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IFI-published study: Human rights mechanisms gaining ground in Arab States

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Arab states and societies have recently moved on from the view that human rights are a form of Western neo-colonialism, according to Fateh Azzam, the newly-appointed director of the Asfari Institute for Civil Society and Citizenship.

“In keeping with common lore, it is false to assume that Arab states are in opposition to human rights,” said Azzam, a senior public policy fellow at the Issam Fares Institute for Public Policy and International Affairs (IFI), during the presentation of his study report, “Arab States and UN Rights Mechanisms,” at AUB. “But it is true that there may be certain general resistances to the human rights paradigm in some circles in the region.”

“The more common discourse has been that Arab and Islamic culture are equally valid sources of human rights concept, and that Islam already guarantees rights in a manner largely consistent with human rights law,” he added.

The presentation offered an analysis of Arab engagement with UN human rights mechanisms from 2005-2012. It summarized issues raised by states and NGOs, and assessed the recommendations of the human rights treaty bodies, and the Human Rights Council’s Universal Periodic Review, resulting Arab states’ acceptance and rejection of those recommendations. The research report was published by IFI in July 2013.

Azzam recounted how the very first Arab Human Rights Charter was drafted in 1973, but no one signed it. It was renewed in the early 1990s, but again nothing happened. The 2008 renewal of the charter resulted in it coming into force, with 10 out of the 22 Arab states signing it, leading to the creation of the first committee.

“Actually more Arab states have signed international human rights agreements than they have signed regional ones,” clarified Azzam. “Any debate, while important to help encourage states to sign and ratify human rights treaties, becomes immaterial to the fact that once they do ratify those treaties (and they have), they become legally obligated to implement them.”

Despite some protestations to the contrary, states in the Arab region are cognizant of these legal obligations. This has been demonstrated in their engagement with the treaty bodies and more recently in their active engagement with the Human Rights Council's Universal Periodic Review. This shows that it is time to move away from the view that the human rights paradigm is a sensitive matter that cannot be broached in the Arab region.

"Nevertheless, Arab nations still see such treaties as a threat to their own national sovereignty and meddling by outsiders in their own affairs," explained Azzam.

Azzam recounted how, during a discussion with King Abdullah, the latter had the view that they were not against human rights per se, but had their own perspective of seeing and interpreting matters. "We are doing what can be accepted by our social limits and you cannot expect us to alter our culture," had said the monarch.

According to Azzam, Arab governments may resist using human rights as a basis for development or other engagement. They are nevertheless UN member states and participated in the adoption of policies and declarations, including the entire human rights treaty system, the Human Rights Council, and the Outcome Document of the Social Summit. The connection needs to be made, however, between international development cooperation and domestic and international legal obligations. The latter must inform the former. International treaty commitments and the willingness to cooperate are both entered into voluntarily, and they are both designed for the benefit of societies and each individual within society.

"UN and other program and donor agencies, as well as governments around the globe are bound to consider the legal protection of human rights in this cooperation," he emphasized.

For Azzam, the uprisings in North Africa and the Middle East in 2011 were clear expressions of people's frustrations with unaccountable governments, ineffectual economic policies, rampant corruption, and the exclusion of the intended beneficiaries of development from any participation in the debates on public policy. Despite some successes in some countries at regime change, this situation has not yet markedly improved and the change will not be sustainable without a change in modus operandi.

"Incorporating a human rights lens and practical strategies and approaches in any new development model is imperative, not only because of the legal requirements to do so, but because it offers an opportunity to try something new," he said.

Asked about the goals of his study, Azzam explained that its essential aim was to understand and get a sense of the engagement levels of Arab countries regarding human rights issues, focusing on what recommendations were made and which were accepted.

In response to the question of whether human rights issues were a waste of time and

resources, Azzam equated such efforts with the efforts of the UN's development and poverty eradication. "The fact that there is still rampant poverty and need for development doesn't stop us from working to improve them, and it is the same with human rights, where problems still abound," he said.

"The challenge before national civil society organizations, the UN, and other international organizations is to consider how to work cooperatively with governments while at the same time insisting that governments change their methods of work and do what they legally must do," he concluded.

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Note to Editors

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Founded in 1866, the American University of Beirut bases its educational philosophy, standards, and practices on the American liberal arts model of higher education. A teaching-centered research university, AUB has more than 700 full-time faculty members and a student body of about 8,500 students. AUB currently offers more than 100 programs leading to the bachelor's, master's, MD, and PhD degrees. It provides medical education and training to students from throughout the region at its Medical Center that includes a full service 420-bed hospital.

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