

2013 - 2014

Model Arab League

BACKGROUND GUIDE

Special Committee on Arab Human Rights

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Honorable Delegates,

Welcome to the 2013-2014 Model Arab League! My name is Lizzie Heyboer and I am excited to serve as your Chair of the Special Committee on Arab Human Rights at the 2014 National University Model Arab League.

I am currently a senior at Grand Valley State University in Michigan, majoring in International Relations and with minors in Political Science and French. This is my fourth year participating in Model Arab League. I will be serving for my second time this year as Secretary General for the Michigan Model Arab League and for the first time, I will be serving as your chair at the national conference!

The Special Committee on Arab Human Rights is of particular importance to the Arab world, especially considering the recent developments of the Arab Spring. I hope that this background guide will help you start your research and assist you in navigating through the wealth of information available.

I cannot wait to meeting you all and wish you the best of luck in your research. I'm looking forward to a productive and lively committee!

Sincerely,

Lizzie Heyboer

Special Committee on Arab Human Rights

Topic 1: Creating a framework for supporting and advocating for children and women affected by abuse and harassment within the Middle East and North Africa

I. Introduction to the Topic

A. General Background

The status of women and children varies by region and by country. Culture and religion significantly influence the role of women and youth in the home, the workplace, and in public spaces. This is particularly relevant in the Middle East (MENA), where the status of women and children is frequently the focus of international criticism.

Child labor and child marriage are still prevalent in MENA. Ten percent of children, ages 5-14, are involved in child labor. Child marriage still occurs in the region with 18 percent of women married under the age of 18. Finally, women and children can still be affected by female genital mutilation. This is very much a country to country issue with 93 percent of women in Djibouti, 91 percent of women in Egypt and 89 percent of women in Sudan having been "circumcised" or cut.³

Disputes regarding family issues, which usually cover women and children, are often settled, if at all, in religious courts which mostly favor males.⁴ This makes it especially difficult for family legal disputes such as domestic abuse and child custody to be decided in a fair and equitable manner.

B. History of the Topic in the Arab World

Issues pertaining to women and children are sensitive for many countries, especially throughout the Islamic world and the Arab League. Islam plays a huge role in determining the rights and status of women and children. The varying interpretations and implementations of Quranic principles make it difficult to reach a clear consensus. In Yemen, an 8 year old girl died on her wedding night after suffering internal injuries. She married a 40 year old man in the tribal regions of Yemen, near the border with Saudi Arabia. The issue also remains sensitive because of the social stigmas associated with reporting abuse. In Bahrain, a mother did not report the

¹ "Child Protection from Violence, Exploitation and Abuse - MENA Region." *UNICEF.org*. United Nations Children's Fund, n.d. Web. http://www.unicef.org/protection/MENA.pdf>.

² Ibid

³ Ibid

⁴ "In Mideast: Career, Family and Activism." *WSJ.com*. The Wall Street Journal, 17 Nov. 2011. Web. http://online.wsj.com/article/SB10001424052970203611404577041604262602414.html.

⁵ Jamjoom, Mohammed, and Hakim Almasmari. "Yemen Minister on Child Marriage: Enough Is Enough." *CNN*. Cable News Network, 16 Sept. 2013. Web. http://www.cnn.com/2013/09/15/world/meast/yemen-child-bride/index.html?hpt=hp_t3>.

abuse of her 5 year old son by some of his neighborhood peers because of the shame that might be brought upon her family or her child.⁶

Education, naturally, has been a key factor in reversing these trends by increasing the status of both children and women. Almost two-thirds of universities in MENA countries are comprised of more women than men.⁷ Despite this push for women's education, they are significantly underrepresented in the workforce. Much of this has to do with the lack of protections and harassment in the workplace.⁸ Only 25 percent of the workforce in the Arab world is female, despite their increased participation in education.⁹

Unrest in the Arab World has been at the forefront of many discussions since 2011 and the beginning of the "Arab Spring". Women and children participated in many of these demonstrations and protests. For instance, Egyptian women played a vital role in the initial removal of Mubarak and continued to play a role in the recent protests over Muhammad Morsi. However, testimonies from many female protestors detail abuse and harassment by their male counterparts. Some women reported their veils being ripped off, their breasts groped and weapons used to threat and intimidate them. 11

Children in MENA can also fall victim to sexual and physical abuse - sometimes even from family members. The shame felt by the victim and their family following these attacks often prevents them from reporting the incident to the police. ¹² Child marriage is also another issue for many female children in the region. The minimum legal age for marriage varies between country and some of these ages are well above 18 years of age. ¹³ Despite these laws, women in many countries marry before their 18th birthday or before it is legal. ¹⁴

C. Finding a Solution to the Problem Past, Present and Future

While looking for solutions to this issue, it is important to remember the diversity of treatment of women and children within MENA. In Yemen, child labor sits at 23 percent. However, it is

⁶ Hamada, Suad. "Child Abuse on the Rise in Bahrain." *IPS*. Inter Press Service, 25 Sept. 2012. Web. http://www.ipsnews.net/2012/09/child-abuse-on-the-rise-in-bahrain/>.

⁷ Davies, Catriona. "Mideast Women Beat Men in Education, Lose out at Work." *Inside the Middle East*. Cable News Network, 6 June 2012. Web. http://www.cnn.com/2012/06/01/world/meast/middle-east-women-education>. ⁸ Ibid

⁹ World Bank. 2013. *Opening Doors: Gender Equality and Development in the Middle East and North Africa*. Washington DC: World Bank. doi:10.1596/978-0-8213-9763-3.

¹⁰ Livewire Team. "Egypt: Sexual Assaults on Women Protestors Continuing amid the Political Turmoil." *Livewire - Amnestys Global Human Rights Blog*. Amnesty International, 3 July 2013. Web.

< http://livewire.amnesty.org/2013/07/03/sexual-assaults-on-women-protestors-continuing-amid-the-political-turmoil/>.

¹¹ Ibid

¹² Al Shaibany, Saleh. "Shame of Victims over Sex Attacks Is Letting Child Abuse Thrive, Say Doctors." *TheNational.ae*. The National, 27 June 2011. Web. http://www.thenational.ae/news/world/middle-east/shame-of-victims-over-sex-attacks-is-letting-child-abuse-thrive-say-doctors.

¹³ Roudi-Fahimi, Farzaneh. "Child Marriage in the Middle East and North Africa." *PRB*. Population Reference Bureau, Apr. 2010. Web. http://www.prb.org/Publications/Articles/2010/menachildmarriage.aspx.

¹⁴ Ibid

much lower in places such as Bahrain, where it remains at 5 percent. ¹⁵ Again, child marriage is much higher in certain regions rather than others. In Sudan and Yemen, child marriage is between 32 and 34 percent. Countries like Algeria, however, are much lower, around 2 percent. ¹⁶

Religion plays a key role in deciding the treatment of women and children and the determination of their rights. Islam and the Quran are interpreted in many different ways by each country. There are Sunnis and Shias throughout the region and within those branches are various sects, including Ismaili and Zayidi. In order for a solution to be found, it will be important to address each interpretation and the possible concerns that will follow. Culture, also, is key in determining the treatment of women and children. Some practices, such as those rooted in prescriptive scripture, arise from religion; others arise from long held traditions. Again, it is important to address these concerns while searching for a solution to the abuse and harassment of women and children.

Saudi Arabia, for example, recently took action to address these issues by passing legislation to officially criminalize domestic violence. Under this new law, perpetrators of physical or psychological abuse could face up to one year in prison and a fine of around \$13,000. 17

II. Questions to Consider in your Research

- What are some common practices in my country that affect the treatment of women and children?
- Does religion play a role in my country's position on the rights of women and children? How does it affect our internal policies?
- How educated are women in my country? And what is the role of these women in the workplace?
- What would be my country's reaction to the increase of women's rights and children's rights?

III. Questions a Resolution Might Answer

- How will the League create a comprehensive yet fair and understanding response?
- In what ways will the League address the religious and cultural concerns of member states while still creating an effective solution?
- What benchmarks, globally and regionally, are already available for determining the equality of women and children?
- What will be the role of non-governmental organizations in helping to ensure these protections?

IV. Resources to Review

¹⁵ "Child Protection from Violence, Exploitation and Abuse - MENA Region." *UNICEF.org*. United Nations Children's Fund, n.d. Web. http://www.unicef.org/protection/MENA.pdf>. ¹⁶ Ibid

Hold
 Ibid
 Agencies France-Presse. "Saudi Arabia Outlaws Domestic Violence." *AlJazeera.com*. AlJazeera, 30 Oct. 2013.
 Web. http://www.aljazeera.com/news/middleeast/2013/08/20138290272119559.html>.

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Opening Doors: Gender Equality and Development in the Middle East and North Africa. The World Bank, 2013.

https://openknowledge.worldbank.org/bitstream/handle/10986/12552/751810PUB0EPI00206013 0Opening0doors.pdf?sequence=1

Davies, Catriona. "Mideast Women Beat Men in Education, Lose out at Work." CNN. 06 Jun. 2012. http://www.cnn.com/2012/06/01/world/meast/middle-east-women-education

Progress for Children: A report card on adolescents. UNICEF, April 2012. http://www.unicef.org/publications/files/Progress for Children - No. 10 EN 04272012.pdf

Child Protection From Violence, Exploitation and Abuse. UNICEF, June 2011. http://www.childinfo.org/files/ChildProtection_from_violence_exploitation_abuse.pdf

Topic 2: Reviewing and amending the Arab Charter on Human Rights (1994, 2004) with a goal toward League-wide ratification and reconciling conflicts with the Cairo Declaration on Human Rights in Islam

I. Introduction to the Topic

A. General Background

The Arab Charter on Human Rights (ACHR) was first introduced in 1994. No state ratified the charter at this time but a number of them contributed to the document. The Charter was then updated in 2004 and entered into force in 2008 after its approval at the twenty-sixth Summit. This document was intended to create a standard of human rights in the Arab world but has been criticized by some as being inconsistent with international standards, especially regarding women and children. 19

The Cairo Declaration on Human Rights in Islam (CDHR) was written and adopted in 1990 by the Organization of Islamic Cooperation.²⁰ In total, there are 57 signatories on the declaration. This document was intended to create or adopt standards of human rights in the Islamic world.

B. History of the Topic in the Arab World

Currently, only thirteen countries have ratified ACHR: Algeria, Bahrain, Iraq, Jordan, Kuwait, Lebanon, Libya, Palestine, Qatar, Saudi Arabia, Syria, the United Arab Emirate, and Yemen. Four other countries have signed but not yet ratified the charter: Egypt, Morocco, Sudan and Tunisia. The Arab Human Rights Committee, established in 2009, is responsible for receiving reports from each country under their jurisdiction on the status of human rights. Few countries actually submit reports to the committee. Though its addition is a huge step forward in the region, the potential effect of ACHR remains to be seen.

CDHR, written and adopted in 1990, focuses its efforts on uniting Islamic values and principles of human rights into a single document. Globally, the declaration has 57 signatories. The document asserts a number of important rights. Many see it as an Islamic response to the United Nations Universal Declaration of Human Rights.²³

¹⁸ "NGO Law Monitor: League of Arab States." *ICNL.org*. International Center for Not-for-Profit Law, 6 June 2013. Web. 04 Oct. 2013. http://www.icnl.org/research/monitor/las.html>.

¹⁹ "Understanding Middle East - Arab Charter on Human Rights." *JHCentre.org*. John Humphrey Centre for Peace and Human Rights, n.d. Web. http://www.jhcentre.org/understanding-human-rights/human-rights-around-world/middle-east>.

world/middle-east>.

20 "The Organization of Islamic Confernce." *Oic-oci.org*. Organization of Islamic Cooperation, n.d. Web. http://www.oic-oci.org/english/article/human.htm>.

²¹ "NGO Law Monitor: League of Arab States." *ICNL.org*. International Center for Not-for-Profit Law, 6 June 2013. Web. 04 Oct. 2013. http://www.icnl.org/research/monitor/las.html>.

²² Mattar, Mohamed. "Article 43 of the Arab Charter on Human Rights: Reconciling National, Regional, and International Standards." *HarvardHRJ.com*. Harvard Law School - Human Rights Journal, May 2013. Web. http://harvardhrj.com/wp-content/uploads/2013/05/V26-Mattar.pdf.

^{23 &}quot;Understanding Middle East - Arab Charter on Human Rights." *JHCentre.org*. John Humphrey Centre for Peace and Human Rights, n.d. Web. http://www.jhcentre.org/understanding-human-rights/human-rights-around-world/middle-east>.

C. Finding a Solution to the Problem: Past, Present and Future

The purpose of this topic is to not only examine the ACHR and its successes but to also examine CDHR. Reconciling the differences between the two documents could help to create a more unified response to human rights concerns. Examining ways in which the two could be harmonized would make the Arab Charter on Human Rights more effective and inclusive.

For example, while CDHR states that, "all human beings form one family ... All men are equal in terms of basic human dignity and basic obligations and responsibilities, without any discrimination on the grounds of race, color, language, sex..." [emphasis added] in Article 1a, and "woman is equal to man in human dignity, and has rights to enjoy as well as duties to perform; she has her own civil entity and financial independence, and the right to retain her name and lineage" in Article 6a²⁴, Article 2 of ACHR states that "every individual located within [the territory of a State party to the present Charter] and subject to its jurisdiction, shall have the right to enjoy all the rights and freedoms recognized in this [Charter] ... without any discrimination between men and women" [emphasis added].²⁵

II. Questions to Consider in your Research

- Is my country a signatory to either document? Has my country ratified the ACHR or the CDHR?
- How is the human rights situation in my country? What specific demographic or social group is particularly vulnerable or targeted?
- What are the main differences between the ACH and the CDHRI?
- In what ways are the ACH or the CDHRI ineffective?
- What sorts of work does my country do to prevent or prosecute human rights abuses?

III. Questions a Resolution Might Answer

- In what ways could the ACH and the CDHRI be compromised or harmonized?
- What would it look like to make the ACH more inclusive to Islamic states?
- How can the ACH be made more effective?
- What is my country's stance on the ACH would we be in favor or against changing and amending it?
- What is the role of Islam in my country's policies? Could this affect our view of the CDHRI and the ACH?

IV. Resources to Review

Arab Charter on Human Rights. 15 September 1994. http://www.refworld.org/docid/3ae6b38540.html

²⁴ "The Organization of Islamic Conference." *Oic-oci.org*. Organization of Islamic Cooperation, n.d. Web. http://www.oic-oci.org/english/article/human.htm.

²⁵ League of Arab States, Arab Charter on Human Rights, 15 September 1994, available at: http://www.refworld.org/docid/3ae6b38540.html [accessed 9 October 2013]

Arab Charter on Human Rights. 22 May 2004. http://www1.umn.edu/humanrts/instree/loas2005.html

Mattar, Mohamad Y. "Article 43 of the Arab Charter on Human Rights: Reconciling National, Regional and International Standards." Harvard Human Rights Journal 26 (2013): 91-147. http://harvardhrj.com/wp-content/uploads/2013/05/V26-Mattar.pdf

The Arab League and Human Rights: Challenged Ahead, International Federation for Human Rights. February 2013. http://www.fidh.org/IMG/pdf/rapport_lea_uk-lddouble.pdf

The Cairo Declaration on Human Rights in Islam, Organization of Islamic Cooperation. August 1990. http://www.oic-oci.org/english/article/human.htm

Topic 3: Considering the applicability to League member states of the World Health Organization's right to the highest attainable standard of physical and mental health, including the right to healthy living conditions and available, accessible, affordable and quality health services

I. Introduction to the Topic

A. General Background

Quality health care was designated by the United Nations in the Universal Declaration of Human Rights as a basic right. Access to healthy living conditions and necessary medical care are considered to be of vital importance. MENA countries allocate very little of their government budgets to healthcare - some of the lowest in the world. Only around 8 percent of their budgets are dedicated to healthcare costs. A host of issues plague the region including non-communicable diseases, basic injuries, depression and even obesity. In less developed regions, child mortality and malnutrition continue to affect the population. 8

B. History of the Topic in the Arab World

As the MENA region continues to develop, quality healthcare and living conditions have become even more important. Situations and issues vary between member states. More developed regions typically suffer from obesity, diabetes and mental health issues, while less developed regions tend to suffer more from child and maternal mortality as well as malnutrition.²⁹

Six countries in MENA are included in the global top 20 for obesity. This includes Bahrain, Egypt, Jordan, Kuwait, Saudi Arabia and the United Arab Emirates. This is a similar situation for diabetes. Six out of the global top 10 countries for prevalence of diabetes are in MENA. This includes Kuwait, Lebanon, Qatar, Saudi Arabia, Bahrain and the United Arab Emirates. 22

Mental health is also of great importance. Globally, 1 in 4 people will fall victim to some sort of mental health condition. ³³ In the MENA region, depression is one of the main causes of illness for women. ³⁴

²⁶ United Nations General Assembly. "The Universal Declaration of Human Rights." *UN News Center*. United Nations, n.d. Web. http://www.un.org/en/documents/udhr/>.

²⁷ "Press Release: World Bank Engages in Building Fair and Accountable Health Systems in the Middle East and North Africa." World Bank - News. The World Bank, 27 June 2013. Web.

< http://www.worldbank.org/en/news/press-release/2013/06/27/world-bank-engages-building-fair-accountable-health-systems-middle-east-north-africa>.

²⁸ Ibid

²⁹ Ibid

³⁰ Ibid

³¹ "IDF Diabetes Atlas - Middle East and North Africa (MENA)." IDF.org. International Diabetes Federation, n.d. Web. http://www.idf.org/diabetesatlas/5e/middle-east-and-north-africa.

³² Ibid

³³ Funk, Michelle. "WHO QualityRights: Service Standards and Quality in Mental Health Care." WHO.int. World Health Organization, n.d. Web. http://www.who.int/mental_health/policy/quality_rights/infosheet_hrs_day.pdf.

³⁴ "Press Release: World Bank Engages in Building Fair and Accountable Health Systems in the Middle East and North Africa." World Bank - News. The World Bank, 27 June 2013. Web.

Infant mortality has declined greatly over the past 20 years in the whole region. In 1990, the MENA region's infant mortality rate was 54 deaths per 1000 live births. In 2011, this number decreased to 28 deaths per 1000 live births. This number only represents the region as a whole in less developed regions this number is much higher. For instance, Yemen, well above the region's average, still has a rate of 57 deaths per 1000 live births.

C. Finding a Solution to the Problem Past, Present and Future

Solutions to these issues affecting the MENA region must be comprehensive and equitable. Levels of development vary greatly, and some countries are still suffering from internal conflicts which prevent them from making significant progress in the area of healthcare. Resolutions on this topic should take into account these varying levels of development and work towards reform from which all member states can benefit. Solutions will also look at current health systems in the region, which systems are working and which could be improved and how the League can learn from and use these existing systems.

II. Questions to Consider in your Research

- What is the healthcare situation currently like in my country? In which ways does it need to improve? How much does my country spend on healthcare?
- What health issues affect my country most, and why? How does this relate to other member states' issues?
- Are there any religious beliefs, cultural practices or social stigmas that prevent my country from providing equitable healthcare?

III. Questions a Resolution Might Answer

- What tools or healthcare systems already exist in the region? How can these systems be built upon or improved?
- How does the League deal with the varying levels of development in the region?
- How will the League guarantee the distribution of equitable healthcare while still respecting member states sovereignty and belief systems?

IV. Resources to Review

Fairness and Accountability: Engaging in Health Systems in the MENA and North Africa. The World Bank. 2013. http://siteresources.worldbank.org/EXTARABICHOME/Resources/475644-1372258525900/English-MENA-HNP-Strategy.pdf

< http://www.worldbank.org/en/news/press-release/2013/06/27/world-bank-engages-building-fair-accountable-health-systems-middle-east-north-africa>.

³⁵ "Trends in Infant Mortality Rates, 1960–2012." *ChildInfo.org*. UNICEF, Sept. 2013. Web. http://www.childinfo.org/mortality imrcountrydata.php>.

³⁶ Ibid

³⁷ Ibid

Special Committee on Arab Human Rights

Opening Doors: Gender Equality and Development in the MENA and North Africa. The World Bank, 2013.

 $\frac{https://openknowledge.worldbank.org/bitstream/handle/10986/12552/751810PUB0EPI00206013}{0Opening0doors.pdf?sequence=1}$

(specifically the sections on women's access to health care)

Childinfo: Monitoring the Situation of Women and Children - Statistics by Area. 2013. http://www.childinfo.org/statsbyarea.html

Topic 4: Examining best practices to securing the economic rights of all Arabs, such as safe working conditions and adequate housing, considering the region's particular characteristics

I. Introduction to the Topic

A. General Background

In the midst of the transitions occurring in many Arab states, it is easy to focus on civil rights and social rights and let economic rights fall by the wayside. Despite this, economic rights are still a key piece in ensuring the most inclusive and equitable society. Considering the vast differences in levels of poverty and wealth throughout the Arab world, it is important to search for solutions which cause the most benefit to the greatest number of citizens. Furthermore, each region and country has different laws governing their citizens and workers. Expatriates, women and youth are treated differently in each state. Despite all these differences, each member state can benefit from sharing ideas and best practices regarding economic rights.

B. History of the Topic in the Arab World

Safe working conditions and adequate housing remain issues for many segments of society. For many migrant workers, working conditions are very unsafe and some become victims of forced labor. The International Labour Organization (ILO) estimates around 600,000 people are victims of forced labor in the MENA region.³⁸ These third country nationals and migrant workers are often prevented from gaining citizenship or visas which impact their economic rights.

The youth are also suffering from lack of economic opportunity. Globally, twenty-five percent of the youth population is unemployed and also not in school. Fifty percent of the world's youth live in the MENA region – neither of these places has experienced much job growth. Youth unemployment in the MENA region is the highest in the world at 25 percent. Furthermore, those working in the developing world are often employed in the 'informal sector' which makes them more vulnerable to exploitation and unsafe working conditions. Informal employment is often ignored. However, it came into the forefront of many people's minds after Tunisian street vendor Mohamad Bouazizi set himself on fire.

C. Finding a Solution to the Problem Past, Present and Future

The purpose of this topic is not to necessarily solve all issues related to economic rights. However, its purpose it to create an open dialogue which shares these best practices within each

³⁸ Smith-Spark, Laura. "Report: 600,000 Forced Labor Victims in Middle East." *CNN.com.* Cable News Network, 9 Apr. 2013. Web. http://www.cnn.com/2013/04/09/world/meast/mideast-migrant-workers.

Ahmed, Masood, Dominique Guillaume, and Davide Furceri. "Youth Unemployment in the MENA Region: Determinants and Challenges." *IMF.org - News*. World Economic Forum, June 2012. Web. http://www.imf.org/external/np/vc/2012/061312.htm.

⁴⁰ Hendricks, Drew. "Chronically High Unemployment Levels Persist." *Forbes*. Forbes Magazine, 26 Aug. 2013. Web. http://www.forbes.com/sites/drewhendricks/2013/08/26/chronically-high-unemployment-levels-persist/. Ahmed, Masood. "Bringing the Informal Sector into the Fold." *IMF direct - The IMF Blog*. International Monetary Fund, 16 Nov. 2011. Web. http://blog-imfdirect.imf.org/2011/11/16/bringing-the-informal-sector-into-the-fold/.

country. Ultimately, any solutions must respect the sovereignty of each member state which makes this dialogue much more important. By sharing ideas and best practices, member states can see the benefits and work towards implementing those which work best for them within their own states.

II. Questions to Consider in your Research

- What is the current economic situation in my country like for: the youth, migrant workers, women and the general population?
- How is my country addressing these economic rights? Are we already doing things to ensure safe working conditions, adequate housing and other basic needs?
- What are some regional characteristics which may prevent Arab states from achieving certain economic rights? Are there any country specific characteristics?

III. Questions a Resolution Might Answer

- What are some best practices within my country and within the region as a whole that are already in place?
- How can these best practices be implemented or shared effectively between other member states?
- How can the League create an open and equitable dialogue surrounding this topic?

IV. Resources to Review

"Arab Watch on Economic and Social Rights", Arab NGO Network for Development. April 2013. http://www.annd.org/english/data/publications/pdf/27.pdf

"Economic Freedom of the Arab World: 2012 Annual Report", Fraser Institute. 2012. http://www.freetheworld.com/2012/efotaw/EF-Arab-World-2012.pdf

"Discrimination at Work in the MENA and North Africa", International Labour Office. http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_decl_fs_92_en.pdf