



*Cairo Institute for Human Rights Studies*

# *Second Independence*

*Towards an Initiative  
for Political Reform  
in the Arab World*



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## Cairo Institute for Human Rights Studies (CIHRS)

CIHRS is a professional, non-governmental research center specialized in the study of human rights in the Arab world. CIHRS was founded in April 1993 and has started its activities in April 1994. The institute views itself as part of the international and Arab human rights movement.

CIHRS does not affiliate with any kind of political activities, and cooperates with other institutions on equal basis in all matters pertaining to human rights.

CIHRS activities include conceptual, and applied research educational programs, seminars, periodical and non-periodical publications as well as providing research facilities and consultations to interested researchers.

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## Preface

This pamphlet includes the recommendations of the First Civil Forum parallel to the Arab Summit and the relevant press releases.

The Forum sent its recommendations in a brief message to the Arab Kings, Presidents and Emirs. The message was formulated based on a detailed comprehensive document adopted by the Forum. It is a comprehensive framework for the initiative of political reform in the Arab world.

The document is entitled "Second Independence" i.e. complementing the acquisition of the right to self-determination of the peoples within a framework of democratic rule respecting human rights. It is noteworthy that the "second independence" is an expression used by some African movements calling for democracy in the late 1980s and the early 1990s. Afterwards, it was used by a Tunisian thinker as a title for one of his books on the significance of

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democracy in the Arab world.

The document illustrates the stance of the Forum towards the so-called international initiatives for reform and the stance of the Arab governments towards such initiatives. Moreover, it identifies the general principles of the framework of reform in the Arab region. The document displays the major demands and tackle in detail particular issues such as: the rights of the minorities and nationalities, religious discourse, the rights of women, migrant workers and refugees. Furthermore, it addresses the priorities in countries in transition particularly: the Sudan, Iraq and Palestine.

The document dedicates a separate section on reforming the League of Arab States, from the civil society perspective. It illustrates the stance of the human rights institutions regarding the draft of the Arab Charter on Human Rights. It concludes by identifying the new responsibilities to be assumed by the human rights institutions in the process of political reform in the Arab region.

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The First Civil Forum was organized by the Cairo Institute for Human Rights Studies (CIHRS) in Beirut, in cooperation with the Association for Defending Rights and Freedoms (ADL) and the Palestinian Human Rights Organization (Rights) and in coordination with the Euro-Mediterranean Human Rights Network (EMHRN) and the International Federation for Human Rights (FIDH). The event was funded by the European Commission. It was attended by 87 persons; 74 participants representing 52 NGOs from 13 Arab states, in addition to academic and political figures and 13 observers from 13 institutions from 10 states.



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## **Second Independence**

# **Towards an Initiative for Political Reform in the Arab World**

The recommendations of the First Civil Forum

Parallel to the Arab Summit

Beirut, March 19 – 22, 2004

The Civil Forum expresses its extreme disappointment that the reform proposals submitted to the Arab Summit do not provide any serious promise of change. The shortfalls of the reform proposals are a result of the lack of courage to acknowledge the intensity of the crisis.

The apathy of the majority of the Arab states towards the Report on Human Development in the Arab world is a significant indicator of the lack of desire to reform or failure to acknowledge the problems plaguing the Arab world.

The justification for external initiatives to reform the Arab world might be the systematic suppression of internal initiatives for reform for more than half a century. Such suppression has been practiced either through marginalization, blocking out,

imprisonment or exile of those who make such initiatives. While the route of the reformists in the Arab world was a bloody one, however, messengers of external initiatives for reform have received red-carpet receptions and enjoyed wide-ranging media coverage- even if their initiatives might have been rejected in the end.

Though the international initiatives might be ascribed to real pressing needs of the Arab societies, acceptance of such initiatives -even if true- implies acceptance of the security interests behind them. It also implies wasting the major sacrifice on the part of the Arab reformists over the years, whether on the level of individuals or political and non-political groups. Moreover, it implies wasting of the programs, initiatives and demands, even with the minimum response on the part of the Arab governments as the Arab world is undergoing deteriorating political, economic, social and cultural conditions.

This is not a justification for the reasons invoked by some of the Arab governments in rejecting the international initiatives. The Arab governments are the last to make

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distinctions between internal and external initiatives as they have suppressed the internal initiatives for reform and, on the other hand, concluded security agreements with foreign countries without consulting their people. Moreover, such governments should not belittle the Arab cultures and religions by invoking them as grounds to reject reform, implying that these cultures accept torture, collective and individual murder, forging of political will, corruption, extremism, terrorism and other cruelties. Nor is it acceptable to suggest that the Arab cultures reject democratic rule, integrity, transparency and human rights.

Warnings of the chaos that might result from reforming the Arab world ignore the fact that anarchy has already mushroomed in some of the Arab states. The threat of total collapse would be the result of delaying the onset of reform. Extremism has the final say in the political arena in the Arab world - it is coterminous with marginalization or suppression of the other intellectual and political currents and their symbols. This is maintained under hegemony of extremist religious discourse, which is contrary to the interests of the people and the objectives of



Islam. Such deterioration per se necessitates urgent response to the calls for reform.

The rejection of some Arab governments of the international initiatives for reform is an extension of their rejection of reform from any source, whether internal or external. Such governments refuse to benefit from the current few examples of reform in the Arab world, the most important of which is Morocco. This is due to the fact that Morocco's reform is the result of a harmony between the Moroccan political regime and the will of political parties and the civil society institutions. Furthermore, it implies a courageous acknowledgment of the past colossal violations of human rights, and an initiative to apologize for such violations and to support the victims. This is not an indication that the Moroccan example is an ideal one, however, it might be a guide on the route towards reform.

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Half a century since they gained independence, the Arab peoples have been suffering from civil wars and widespread brutal suppression. During these years, the Arab region has achieved the lowest level of development and freedom and the

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highest levels of corruption, unemployment, poverty and despotism all over the world. Now reform ranks high on the agenda, bringing in the phase of "*Second Independence*"<sup>(1)</sup> i.e. complementing the right of the peoples to self determination -self-rule/democracy and respect for human rights - that was not exercised through the "first" independence.

The sound approach towards reform is ensuring freedoms, reconsidering internal initiatives for reform, apologizing for the victims of violations and actually effectuating reform instead of maintaining futile deliberations thereon. This is conditional on the consent of the Arab governments to save the region from the threat of collapse, disintegration, poverty and spread of political, ethical and financial corruption or the threat of foreign occupation.

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1- "Second independence", an expression used by some African movements calling for democracy over the late 1980s and early 1990s. Then a Tunisian thinker used it as a title for one of his books on the significance of democracy in the Arab world

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## **I- Fundamental Principles for any Initiative for Reform**

- 1- All the Arab peoples are entitled to the right to self-determination. By virtue of such right, they can freely pursue their economic, social and cultural development, and enjoy their natural wealth and resources. This requires the full exercise of the freedoms and rights stipulated in the international instruments on human rights.
- 2- Human rights values are the fruit of the interaction and communication between civilizations and cultures throughout history, including the Arab and Islamic cultures. They are the product of the struggle by all peoples, including the Arab peoples, against all forms of injustice and oppression, whether internal or external. In this sense, such values belong to humanity at large.
- 3- Cultural or religious particularities should not be invoked as a pretext to doubt and to question the universality of the principles of human rights. The "particularities" that deserve celebration

are those entrenching the citizen's sense of dignity and equality, which enrich his/her culture and life and enhance his/her participation in their own country's public affairs. Assuring the tolerant principles of Islam and religions in general should not be placed in a forged contradiction with the principles of human rights. The Forum warned against invoking dated interpretations of Islam, adherence to which – through a human ijtiḥād - is an insult to Islam and Muslims and a violation of human rights. This is particularly the case when it comes to excluding women, confiscating freedoms of conscience, thought, belief, scientific research and artistic and literary creativity.

- 4- Respect for human rights is a prime interest for every person, group, people and humanity at large. This is considering that the enjoyment of dignity, freedom and equality by all is a crucial factor in flourishing the human person, in advancing nations and developing their material and human wealth and in promoting the sense of citizenship.



5- The manipulation of patriotic feelings and the principle of hegemony in order not to abide by the international human rights standards should be strongly condemned. Moreover, the Palestinian issue and combating terrorism should not be invoked as justifications for undermining freedoms and rejecting democratic transformation and respect for human rights.

6- Peoples of the Arab world have the right to civil representative ruling systems. Every nation should be allowed to create their own legislation according to their contemporary conditions. All citizens have the right to participate in the administration of public affairs. They should be allowed to assume public and political posts on an equal basis irrespective of their national, religious and linguistic inclinations.

7- The public authority should maintain neutrality towards the followers of various religions and sects within the one religion, ensuring the right of all to perform their religious rituals without

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discrimination as to their public rights.

8- Arab constitutions should ensure the right to intellectual, political and party plurality, provided that parties are to be established on grounds of citizenship. The establishment of parties instigating or practicing violence should be banned.

9- Human rights in all fields, including women's rights, cannot be divided. Women's rights to dignity and legal capacity enabling them to determine their fate should be ensured. Moreover, equality between men and women in rights and duties, whether in family relations or in general affairs, should be guaranteed.

10- Respect for human rights and fundamental freedoms and above all, the absolute equality in dignity and citizenship should be maintained. This should be the sound approach to handle the religious, cultural, linguistic and national groups' problems in the region. Ignoring this fact for several years has led to wasting human resources and depleting material wealth in extremely

harmful and needless civil wars. Such negligence has been very harmful and has nurtured separatist tendencies and opened the door for revenge and foreign intervention.

11- The use of violence should be abandoned in politics and all forms of inciting religious and ethnic hatred whether by state or non-state actors. Also, all forms of racial discrimination against certain national or religious groups in the Arab world should be abandoned.

12- It is prohibited to declare a state of emergency except in the time of actual war, or partially in case of a natural disaster, and it should immediately be lifted when the justification of this emergency no longer exists. Furthermore, a state should not manipulate its authority under such emergencies in events that are not relevant to the causes of the emergency imposed. Accordingly, the state has no right to illegally arrest anyone, and everyone has the right to resort to a judge to instantly determine whether or not the arrest is legal.

## II- Fundamental Demands in any Initiative for Reform

### *First - General Demands:*

1. Putting an end to martial laws and the state of emergency.
2. Ending the enforcement of exceptional laws, the practice of arbitrary execution and capital punishment.
3. Abolishing exceptional courts, ending referral of civilians to martial courts regardless of their charges and ensuring the independence of natural judiciary.
4. Ending administrative and preventative detention and releasing all prisoners of conscience and those detained without charge or trial. Refraining from pursuing opinion opponents and criminalizing them and allowing those exiled for political reasons to return to their countries without conditions and with legal guarantees.
5. Putting an end to the practice of torture, being a crime against humanity, and pursuing its perpetrators and bringing them to justice and blocking illegal prisons.

6. Reforming Arab legislations, particularly those contradicting the freedom of opinion and expression, the circulation of information and the right to knowledge. Working on ending the state authority over the mass media. Calling upon the Arab governments to codify the right to peaceful assembly and party for all political and intellectual groups in the framework of democratic laws and constitutions.
7. Providing national mechanisms to safeguard human rights through establishing national institutions for such a purpose, enhancing the already existing ones and adapting them to the international standards in this field.
8. Ending all legislative and procedural restrictions on forming and administering professional and labor syndicates and NGOs.
9. Prohibiting religious institutions from monitoring political, intellectual, literary and artistic activities.
10. Taking prompt measures towards administrative and financial reform, combating corruption and abuse of public



property and enhancing mechanisms of transparency and accountability.

11. Guaranteeing exercise of economic, social and cultural rights in the framework of the optimal utilization of the national wealth of states. A lack of natural resources should not exempt a state from fulfilling the minimum level of these rights especially for vulnerable populations and areas lacking public services. Ensuring the international labor standards including the right to strike.
12. Granting municipal councils greater authorities and ending the centrality prevailing in the majority of the Arab regimes.
13. Acknowledging the rights of the child related to survival, growth, protection and participation according to the principles of non-discrimination and best interest of the child and according to the Convention on the Rights of the Child and the related protocols that Arab states have ratified.
14. Ensuring individuals' freedom of movement between Arab countries and

within each country.

15. Protecting human rights defenders and their rights to receive information, hold meetings, contact all the concerned sides and make use of local and international law to defend human rights. Ensuring their right to receive internal and external funds necessary to perform their duties by virtue of the Universal Declaration of the Protection of Human Rights Defenders. The Arab governments that made reservations to the Declaration are encouraged to cancel such reservations.

16. Effectuating the necessary constitutional reform wherever the constitution represents an impediment against the exercise of the above-mentioned rights and freedoms.

17. Urging those Arab governments that did not ratify international human rights instruments to do so immediately and without reservations, and urging those that ratified them to lift their reservations, and to comply with the provisions of such instruments regarding the mechanisms of protection.

18. Revising and amending the Arab Convention against Terrorism in the light of the international human rights standards.
19. Accession to the convention of the International Criminal Court (ICC) and abolishing the bilateral agreements concluded between some Arab governments and the United States to protect US soldiers from trial in the ICC due to the war crimes they have committed.

*Second - Nationalities and Minorities:*

Arab governments failed to solve problems of discrimination against sectional, religious, cultural, linguistic, ethnic, national and racial minorities. Discrimination against minorities has resulted in social, cultural, developmental and economic imbalances between the population inside the same country. Failure to put an end to this problem opened the door for vast violations of human rights, the eruption of acts of internal violence, civil struggles and wars, caused grave damages to the right of development and peace and strengthened tendencies of animosity and hostility. For instance, the people of Southern Sudan,



Shiites in Saudi Arabia and the Gulf countries, the Kurds in Iraq and Syria, the Copts in Egypt, the Amazeeg in some of the Arab states in North Africa and others.

*In this connection, the Forum confirms the following*

- 1- Respect for human rights, on top of which is full equality and enjoyment of full citizenship rights. Recognition of religious, racial, cultural and political plurality can be an appropriate approach to deal with such issues.
- 2- Denunciation of all acts of oppression and absolutism and launching wars against some minorities in the Arab world, in particular acts of genocide, forced displacement and slavery since they constitute crimes against humanity. Condemnation of practices and policies that hinge upon exclusion from political participation on grounds of confession, religion or race, and of all forms of propaganda and incitement that are based on fanaticism, religious or national superiority or the like.
- 3- Supporting the struggle of minorities to achieve their rights as stipulated in

the United Nations Declaration of the Rights of Minorities.

4- Calling upon Arab governments to observe that their sources are directed to all provinces and population in a balanced way, regardless of the size of their available resources, as a prerequisite for enjoyment of social and economic rights and the right of development. The absence of such prerequisite would assist in creating a favorable condition for fanaticism, extremism and violence.

5- The necessity of promoting efforts of disseminating the human rights culture and the respect for, and coexistence with, the Other, to encourage the culture of dialogue and cultural exchange and interaction between different races and ethnicity, on the grounds of respect for cultural specificity of nations and peoples. In addition, a special attention should be made to the situation of women who face double discrimination because of their affiliation to minorities on the one hand, and for being women on the other hand.



6- Providing the democratic atmosphere and the legal framework suitable for the civil society authorities and institutions to allow them to contribute in the development of societal structures and the state institutions. This shall be done in order to eliminate all forms of confessional discrimination and confessional tribalisms while asserting the protection of the right of confessional, sectarian and religious affiliation, respect of beliefs and the freedom of performance of religious rites.

7- Facilitating the return of the refugees and displaced persons due to suppression, civil wars and famines or the recurrent instances of violation of human rights in some of the Arab countries. Providing the infrastructure suitable for stabilizing them, facilitating the necessary works of assistance and compensating them for the damages that befell them.

8- The necessity of recognizing linguistic and cultural rights of the Amazeeg in countries of the Arab Maghreb (northwest Africa) as constituents of

the national culture on the basis of equality, the right of citizenship, respect for human rights and common homeland. The Forum welcomes the progress achieved in this respect in Algeria and Morocco.

- 9- The necessity of acknowledging the problem of stateless persons or the so-called "Bedouins," particularly in the Gulf countries. This problem implies denial of an inalienable right of all humans i.e. the right to citizenship. The governments of the countries concerned are encouraged to grant them nationality.
- 10- The necessity of adopting positive policies towards some marginalized racial categories and the victims of historical deprivation in Saudi Arabia, Sudan and Yemen, in order to eliminate causes of social and economic exclusion based on the cultural heritage, to improve their conditions and to integrate them into society as citizens having equal rights and obligations.
- 11- The necessity of ensuring cultural rights and equality for the Kurds in



Syria, granting nationality to those who are denied it or those who were deprived from it.

12- The right of the Iraqi Kurds to self-determination and to choose the appropriate framework of their relation with the central government.

13- Abolishing the so-called "Hamayonic Line" on the restrictions on the establishment and restoration of Coptic churches in Egypt and issuing one legislation on the religious temples on grounds of equality and full citizenship.

### *Third - Renewing Religious Discourse*

Renewal of Islamic discourse is of deep, internal necessity (Arab-Islamic) originating from the Arab and Muslim refusal of their deteriorating condition in the world; it is a necessity unrelated to major nations despite some forms of tangency occurring sometimes; it is a task which is not restricted to the efforts of enlightened men of religion. Rather it must be one of the primary tasks of thinkers, intellectuals and human rights NGOs, advancing from the view that regards man as a central higher value;

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and the importance of arbitrating the mind (Logos) in the issues of life. There is also a necessity to make the distinction between 'Islam' and 'History of the Muslims'. Thereupon, the political history of Muslims is a human history filled with what should be criticized and breached.

The renewal of religious discourse will not bear its desired fruit without cultural, societal reformation which advances from belief in the relativity of knowledge and human beings' right to speculate, and this entails the creation of comprehensive intellectual, social, and political conditions and to dissociate the correlation between despotic political powers and haggard, backward and extremist religious thought.

The greatest barrier facing the renewal of religious discourse in the Arab world is the political manipulation of religion by governments, extremist groups and some political parties to serve their own goals. An addition challenge preventing religious discourse is the prevailing claims of clash of civilizations in the Arab and Western worlds. The deep rooted feelings of inequity and insecurity (as a result of the



languor of the majority of Western governments to support the just causes of the Arab peoples' while taking hostile positions towards them especially in the Palestinian issue) play a central role in strengthening and confirming the extremist religious discourse and in bestowing popularity upon it, although it opposes the people's interest on the long run.

*Accordingly, the Forum calls for the following*

1- The governments are to review and develop the contents of religious discourse within religious or non-religious educational curriculums and to reinvigorate the curriculum with the ideas of religious innovators. Equality between all religions and schools in mass media and educational curricula should be ensured.

2- The officials who are responsible for audio-visual media – owned by either governments or individuals – are to review the contents of religious discourse and to develop them in order to deal with the dilemmas of the present age and not to obscure the efforts of

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classical or recent religious innovators.

- 3- Governments, cultural movements, historians and jurists are to restore the democratic heritage and the former liberal period to its rightful place in the Arab world. This was a phase that embraced a better atmosphere for innovative visions in religious thought.
- 4- Islamic scholars (ulama) and thinkers should understand the necessity of debating the theological foundations of violence, extremism and terrorism and not restricting themselves to the refutation and condemnation of crimes based upon them.
- 5- Islamic scholars and thinkers are to halt the manipulation of religion's holiness in order to instigate confiscation of thought, literature and exertion of the mind. Religious and moral commitment obliges them to hear the questions raised by the society on the basis of differentiating between Islam as a religion and fiqh as information produced by faqihs and researchers (essentially human) and what is needed in order to reconcile Islamic thought with



requisites of physical, societal and moral advancement in the modern age.

6- Thinkers, academia and media reporters are to approach the works of religious innovators with research, discussions and criticism using all means of publication and communications available. Collect and republish innovative religious works, whether historical or modern. Facilitate obtaining current religious information using the Internet, cassettes and videotapes, books and simplified booklets. Work toward using artistic, cultural and mediatic tools in renewing the religious discourse.

7- Organize special training courses on renewing religious discourse for mosque preachers, imams and editors of pages featuring religion in newspapers and scriptwriters, with the participation of the religious renewing thinkers and human rights activists.

8- Christian clergymen and intellectuals in some of the Arab countries are to renew religious discourse in a manner enhancing human rights culture, acceptance

of the Other and enlightenment. Offering a religious vision enhancing the integration of the Christian citizens in their homelands and their equal contribution with their fellow citizens to the advancement of their societies.

#### *Fourth - Women's Rights*

All Arab constitutions tend to stipulate equality between all citizens and non-discrimination on the basis of gender. However, there is a huge gap between what women face in their daily lives and the recognition of women's rights as an integral part of the universal human rights system. Almost half of the Arab states did not ratify the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). Even ratifying states made some reservations that contradict the essence of the convention.

Even worse, conservative currents adopt the narrowest interpretation of jurisprudence (Fiqh), employ it against women and consecrate a culture that excludes women and confines them to traditional roles. This is in addition to official policies that are subject to extortion in the name of

religion and that reproduce the anti-woman culture whether through laws, in particular the personal status law, or through educational institutions or media platforms.

Real equality between women and men goes beyond legal equality to encompass changing the conceptions of and confronting the stereotypes about women. Thus, it requires not only a comprehensive review of laws, foremost of which are personal status codes, but also the review and upgrading of educational curricula as well as the critical monitoring of the media discourse.

*In this respect, the Forum confirms the following*

- 1- Providing women with equal opportunities in political participation through education and political and economic support. Women should be allocated posts in decision-making institutions or others to guarantee their full and effective participation. Allocating a quota for women in parliaments, representative institutions and public bodies as a temporary measure. This should stand until appropriate

frameworks for women's voluntary activity take shape and until the awareness of the necessity of equality increases and all forms of discrimination are eliminated.

- 2- Repealing the discriminatory references in national legislation and promulgating civil laws on personal status.
- 3- Ensuring the right of women to grant their nationality to their children from foreign fathers, as men exercise such rights.
- 4- Combating all forms of discrimination against women particularly the unheeded ones e.g. family violence, sexual abuse, prostitution, etc. The governments should assume their responsibility regarding these issues through developing the legal mechanisms and necessary services to provide protection and treatment for the victims of violence.
- 5- The necessity of engaging women's and human rights NGOs in the process of reviewing current legislation and in upgrading civil and criminal laws, with a view to resolutely confront all forms

of violence and discrimination against women.

- 6- Calling upon Arab governments that did not ratify the Convention on the Elimination of all Forms of Discrimination Against women (CEDAW) to ratify the convention with no reservations and calling upon ratifying states to lift their reservations. All Arab states should amend their institutional, legislative and constitutional systems to be consistent with the CEDAW and should establish mechanisms of implementation and supervise the modified systems.

*Fifth - The Rights of Migrant workers and Refugees:*

Migrant workers, particularly women, lack full legal protection in Arab countries where they work. Different forms of discrimination prevail not only against migrant workers in favor of the citizens of the host-  
states, but between migrant workers themselves according to their countries of origin. Migrant workers in the Gulf countries suffer from the sponsorship system, Al Kafil, and are deprived of their fundamental rights.

*In this connection, the Forum calls for the following*

- 1- The necessity of respecting basic human rights of all categories of migrants in receiving states, including those compulsory residing therein in an illegal way. All states are called upon to review their domestic laws and make them consistent with international standards. States are called upon in particular to ratify the International Convention on the Protection of Migrant Workers and Members of their Families of 1990.
- 2- The League of Arab States should draft an Arab Agreement on the Protection of the Rights of Migrant Workers and members of their families and should also call upon Arab governments to conduct bilateral and multi-lateral agreements between exporting and receiving states of workers to safeguard the protection of migrant workers and criminalize the phenomenon of mass lay-off.
- 3- Annuling the sponsorship system, Al Kafil enforced in the Gulf States.

- 4- Protecting foreign female migrant workers against sexual exploitation and slavery and safeguarding their social and economic rights.

Moreover, the Forum calls for safeguarding the rights of refugees and asylum seekers and ensuring their ability to exercise civil, economic, social and cultural rights. It urges the Arab states to sign and ratify the Geneva Convention of 1951 on Refugees and the Complementary Protocol of 1967.

### *Sixth - Reform Priorities in States in Transition*

#### **1- The Sudanese Issue:**

The Forum welcomes the progress achieved in the peace process in Sudan and calls upon the parties currently negotiating in Nifasha to act promptly. Understanding other points of view in this process is imperative to achieve sustainable peace in a democratic pluralistic and voluntarily unified Sudan. The new Sudan will be based on balanced human development and respect for pluralities and human rights.

The Forum hails the international and

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regional efforts as well as the efforts of the League of Arab States in proceeding with the peace process in Sudan through constructing and developing the war-stricken and marginalized areas. However, it underlines the fact that respect for human rights should be at the core of the moves of the Arab League. The administration of assistance and resources mobilized by the Arab League should enjoy a high rate of transparency.

*In this regard, the Forum emphasizes the following:*

1- The coming constitution should be drafted through vast consultations conducted by a constitutional committee celebrating neutrality and balanced representation. Such would be in effect through establishing suitable channels enabling all social and political powers to convey their point of view to the committee. A national democratic Forum should be held and attended by representatives of political powers and civil society or delegates elected for such purpose.

2- Any future constitutional arrangements in Sudan should be based on real



democratic transformation ensuring plurality, fundamental rights and freedoms and the rule of law. Transformation should be based on national consensus, democracy and large-scale participation.

3- The necessity of entrenching the principle of accountability for all violations of human rights committed either by governmental entities or non-state actors and the values of justice and citizenship. The foundations of the rule of law and the constitutional and legal regulations should be drafted to prevent future violations of human rights.

4- Any peace agreement without peaceful settlement of the current conflict in Dar Furr and the tension in the East of Sudan would merely be a temporary solution for the crisis of establishing the state in Sudan and the problems of stability, development and respect for human rights. The main lesson to be learnt from the long war in South Sudan, which is about to come to an end, is the impossibility of solving problems stemming from national injustices and the deterioration of development through war. The Forum regretfully takes note of the

continuing deterioration of the situation in the region of Dar Furr. Tens of thousands of innocent citizens die daily in the confrontations between the government forces and the opposition and other militant groups. Citizens have forcibly become refugees, displaced and migrants. Moreover, those who remained in their villages suffer from shortage in security, food and services.

*Accordingly, the Forum calls for*

a- The Sudanese government should undertake full responsibility to protect the civilians in Dar Furr from the premeditated and haphazard attacks. It should ensure freedom of the flow of human relief for those who need it without any kind of discrimination and ban the access of the proponent paramilitary groups to arms. The armed forces should abide by the relevant international humanitarian laws. The government should promptly release all the intellectuals and activists detained during the war or bring them to fair trial with definite charges.

b- The government and the opposition militant groups in the East of Sudan, particularly in Dar Furr, should respect the International Humanitarian Law and the Human Rights Law. They should not jeopardize the lives of civilians under whatsoever circumstances and should safeguard the freedom of the works of relief in the areas under their control.

c- The League of Arab States, the African Union, the United Nations, the European Union, the United States and all the parties mediating in the conflict should work for ensuring cease-fire. Respect for Human Rights should be the basis of any potential peace process, including judgment of the perpetrators of violations during the conflict and compensating the victims. The calls of human rights NGOs to form a team to observe the situation in Dar Furr should be backed, allowing the freedom of collecting information, interviewing victims and officials and proclaiming the outcomes to the Sudanese and international public opinion.

- d- The League of Arab States should publicly condemn all violations of human rights in the areas of conflict regardless of the perpetrators.

## 2- The Iraqi Issue

The Forum expresses its deep concern regarding the ongoing occupation of Iraq and the deterioration of security conditions and the intensified pressures to retreat from the legal privileges given to women.

*In this respect, the Forum urges for*

- 1- Assisting the Iraqi people to achieve self-determination and to end the occupation as soon as possible and regain its sovereignty and independence. Moreover, it calls upon the interim coalition authority to abide by the agreement of November 15, 2003 on transferring the authority to the Iraqis by the end of June 2004. The Forum calls upon the United Nations to monitor and observe the process of transferring power until the end of the transition period, which will come to an end by issuing the permanent constitution and

handing over the authority to an elected government.

2- The necessity of adopting permanent constitutional measures in the coming period in Iraq on real democratic bases. Such bases are not gender-biased and they ensure plurality, fundamental rights and freedoms and the rule of law. Underlining the necessity to entrench the principles of transition on the basis of national consensus, democracy, vast popular participation and respect for the ethnic, religious, cultural and linguistic plurality in Iraq. Thus, it would help avoiding the rejection of some of the provisions of the transitional Law on Administering the Iraqi State.

3- The occupation forces should abide by the provisions of the Fourth Geneva Convention of 1949 and the human rights instruments and ensure security for the Iraqi people. The Forum condemns all forms of suppression by the occupation forces; acts of violence and terrorism against the Iraqi citizens, the cadres of the new Iraqi state and the

leaders of the political sects. It also condemns the sabotage against fortunes, establishments and service entities obstructing the establishment of a democratic state in Iraq.

- 4- Reconstructing the Iraqi judiciary on bases ensuring its independence. Working on revealing the truth of the past and bringing the perpetrators of huge violations of human rights in Iraq to justice, compensating the victims, providing the bases of fair transfer and preparation for comprehensive national ground for national reconciliation.
- 5- The international community and the neighboring states to provide real assistance to the Iraqi people and not to interfere in its internal affairs.
- 6- The Arab and international civil society institutions should provide all forms of assistance to establish the infrastructure of the civil society in Iraq. Providing them with experience, advice and the necessary training to ensure building well-founded organizations and to protect democratic transformation.



### 3- The Palestinian Issue:

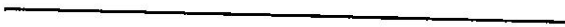
The Forum emphasizes the right of the Palestinian people to self-determination, to end the occupation and to demolish the Israeli settlements. Inducing just peace necessitates Israel's prompt unconditioned withdrawal from the Golan and the remainder of the Lebanese territories.

*Hence, the Forum calls upon the Arab governments to*

- 1- Invite the Security Council to fully undertake its responsibility to stop the Israeli war crimes and the damages suffered by the civilians, as per the sixth and seventh chapters of the Charter of the United Nations including:
  - a- Forming an international force to protect the Palestinian people and properties against the Israeli army and enabling the Palestinian people to achieve self-determination.
  - b- Providing the protection required for the Palestinian refugees as per Article 1, paragraph d. of the International Convention on Refugees. It is the only group of refugees that is not

safeguarded by international mechanisms of protection and the supervision of the UNHCR as noted by the UN fact-finding mission in its report (E/CN.4/2001/121).

- 2- Calling the High Parties to the Fourth Geneva Convention to undertake their responsibilities defined by the first article common among the four conventions. This is with a view to take the appropriate measure to ensure the implementation of the provisions of the Convention inside the Palestinian Occupied Territories and bringing to trial those who violate the Convention.
- 3- Calling the UN General Assembly to assume its legal responsibility towards the Palestinian people invoking its Resolution No. 377 of 1950, "Union for Peace" under which it has the right to interfere in the issues affecting international peace and security. Its interference is imperative in cases of the failure of the Security Council to meet its legal obligations. It is most imperative due to the fact that the General Assembly was behind dividing Palestine





and made it conditional that Israel be a member state of the United Nations as per Res. 273 of 1949 and obliged Israel to implement GA Res. 181 and 194.

4- Pending the implementation of the Palestinian refugees' right of return, they must enjoy their human rights to the full, namely their civil, social, economic and cultural rights, in the (temporary) Arab host countries. The Forum further reaffirms that safeguarding these rights is not the same as permanent settlement in host countries, which is rejected by Palestinians and Arabs in general. Nor does it mean relinquishing the right of return. Rather, it helps support the refugees' resistance to attempts to eliminate this right.

5- Enforcement of the relevant Arab League resolutions, conventions and recommendations. Putting an end to the gross infringements of the international and regional resolutions on the rights of Palestinian refugees in a number of host Arab countries.

6- Resuming mobilization of the international community to follow up the

ruling of the International Court of Justice (ICJ) on the issue of the apartheid separation barrier. Calling for compensating the Palestinians for the consequences of such barrier.

Finally, the Forum urges the Palestinian authority to promptly affect reforming policy enhancing the unity of the Palestinians on grounds of democracy, intellectual, political and cultural plurality and the principle of separating authorities, the rule of law, independence of the judiciary, transparency and respect for human rights.

### **III- Which Charter on Human and Peoples' Rights in the Arab World?**

The bill of the Arab Charter on Human Rights is a real test of political will of the Arab governments towards reform. However, the Charter in its present condition to be submitted to the Arab summit is an evidence of the lack of a real tendency towards reform.

*This is manifested in the following:*

- 1- In its current version, the Charter does not include any serious mechanism to

safeguard human rights in the Arab world (through receiving individual or court complaints). Handling complaints is the main target behind the Charter and any other document on human rights adopted in other regions.

- 2- Not guaranteeing the right to political participation through free and integral elections by public poll and secret ballot.
- 3- Not providing firm guarantees to criminalize torture, allowing the evasion of the perpetrators from punishment.
- 4- Fully ignoring of the role of the Non-Governmental Organizations.
- 5- Not ensuring women's rights.
- 6- The Charter elevates the national laws of the Arab states with respect to the right to movement, freedom of thought, belief and religion, the rights of expatriate laborers and the right to strike by referring them to the laws enforced in the Arab states.
- 7- Not banning capital punishment in political crimes and allowing execution of

persons under the age of 18.

- 8- The instability of the stance of the Charter regarding the right to form political parties and labor syndicates.
- 9- Discrimination against the non-nationals in violation of the International Law.

However, the Forum is cognizant of the progress achieved in the bill of the Charter adopted by the Permanent Committee on Human Rights in the League of Arab States in January 2004 as compared to the original charter passed in September 1994 and the updated version in October 2003. The Forum reaffirms the necessity of passing a final version of the Charter fully complying with the international instruments on human rights.

*Accordingly, the Forum calls upon the Arab kings and presidents to amend the Charter in the light of the following*

- 1- The draft of the Charter prepared by the experts of the United Nations High Commissioner on Human Rights (UNHCHR) and delivered to the League of Arab States on January 14, 2004.

- 2- The memorandum of UNHCHR submitted to the League of Arab States on January 30, 2004 on its reservations on the Charter.
- 3- The memorandum submitted by 36 Arab human rights NGOs to the League of Arab States and UNHCHR on December 21, 2003.
- 4- The comments submitted by Amnesty International and the International Commission of Jurists (ICJ) to UNHCHR and the League of Arab States on the Arab Charter on Human Rights.
- 5- The reservations of the chair of the Permanent Committee on Human Rights in the League of Arab States on the Charter. Such reservations are included in his message to the UNHCHR on February 10, 2004. He sent a copy of the message to the League of Arab States and informed the Secretary General of it in a special meeting on February 19, 2004.

**Finally**, the Forum emphasizes that each regional instrument should honestly reflect the reality of ethnic, religious, cultural and

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linguistic plurality in the region. The Arab peoples are not Arabs only, or Muslims only and not all the Muslim are Sunni. It has several races, religions, sects, cultures and languages that should enjoy respect and equality and should be ensured in the regional document, including its name. Hence, the Forum proposes the following title "Charter/Convention on Human Rights and Peoples in the Arab World".

#### **IV- The Civil Society and Reforming the Arab Regional Regime**

There is a dire need to have a new regional regime in the Arab world based on modern states. Such states would be based on justice, law, democracy and human rights and utilize the potentials to meet the common interests. Restructuring this regional regime is a must in order to cope with the new situations imposed by the geo-strategic givens in the region. Such givens pose great challenges to the political future and status of the Arab world. Hence, reforming the League of Arab States and effectuating its role is even a more dire need and one of the fundamentals of developing

the regional regime of the Arab world. In this regard, the Forum calls for the following:

\* Restructuring the League of Arab States in order to be a rostrum for peoples and not governments only, and for the civil societies in all fields. This would help to enhance the bilateral and multilateral relations between the similar political parties, syndicates, NGOs and human relief organizations. Public representation should be allowed through a civil forum parallel to the principle meetings of the League, including the summit Forums. This would allow opening channels for dialogue and cooperation between the representatives of the governments and NGOs in the manner adopted in different regions in the world including Africa.

\* Connecting the specialized organizations in the League and the General Assembly, on the one hand, and the civil society institutions in the Arab world, on the other hand.

## V- New Responsibilities for the Human Rights Movement

Over the last two decades, the Arab human rights NGOs have been the first to call for democratizing the Arab world and for comprehensive reform. Such organizations reaffirm their pledge to continue the struggle for the same objectives. Moreover, they pledge to always reconsider their mechanisms and structures in order to be more democratic and relevant to the other major objectives.

Five years ago, the human rights movement in the Arab world placed the struggle for democracy as a priority in the Casablanca Declaration of the conference held in April 1999<sup>(2)</sup>. The declaration tackled the relation between the human rights NGOs, political parties and groups in the Arab region. A major response is noticeable in this respect e.g. in Morocco, Egypt, Bahrain, Sudan and recently in Syria.

The current developments in the Arab world, placing comprehensive reform on top of the priorities of democracy, urge the

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2- CIHRS organized the Forum in cooperation with the Moroccan Organization for Human Rights.

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human rights NGOs to proceed forward with other moves.

*The Forum recommends the following*

- 1- That it turns into a permanent annual forum to be convened parallel to the meetings of the Arab summit. Moreover, it is desirable to hold it in the state hosting the Arab summit and to enlarge its scale in order to better represent the civil society in the Arab world. The civil society should be represented in the Arab summits as an observer so that it can directly present the recommendations of the forum to the Arab leaders.
- 2- The role of the human rights NGOs should not be limited to maintaining human rights in any program for reform. However, being separate from political and authority aspirations, they should, whenever necessary or viable, play a mediating role in order to coordinate the work of reform powers inside and outside the governing regimes. Such includes forming committees and coalitions for reform wherever possible.

- 3- The reservations of the human rights NGOs on the international initiatives for reform should not hinder positive and constructive interaction with those who make such initiatives. This would be affected through participation in discussion and evaluation in order to achieve positive impacts on the final content of such initiatives that will be concluded, probably in one joint initiative, during the coming three months. In this respect, it is imperative for the civil society institutions in the Arab world to study the possibility of holding meetings parallel to the three international summits to be held next June in the United States, Ireland and Turkey successively to adopt a potential US-European initiative.
- 4- Human rights NGOs should promote their occasional work regarding the issues of democratic reform and enhancement of human rights, including reforming the League of Arab States and the Arab Charter on Human Rights. They should adopt institutional work plans, particularly that their relation with the Arab League might be

moving to a new phase, in case the modest bill to reform the Arab League and the Charter in the forthcoming summit is adopted.

Human rights NGOs have exerted concerted efforts to expose the deficiencies of the Arab Charter on Human Rights since its issuance in 1994. Over the past two years, they coordinated their work with the international human rights NGOs and the UNHCHR as they held their Forums in Amman, Sana'a, Cairo, Geneva and Beirut. They managed to push the League of Arab States to seek the assistance of the UNHCHR experts, which lead to making major amendments to the original version of the Charter. Hence, this might allow the discussion of internal human rights issues for the first time in the League of Arab States.

Such development requires planned dedicated work on the part of human rights NGOs in order to safeguard the direct and indirect representation of their point of view inside the League. This might be achieved via holding meetings parallel to the meeting of the Committee on Human

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Rights at the Arab League and other relevant meetings.

Such an objective should not be left to occasional coordination among the organizations as has been done until now. This might necessitate establishing a special institutional structure for this purpose that might be regarded as an observatory of the League of Arab States with respect to human rights. Such a proposed structure might be a new institution to be established for this purpose, or a coordinating network/federation gathering the NGOs concerned.

The role of such an institution might be expanded to monitor the process of reforming the League itself and to what extent reform might provide room for the civil society. Moreover, it might monitor any new regional conventions to be tabled on the agenda of the Arab League, relevant to human rights and the human rights dimensions in the performance of the agencies, specialized organizations and the other subsidiary committees of the League of Arab States.





# The First Civil Forum Parallel to the Arab Summit

Beirut, March 19 – 22, 2004

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## List of the Participant Institutions

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- 1- Justice and Mercy Association / Lebanon
- 2- The Arab Organization for the Freedom of  
the Press / (Regional organization)
- 3- Organization Marocaine Des Droits Humains
- 4- The Committees for Defending Democratic  
Freedoms and Human Rights in Syria
- 5- The Human Rights Association in Syria
- 6- New Women's Studies Center / Egypt
- 7- Merciful Hearts Association for Develop-  
ment / Lebanon
- 8- Human Rights Association for the As-  
sistance of Prisoners / Egypt
- 9- The Tunisian Association of Democratic  
Women
- 10- The Egyptian Organization for Human  
Rights
- 11- The Committee for Defending Democracy /  
Egypt
- 12- Sudanese Studies Center
- 13- Ligue Tunisienne pour La Defence des  
Droits de l'Homme

- 14- The Sudanese Association for Conservation of the Environment
  - 15- The Iraqi Network for Human Rights Culture and Development
  - 16- The Regional Center for Human Security / Jordan
  - 17- The Arab National Forum / Lebanon
  - 18- House of Syndicate and Labor Services / Egypt
  - 19- The Algerian Association for Defending Human Rights
  - 20- Social Work Association for Democratic Elections
  - 21- The Arab Institute for Human Rights / (Regional institution)
  - 22- Arab Women Court / Lebanon
  - 23- Arab Development NGOs Network / Lebanon
  - 24- Nile Peace Voyage / Sudan
  - 25- The Association of Unlimited Development Work "Nab" / Lebanon
  - 26- Protection Center of the Rights of the Palestinians / Lebanon
  - 27- Council of Middle East Churches / (Regional institution)
  - 28- Justice Africa Organization / UK / (Regional institution)
  - 29- Bahrain Human Rights Society
  - 30- Bahrain Center for Human Rights
  - 31- Human Rights Information and Training
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- Center / Yemen
- 32- The Iraqi Association for Human Rights / Denmark
  - 33- El Khoei Charity Institution / UK/ Iraq
  - 34- The Lebanese Association for Enhancing Transparency
  - 35- Women Development Forum / Egypt
  - 36- Association for Coordinating the Palestinian NGOs
  - 37- Forum Verite et justice / Morocco
  - 38- The Gulf Center for Freedom of the Press / Oman
  - 39- The Egyptian Democratic Social Center / Egypt
  - 40- Yemen Center for Human Rights Studies
  - 41- Palestinian Human Rights Organization "Shahed" / Lebanon
  - 42- Center for Studies and Programs of Alternative Development / Egypt
  - 43- Sister Arabic Forum for Human Rights (SAF) / Yemen
  - 44- "Salma" Center for Studying and Documenting Women Rights/ Sudan
  - 45- Association of Democratic Development / Egypt
  - 46- Human Rights Committee at the Bar Association / Lebanon
  - 47- Lebanon Association for Human Rights
  - 48- The Saudi Center for Human Rights
  - 49- Amazeeg Network for Citizenship / Morocco
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- 50- The Libyan League for Human Rights / Germany
- 51- The Palestinian Human Rights Organization Lebanon
- 52- Association for Defending Rights and Freedoms / Lebanon
- 53- The Cairo Institute for Human Rights Studies (Regional institution).

## **The First Arab Civil Forum parallel to the Arab Summit**

### **Carries a Message on Political Reform to the Arab Leaders**

**Press Release**  
March 22, 2004

The First Arab Civil Forum parallel to the Arab Summit adopted the general framework of the initiative for political reform in the Arab world.

#### **The initiative tackles**

- 1- Fundamental principles for reform;
- 2- Fundamental demands for reform including: general demands and specific demands on the rights of nationalities and minorities, women, expatriate laborers and refugees; renewing religious discourse and the priorities of reform in Sudan, Iraq and Palestine;
- 3- Reforming the League of Arab States and the Charter for Human Rights. Moreover, it identifies the priorities of the Arab Human Rights organizations in the process of reform.

It included the fundamental demands to end the state of emergency, abolishing martial laws and courts, releasing prisoners of conscience, putting an end to the practice of torture, guaranteeing freedom of opinion and expression and the circulation of information. Besides, it included calls for prohibiting the censorship of religious institutions on political, intellectual, literary and artistic activities, combating corruption and abuse of public property, enjoying civil representative regimes through free and integral elections, ensuring the rights of nationalities and ethnic, religious, cultural and linguistic minorities and other demands.

This came within the framework of the proceedings of the First Civil Arab Forum organized by the Cairo Institute for Human Rights Studies (CIHRS), in cooperation with the Association for Defending Rights and Freedom (ADL) and the Palestinian Human Rights Organization, and in coordination with the Euro-Mediterranean Human Rights Network (EMHRN), the International Federation for Human Rights (fidh) and the sponsorship of the European Commission. The Forum was held from 19th to 22nd March 2004 in Beirut, as the

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Tunisian authorities rejected the call of CIHRS to hold the Forum in Tunisia.

In a message to the Arab Kings and Presidents, the Forum adopted the said recommendations together with a detailed document entitled "Second Independence" as this phase complements what was not achieved by the "First" independence i.e. peoples' self-rule. Furthermore, the Forum adopted a number of sideline releases on the prisoners of conscience in Saudi Arabia and Syria, detainees in Tunisia and Egypt, the blasts in Madrid and the terrorist acts in Iraq, constitutional reform in Bahrain and the rights of Palestinian refugees. The Forum denounced the assassination of Sheikh Ahmed Yassin. Finally, the Forum assigned CIHRS to negotiate with the Algerian authorities to host the coming forum in March 2005 where the next Arab Summit will be held.



**The Civil Forum calls upon the  
Arab Kings and Presidents to allow  
presenting its Initiative  
for Political Reform  
to the Arab Summit**

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**Press Release**  
March 25, 2004

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The Cairo Institute for Human Rights Studies (CIHRS) submitted the framework of an initiative for political reform in the Arab region to the Secretariat of the League of Arab States, the Arab ambassadors to Egypt and the Secretariat of the Republican office in Egypt. In the meantime, members of the First Civil Forum parallel to the Arab summit delivered a message to their Kings and Presidents.

The message of the CIHRS urged the Arab Kings and Presidents to adopt such framework for political reform, or to invite a delegation representing the Forum to attend the meetings of the summit, as an observer, to present the initiative, or to include one or more of the members of the Forum in some of the official delegations as (an) observer(s). This aims at presenting and explaining the framework of the initiative

for the delegations, on the sidelines of the meetings of the summit, after the rejection of Tunisia to host the Forum.

CIHRS organized the Forum in Beirut, March 19th-22nd in cooperation with the Association for Defending Rights and Freedoms (ADL) and the Palestinian Human Rights Organization (Rights), and in coordination with the Euro-Mediterranean Human Rights Network (EMHRN), the International Federation for Human Rights (FIDH) and the sponsorship of the European Commission. The Forum was attended by 87 participants; 74 participants from 52 organizations and institutions - in addition to the academic and political figures - from 13 Arab states and 13 observers representing 13 organizations and institutions from 10 states..

The framework of the initiative tackles:

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- 1- Fundamental principles for reform;
  - 2- Fundamental demands for reform including: general demands and specific demands on the rights of nationalities and minorities, women, expatriate laborers and refugees; renewing religious discourse and the priorities of reform in Sudan, Iraq and
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Palestine;

3- Reforming the League of Arab States and its Charter on Human Rights. Moreover, it identifies the priorities of the Arab Human Rights organizations in the course of reform.

The initiative calls for ending the state of emergency, abolishing martial laws and courts, releasing prisoners of conscience, putting an end to the practice of torture, guaranteeing freedom of opinion and expression and the circulation of information. Besides, it included calls for prohibiting the censorship of religious institutions on political, intellectual, literary and artistic activities, combating corruption and abuse of public property, enjoying civil representative regimes through free and fair elections, ensuring the rights of nationalities and ethnic, religious, cultural and linguistic minorities and other demands.

In a message to the Arab Kings and Presidents, the Forum adopted the said recommendations together with a detailed document entitled "Second Independence" as this phase complements what was not achieved by the "First" independence i.e.



peoples' self-rule and democracy. Furthermore, the Forum adopted a number of sideline releases on: the prisoners of conscience in Saudi Arabia and Syria, detainees in Tunisia and Egypt, the blasts in Madrid and the terrorist acts in Iraq, denunciation of the assassination of Sheikh Ahmed Yassin, constitutional reform in Bahrain and the rights of Palestinian refugees.

On a separate press release, the Forum called upon the Algerian authorities to provide the necessary facilitation to the CIHRS to hold the second Civil Forum parallel to the summit to be held in Algeria in March 2005. The Forum assigned the CIHRS to negotiate with the Algerian authorities. Moreover, it urged the League of Arab States to cooperate with the CIHRS in this regard.

## **Towards "Second Independence" Reform is Due Regardless of a New Arab Summit**

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**Press Release**  
March 28, 2004

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The Cairo Institute for Human Rights Studies (CIHRS) expresses its grief for the postponement of the Arab Summit which was to be held tomorrow in Tunisia. Such an incident emphasizes the vulnerability of the will to reform on the part of the Arab governments. It arouses doubts regarding the use of the League of Arab States in its current structure. The said summit gained the attention of numerous entities as the Arab governments were expected to declare their commitment towards reform whether inside the Arab societies or the League of Arab States. However, such commitment was not taken seriously. The failure on the part of the Arab governments to hold the said summit transfers the responsibility to the Arab civil society in order to effectuate initiatives for reform and mobilize the public opinion to enhance such initiatives

without waiting for the governments.

On numerous occasions, the civil society institutions proved their ability to conclude a collective program for comprehensive reform. For instance, the First Arab Civil Forum parallel to the Arab Summit was held in Beirut March 19th- 22nd 2004 upon an initiative by the CIHRS in cooperation with the Association for Defending Rights and Freedoms (ADL) and the Palestinian Human Rights Organizations (Rights). In the said Forum, 52 NGOs FROM 13 Arab states proposed a detailed initiative tackling the fundamental principles for reform inside the Arab states on the one hand and the League of Arab States and the Charter on Human Rights on the other hand.

The fundamental principles of the initiative included: ending the state of emergency, abolishing exceptional laws and courts, releasing prisoners of conscience, ending the practice of torture, ensuring the freedom of forming political parties, trade unions and NGOs. Moreover, the initiative called for ensuring the freedom of opinion and expression and the circulation of information, banning the censorship of the

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religious institutions over political, intellectual, literary and artistic activity, combating corruption and abuse of public property. The Arab societies should enjoy civil representative regimes through free and fair elections. The rights of the nationalities, ethnic, religious, cultural and linguistic minorities should be ensured. The Forum adopted such recommendations in a message directed to the Arab Kings and Presidents and a detailed document entitled "Second Independence" – resuming what was not achieved in the stage of "first" independence i.e. peoples' self-rule. The message was submitted to the Arab officials and the Secretariat of the League of Arab States.

The summit failed to consider the recommendations of reform. Hence, the civil and political society in the Arab world should not await a new summit, that would probably never be held. It should effectuate reform in each state according to the political priorities and the status quo.



**It is not a matter of Where or When ...**

**The Arab Summit should Take a  
Serious Stance towards Political  
Reform?**

Press Release

March 31, 2004

A press conference held today in Cairo called upon the new Arab Summit to tackle the issue of political reform in the Arab world seriously. The speakers emphasized that the main issue is not the place or timing of the summit, rather the stance of the summit towards reform, discussion of the initiative of the civil society for reform and the participation of a representative delegation, as an observer, in the proceedings of the summit.

The press conference was held at the headquarters of the Cairo Institute for Human Rights Studies (CIHRS) today morning. It tackled the initiative of the First Arab Civil Forum which was held parallel to the Arab Summit on political reform in the Arab world. The said initiative is to be presented to the upcoming Arab Summit. Among the speakers were Bahey El Din

Hassan, Director of the CIHRS, Hafez Abu Seada, Secretary General of the Egyptian Organization for Human Rights, Salah Eissa, editor-in-chief of Al Qahera newspaper, Hussein Abdel Razeq, the rapporteur of the Committee for Defending Democracy. The said speakers participated in the First Civil Forum.

The speakers tackled the general framework of the initiative highlighting the necessity of allowing the participation of the civil society in the issue of reform as it is not restricted to the governments only. The Arab civil society should play a role in decision making in the Arab states. The recommendations of the Forum confirmed the necessity of holding an annual summit for the NGOs regardless of convening the Arab summit. It also called for preparing for establishing a regional structure for the human rights organizations in the Arab world.

The participants emphasized that the recommendations stem from the inevitability of renewing the national project for political and democratic reform. Maintaining the status quo in the Arab world opens the door for foreign intervention which invokes the

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suppression of internal proposals for reform. Any delay of the process of reform results in the increase of extremism and terrorism.

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