rights image while systematically silencing their citizens who attempt to present a more accurate picture. The challenges to local human rights defenders, and to international organizations like HRW, go beyond government harassment and repression, however. The overall political environment is generally not hospitable to human rights concerns, which are frequently attacked as self-serving Western constructs not only by the government but also by political opposition groups and media. At the same time, many political activists and commentators, including Islamists, have incorporated human rights into the discourse of their political programmes and objectives. Human Rights Watch sets a high priority on working in consultation with local groups where they exist and in pressing the governments to permit such activity where they presently do not.

The issue of religious persecution has become a contentious one in US legislative politics recently, driven largely by persons who contend that Christian minorities have increasingly become targets of discrimination and abuse in Communist countries like China and Vietnam and in several Muslim countries like Sudan and Egypt. In some cases the govern-

ment is the source of the abuse; in other cases it is more an issue of the government failing to protect residents against vigilante attacks. Human Rights Watch has consistently included, in its monitoring and advocacy, freedom of religion and the right to practice (or not to practice) one's religious beliefs as among the core universal human rights. We have argued that denial of freedom of belief is almost always part of a more general pattern of repression and denial. In terms of US policy, the problem is not insufficient attention to religious persecution, but rather the overall failure to implement existing human rights legislation to sanction a whole range of grievous abuses, including this one. ♦