



2019-2020

**Model Arab league
BACKGROUND GUIDE**

Special Council on Regional Conflict and Instability

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**National
Council
on US-
Arab
Relations**



Original draft by *Ilze Greever*, Chair of the *Special Council on Regional Conflict and Instability* at the 2019-2020 National University Model Arab League, with contributions from the dedicated staff and volunteers at the National Council on U.S.-Arab Relations.

Honorable Delegates,

Welcome to the 2019-2020 Special Council on Regional Conflict and Instability. My name is Ilze Greever, and I am incredibly excited to have the opportunity to chair for you this year. I am a sophomore at Northeastern University, studying Political Science with a focus in International Relations and Diplomacy. This year's Special Council aims to address the violence and instability that affects so many nations within the Arab League, as well as some of the catastrophic results of conflict including human rights violations and displaced people. I hope this council will not only help you learn about the complexity of the conflicts affecting the Arab League, but also encourage you to think critically about the root causes of conflict and the potential to reach diplomatic solutions.

As you prepare for this council, I want to remind you of the importance of well researched, thoughtful debate and more importantly respect for all those around you. While the topics of the council may put your state at odds with others in the room or you may represent a state currently involved in conflicts with other League members, this is never a reason to be combative or unkind to other delegates. Diplomacy is not just about representing your state; it is also about negotiation and finding common ground.

I urge all of you to focus your research on the specific solutions your state can bring to the table to address these incredibly complex issues. While no one solution can address all the forms of conflict and instability that affect Arab states, through your creativity, cooperation, and problem solving I am confident that this council can provide meaningful solutions to the issue of conflict and instability within the Arab League.

I can't wait to meet each and every one of you and hear your ideas and solutions for each of the topics of this council.

Best of luck,
Ilze Greever

Topic I: Creating frameworks to mediate disputes between League members with the goal of limiting interleague conflict.

I. Introduction

A. General Background

A major role of all intergovernmental organizations is conflict resolution and maintaining peace. Chapter VIII of the Charter of the United Nations emphasizes the importance of regional intergovernmental organizations in peace negotiations and mediation.¹ In 2012, the United Nations set guidelines for mediation centered around eight fundamental ideas: preparedness, consent, impartiality, inclusivity, national ownership, international law and normative frameworks, coherence, coordination and complementarity, and quality peace agreements.² While broad in scope, these ideas were intended to list the priorities that states and regional organizations should have when attempting to prevent conflict. Successful conflict resolution relies on both short term measures, including ceasefires, safe-zones, and humanitarian aid provision, and long term measures aimed at permanent conflict resolution, through mediation.

Article V of the Arab League Charter dictates that the League should play a mediation role in any disputes between member states that threaten to result in conflict.³ Additionally, if two states submit a dispute to mediation by the League, unless it involves a state's independence, sovereignty or territorial integrity, the majority decision of the League is binding.⁴ This highlights the intention of the League to play a role in mediation and conflict prevention. Article VI of the Charter also gives the League power to repel aggression through a unanimous decision on what measures the League should take.⁵ The framework to respond to conflict exists within the Charter of the Arab League, but League members must be empowered to expand and use that framework to prevent conflict.

B. History in the Arab World

In recent history, the MENA region is often considered one of the most conflict prone regions in the world. From the wars between various Arab States and Israel, to ongoing conflicts in Yemen, Syria, and Libya, conflict in the Arab world has increasingly involved other states in the League as well as foreign actors. The Arab League has attempted to play a peacebuilding role, including

¹ "Charter of the United Nations Chapter VIII." *United Nations*, www.un.org/en/sections/un-charter/chapter-viii/index.html.

² "Regional Organizations In Conflict Mediation: Lessons Of Experience & Cooperation With The United Nations." *Organization for Security and Co-Operation in Europe*, 2016, www.osce.org/secretariat/230526?download=true.

³ Charter of Arab League. 22 Mar. 1945, www.refworld.org/docid/3ae6b3ab18.html.

⁴ Ibid

⁵ Ibid

offering to mediate in Yemen until the government refused League involvement.⁶ More recently inter-League divides have threatened stability as ideological divides have expanded.

The Qatar-Gulf Crisis highlights the intensity of rifts between members of the League. Since June of 2017, Saudi Arabia, the United Arab Emirates, and Bahrain have cut diplomatic ties and instigated a land and sea blockade until Qatar complies with a series of demands.⁷ Qatar has thus far weathered the blockade successfully by strengthening economic ties to states outside of the Gulf. While Qatar has called on Kuwait to mediate, talks have failed to resolve the conflict. The ongoing rift between the Gulf States emphasizes the ideological divides between League members and the potential for increasing conflict.

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

The Arab League has played a mediation role in the past, in both interleague and other regional conflicts. In the 1960s and 1970s, Arab League conflict resolution measures often took the form of sending in military intervention primarily to fulfill a peacekeeping role. In 1961, the League sent forces to Kuwait to deter an Iraqi claim to the territory.⁸ During the Lebanese civil war in 1976, the Arab Deterrent Force was created with forces from six states to implement a successfully negotiated ceasefire agreement and maintain stability.⁹ Overtime, the willingness of the League to mobilize cooperative forces has diminished and conflict resolution has taken other forms. Individual states still deploy forces to conflicts as they see fit, but the League has turned to more neutral mediation methods. In 2011, a yearlong observer mission was sent to Syria to monitor the developing conflict in an effort to ensure the rights and freedoms of citizens were being upheld.¹⁰ This mission was unsuccessful and did little to prevent the start of a full blown conflict.

A major criticism of the Arab League as a whole is its limited effectiveness at solving problems, especially those related to stability and security. This problem originates from the League's Charter, as it lacks an enforcement mechanism for resolutions. While it was intended to protect the sovereignty of states, its result is that states can renege on previous agreements at will.¹¹

⁶ Youssef, Hesham. "Mediation and Conflict Resolution in the Arab World: The Role of the Arab League," *Organization for Security and Co-Operation in Europe Yearbook*, 2013, ifsh.de/file-CORE/documents/yearbook/english/13/Youssef-en.pdf.

⁷"Qatar Crisis: What You Need to Know." *BBC News*, BBC, 19 July 2017, www.bbc.com/news/world-middle-east-40173757.

⁸ Youssef, Hesham. "Mediation and Conflict Resolution in the Arab World: The Role of the Arab League," *Organization for Security and Co-Operation in Europe Yearbook*, 2013, ifsh.de/file-CORE/documents/yearbook/english/13/Youssef-en.pdf.

⁹Ibid

¹⁰ Ibid

¹¹ Hanna, Michael Wahid. "The Arab League: First Steps Toward New Norms." *World Politics Review*, 22 May 2012, www.worldpoliticsreview.com/articles/11978/the-arab-league-first-steps-toward-new-norms.

With that problem in mind, Members of the Council will need to find incentives to ensure negotiating parties stick to agreements and cooperate with the peace process. Improving regional integration is key to combating disputes within the Arab League.

II. Questions to Consider in Your Research

- Is my state interested in playing a mediation role in solving interleague conflict, or is there another actor my state would advocate should have the role?
- What ideological differences does my state have with the rest of the league that might be barriers to negotiations?
- What forms of internal conflict prevention does my state use and could any of them be a framework for a broader League wide process?
- Is my state currently contributing to conflict either through its own actions or by backing the actions of another state? What problems does my state have that need to be resolved in order to stop it from playing a role in the conflict?

III. Questions a Resolution Might Answer

- How should League mediation be initiated and what scenarios are appropriate to get the league involved?
- Should the League have a broad framework for mediation and adapt to the issues of a specific conflict, or have a firmer framework to ensure impartiality and consistent implementation of the resolution?
- Should only states have access to the mediation process or should other interested groups also have access?
- How can the League address failed negotiations and what should be done to motivate states to negotiate?

IV. Additional Resources

[Nothing but Failure? The Arab League and the Gulf Cooperation Council as Mediators in Middle Eastern Conflicts](#)

An analysis of the mediation efforts of the Arab League and the GCC, this article provides an in-depth review of both the types of scenarios where mediation is attempted and the outcomes of mediation.

[Fueling Middle East Conflict- Or Dousing the Flames](#)

This article outlines four major factors that have contributed to ongoing conflict; including arms imports, regional rivalries, and a lack of dispute resolution measures. Understanding these factors is key to creating a mediation framework that can successfully limit conflict.

[The United Nations and Middle Eastern Security](#)

An overview of Middle Eastern Conflicts and UN action being taken in each case. This is a good starting place to consider international actions in conflicts and what role the Arab League could play in conflict alleviation and prevention.

Topic II: Considering protections for refugees, migrants and displaced persons, with an emphasis on improving aid to those in conflict affected regions.

I. Introduction

A. General Background

The international framework for protecting those fleeing conflict originated with the 1951 Convention Relating to the Status of Refugees, intended to protect refugees of World War II, and its 1967 protocol that extended the protections to all refugees. It enshrined in international law the right of those displaced by conflict or persecution to be protected from forcible return.¹² The global consensus that refugees deserve protection was expanded in 1998 when the United Nations High Commissioner for Refugees established the Guiding Principles on Internal Displacement, which expand the concept of the right to protection from conflict, and created protections for internally displaced persons.¹³ While refugees cross an international border to seek protection and internally displaced persons remain within their country of origin, both are afforded protections under international law.

Globally, the international refugee crisis continues to persist, with over 70 million people forcibly displaced worldwide, either as refugees or internally displaced persons. The vast majority of displaced people remain near their country of origin.¹⁴ These neighboring countries are often referred to as front-line states and bear much of the burden of the refugee crisis.

B. History in the Arab World

In 1994, the Arab League adopted the Arab Convention on Regulating Status of Refugees in the Arab Countries. While it has yet to be ratified, the convention lays out both the right to asylum for refugees and the right to voluntarily return to their country of origin.¹⁵ These protections are critical to aid those displaced by conflict.

The Arab world has the largest number of individuals affected by conflict. Iraq, Yemen, Libya, and Syria all have major segments of their population displaced by conflict. The ongoing Syria civil war is one of the largest sources of displaced persons in the world, with over 6.6 million

¹² “The 1951 Refugee Convention.” *UNHCR*, www.unhcr.org/1951-refugee-convention.html.

¹³ “Questions and Answers about IDPs.” *Office of the United Nations High Commissioner for Human Rights*, www.ohchr.org/EN/Issues/IDPersons/Pages/Issues.aspx.

¹⁴ “Figures at a Glance.” *UNHCR*, www.unhcr.org/figures-at-a-glance.html.

¹⁵ “Arab Convention on Regulating Status of Refugees in the Arab Countries.” League of Arab States, 1994, www.refworld.org/docid/4dd5123f2.html.

Syrians internally displaced and over 5.6 million Syrian refugees in neighboring states.¹⁶ Even though widespread conflict has subsided in Iraq, 1.9 million people remain internally displaced.¹⁷ Though many are beginning to return, poor conditions and ongoing insecurity make it difficult. Iraq demonstrates that even as states move out of conflict, destabilizing forces remain and make it difficult for people to safely return home. Many of the Gulf States cooperate on refugee issues by providing financial aid to humanitarian projects. From 2012 to 2015, Saudi Arabia and Qatar contributed \$900 million and the United Arab Emirates contributed \$300 million to humanitarian efforts surrounding the refugee crisis.¹⁸

Addressing the refugee crisis in the Arab League cannot only take the form of short-term humanitarian aid, which provides much needed support to victims of conflict, but does little to solve more deep seated problems. Providing legal protections is critical to helping displaced persons. Qatar has some of the strongest legal protections for asylum seekers, including allowing them to apply for permanent residency, but refugees are still prohibited from political action or free movement within the country.¹⁹ Access to freedom of movement and the right to work are frequently denied to refugees in the Arab world, making it difficult for them to provide for themselves.

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

Traditionally, there are three solutions proposed for refugees: resettlement, integration in their current host countries, and repatriation to their place of origin. Resettlement involves granting persons refugee status in another country and allowing them to live and work there. Integration into host countries is focused on allowing displaced persons to have the ability to make a living and settle in the country they have fled too. Repatriation is focused on helping displaced persons return home when conditions are safe to do so.

The Arab League's traditional position has been to repatriate refugees as quickly as possible to their country of origin. Many of the states with large numbers of refugees lack the capacity to integrate them into education and social service systems, leading them to push refugees to return home regardless of the current safety of doing so. Lebanon has hosted the largest number of Syrian refugees, over 1.5 million since 2011, but has received insufficient support from both the

¹⁶“Update of UNHCR's Operations in the Middle East and North Africa.” *ReliefWeb*, 20 Sept. 2018, reliefweb.int/report/syrian-arab-republic/update-unhcr-s-operations-middle-east-and-north-africa-20-september-2018

¹⁷ *Ibid*

¹⁸Al-Khatteeb, Luay. “The Gulf States Should Do More for Syrian Refugees.” Brookings, 30 Sept. 2015, www.brookings.edu/blog/markaz/2015/09/30/the-gulf-states-should-do-more-for-syrian-refugees/.

¹⁹“Qatar's Asylum Law a Positive Step, Says HRW.” *Al Jazeera*, 30 Oct. 2018, www.aljazeera.com/news/2018/10/qatar-asylum-law-positive-step-hrw-181030053601078.html.

Arab League and other international actors to help fund services for the refugees.²⁰ As a result, many refugees in Lebanon live in poorly constructed shelters and have limited access to humanitarian aid or work and residence permits. Because of the financial burden and lack of capacity to adequately host refugees, Lebanon has increasingly pushed for repatriation of Syrian refugees despite the ongoing conflict.²¹ Similar problems are faced by other countries that host large numbers of refugees, including Jordan and Egypt. Addressing these issues of aid provision and increasing the rights of refugees in host countries is critical to ensure their protection.

The 1965 Casablanca Protocol for the Treatment of Palestinians in Arab States provides a framework for potential protections for displaced persons. The protocol, despite facing implementation challenges, is supposed to ensure the right to employment and the right to freedom of movement for Palestinian refugees hosted by Arab States.²² Increasing freedom of movement and work opportunities for all refugees would allow them to improve their standard of living and free them from many of the restrictions they face after fleeing conflict. Members of the Council should consider what protections the League can implement to best serve the needs of refugees and how to incentive states to uphold these protections.

II. Questions to Consider in Your Research

- Does my state have large numbers of refugees or internally displaced persons? What is my state already doing to aid them?
- What legal protections does my state have for refugees and would they be a good framework for other states to implement?
- What does my state prioritize when considering the needs of forcibly displaced persons?
- Would regional integration improve my state's ability to respond to the needs of displaced persons?

III. Questions a Resolution Might Answer

- What conditions, political or stability-wise, should be reached before allowing refugees to return to their country of origin?
- How can aid and resources be distributed to prevent humanitarian crises during conflicts? What measures can the League take to prevent aid from being inaccessible or blocked?
- What responsibilities should the League have to displaced persons and how should it carry out those responsibilities?
- How should the League distribute limited resources to displaced persons?

IV. Additional Resources

²⁰ "Lebanon: Syrian Refugee Shelters Demolished." Human Rights Watch, 5 July 2019, www.hrw.org/news/2019/07/05/lebanon-syrian-refugee-shelters-demolished.

²¹ Ibid

²² "Protocol for the Treatment of Palestinians in Arab States ('Casablanca Protocol')." League of Arab States, 1965, www.refworld.org/docid/460a2b252.html.

[Arab Convention on Regulating Status of Refugees in the Arab Countries](#)

An unratified Convention from 1994 on the rights of refugees. Both a good starting point for what has been attempted in the past and a chance to recognize what actions are obstacles to consensus on the refugee issue.

[A Comparative Study of Refugee Laws in Arab Countries](#)

An overview of refugee law in five states (Tunisia, Jordan, Lebanon, Morocco and Egypt) that host the largest numbers of Arab refugees. The article provides a rundown of many of the legal problems faced by refugees and would be a good starting point for researching legal challenges for Arab refugees hosted within the region.

[Refugee Crises in the Arab World](#)

An outline of the challenges for both refugees and the frontline states that receive them. It additionally outlines policy recommendations for assisting refugees post-conflict either in returning home or in permanent resettlement. These recommendations could be a good starting point for the types of issues a resolution focused on aiding displaced persons could address.

Topic III: Discussing foreign influence in ongoing conflicts in order to prevent destabilization from outside actors.

I. Introduction

A. General Background

As the trend towards globalization continues, conflicts and insecurity are increasingly global issues with their influence extending beyond regional borders. Modern conflicts are often characterized by external actors using local proxies as part of a larger regional or international conflict.²³ While foreign aid can help alleviate humanitarian disasters and assist displaced persons, foreign military and covert disruption can prolong conflicts and cause long-term instability. As outside support, especially from wealthy states, continues to pump money and weapons into a country, it often allows conflicts to extend indefinitely.

The Middle East and North Africa has a long history of proxy conflicts. In the ongoing Syrian Civil War, a multitude of actors have become involved both to fight the Islamic State and to back either the government of the Syrian Arab Republic or opposition forces. Iran, Israel, Russia, Turkey, and the United States all have played a role in siding with domestic actors to further strategic interests in the country and the region.²⁴ This has fueled and prolonged the conflict, as outside aid has strengthened regional militaries.

In the Libyan conflict, France and Russia have backed the Haftar government alongside Saudi Arabia, Egypt, and the United Arab Emirates, while the Tripoli based government has recognition from the United Nations.²⁵ The wealth of foreign actors in the region makes it difficult for states to regain stability and resilience against outside interference. The League must find a way to prevent conflicts from becoming ideological battlegrounds for world powers.

B. History in the Arab World

Ideological influence of foreign actors has a long history in the Arab region. Foreign actors have viewed the region as a place to gain ideological influence. Since the Cold War, Russia and the United States have competed for strategic and political influence in the region.²⁶ In the post-Cold

²³ Shapiro, Jeremy, and Miriam R. Estrin. "The Proxy War Problem in Syria." *Brookings*, 4 February 2014, www.brookings.edu/opinions/the-proxy-war-problem-in-syria/.

²⁴ Calamur, Krishnadev. "The Syrian War Is Actually Many Wars." *The Atlantic*, 14 Apr. 2018, www.theatlantic.com/international/archive/2018/04/the-syrian-war-is-many-wars/557990/.

²⁵ Cook, Steven. "The Fight for Libya: What to Know." *Council on Foreign Relations*, 19 Apr. 2019, www.cfr.org/article/fight-libya-what-know.

²⁶ Harrison, Ross. "Shifts in the Middle East Balance of Power: An Historical Perspective." Al Jazeera Center for Studies, 2 Sept. 2018, studies.aljazeera.net/en/reports/2018/09/shifts-middle-east-balance-power-historical-perspective-180902084750811.html.

War period, the US became the dominant global power in the Arab world. This resulted in a series of US interventions in the region, including stopping the Iraqi invasion of Kuwait, overthrowing the Ba'athist government in Iraq, and multiple counterterrorism efforts throughout the Middle East and North Africa.²⁷ Russia has also played a resurging role, primarily in Syria both through military backing of the Assad government and in pushing for peace negotiations between regional actors.²⁸ The mix of international actors competing for influence fuels conflict and serves as an obstacle to stability in the region.

Iran also remains a destabilizing actor in the region. The Iranian backed Houthi rebels have attacked Saudi oil pipelines and tankers in the Gulf of Oman.²⁹ The Arab League condemned these actions during the May 2019 summit in Mecca,³⁰ but attacks on tankers in the Gulf continued in June. Combating the influence of Iran remains a priority for preventing instability and conflict in the region.

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

Intervention can fail to provide stabilization or even worsen ongoing conflict. The 2003 United States invasion of Iraq is a striking example of the destabilizing role foreign actors can play in the region. The US led military intervention created a breeding ground for terrorism and the lack of US interest in committing the necessary resources to the conflict it started created a power vacuum that increased sectarian violence.³¹ Iraq is still feeling the consequences of foreign intervention, including ongoing instability. When foreign actors are motivated by their own goals for the region, their efforts can have damaging effects on Arab states.

On the other hand, collaboration with outside actors can be a positive force, if areas of common concern can be found. Partnerships between the United States, other western allies, and Arab states formed a coalition to combat the Islamic State in Iraq and Syria. The United Arab Emirates, Jordan, Bahrain, Saudi Arabia, and other states cooperated on military and intelligence efforts to combat terrorism in the region.³² Shared security interests promoted joint action between foreign actors and Arab States.

²⁷ Ibid

²⁸ Ibid

²⁹ Kirkpatrick, David, et al. "Tankers Are Attacked in Mideast, and U.S. Says Video Shows Iran Was Involved." *The New York Times*, 13 June 2019, www.nytimes.com/2019/06/13/world/middleeast/oil-tanker-attack-gulf-oman.html.

³⁰ "Arab League Condemns Houthis, Iran's Behavior in Final Communiqué." *Al Arabiya*, 31 May 2019, english.alarabiya.net/en/News/gulf/2019/05/31/Arab-League-condemns-Houthis-Iran-s-behavior-in-final-communication.html.

³¹ Abdulrazaq, Tallha. "Invasion of Iraq: The Original Sin of the 21st Century." *Al Jazeera*, 20 Mar. 2018, www.aljazeera.com/indepth/opinion/invasion-iraq-original-sin-21st-century-180320095532244.html.

³² Greer, Ryan B., and Amir Bagherpour. "To Defeat ISIS, Cooperation Is Key." *Foreign Affairs*, 10 Apr. 2017, www.foreignaffairs.com/articles/middle-east/2017-04-10/defeat-isis-cooperation-key.

The League has also engaged in cooperation with other international organizations. The first EU Arab League joint summit was held in February of 2019, and was focused on finding areas of consensus between the two organizations. In addition to discussion of increasing economic integration, the issue of action on security and regional crises including Yemen, Syria, and Libya was a focus of the meeting.³³ Finding common priorities can bring beneficial aid to regions and could be a positive force in providing stability within the League. Members of the Council must differentiate between harmful and beneficial forms of foreign intervention, in order to promote cooperation while preventing further destabilization.

II. Questions to Consider in Your Research

- What role do outside actors play in the security of my state? Can (and should) that role be replaced by other league states?
- How does my state limit foreign interference and can those solutions be applied to the rest of the League?
- Is my state benefiting from foreign involvement or are its problems worsening?
- Are certain sources of influence preferable to my state? What benefits does my state gain (strategic, monetary, or otherwise) that makes it prefer those sources?

III. Questions a Resolution Might Answer

- How can the League address foreign influence when League states partner with foreign actors to contribute to destabilization?
- Is it possible to maintain beneficial foreign influence while removing destabilizing influence?
- What mechanisms are available to the league to prevent foreign interference? And what should be done if those mechanisms prove unsuccessful?
- Should the League partner with outside actors when possible, or be wary of bringing in destabilizing forces?

IV. Additional Resources

[New Arab World Order](#)

An overview of the power dynamics and development of proxy conflicts within Arab states. This is a great starting place for understanding the overlapping relationships between Arab states and foreign actors, as well as the balance of power in the region.

[Russia's Growing Influence in North Africa](#)

³³ Lewis, Aidan. "Arab League, EU Seek Synchrony on Regional Crises in First Summit." *Reuters*, 24 Feb. 2019, www.reuters.com/article/us-eu-arabs/arab-league-eu-seek-synchrony-on-regional-crises-in-first-summit-idUSKCN1QD0UZ.

An overview of Russia interests in Egypt, Libya, Morocco and Tunisia. It outlines Russian incentives for exerting influence in the region. Understanding the motivations of foreign actors is critical to creating plans to limit instability and this is a good starting point to consider what motivates external interference.

[U.S. Strategic Interests in the Middle East and Implications for the Army](#)

Another overview of the interests of a foreign actor, this time the United States' interests in the region. It centers on military interests, an important consideration when trying to limit instability. This is another good starting point for understanding one of the major influences in the region.

Topic IV: Creating League-wide measures to prevent human rights violations during times of conflict

I. Introduction

A. General Background

International human rights standards reached a consensus in 1948 with the passing of the Universal Declaration of Human Rights.³⁴ These rights affirmed the inherent dignity and need for security of all persons. The core of human rights during conflict is the protection of civilians, an issue that arose in the 1990s after genocides in Bosnia and Herzegovina and Rwanda.³⁵ In addition to protecting civilians, it is important to secure rights made vulnerable during conflict. Access to education, health care, safe living and working environments, even the right to life are put at risk by conflict and instability.

The first call for Arab action on human rights came in 1960, when the Union of Arab Lawyers called on the Arab League to adopt a convention on human rights.³⁶ In 1994, the Arab League first attempted to create a charter on human rights, but that charter failed to be ratified by any state in the League. In 2004, the League adopted the Arab Charter on Human Rights which came into effect in 2008 after it was ratified by seven states.³⁷ While the League has reached consensus on the document itself, rights protection in the Arab world is full of problems.

B. History in the Arab World

Within the Arab Charter on Human Rights, several key rights are threatened by conflict and instability. States have an obligation to prevent violations of due process and unjust imprisonment, as outlined in Article 8 which creates a prohibition on torture and in Article 14 prohibits unlawful or arbitrary detainment.³⁸ Article 38 establishes the right to an adequate standard of living, which emphasizes the responsibility to provide for the humanitarian needs of individuals affected by conflict.³⁹ While the requirements of states to protect the outlined rights is clear, many Arab states have inconsistent track records on human rights issues. The Arab

³⁴“Universal Declaration of Human Rights.” *United Nations*, www.un.org/en/universal-declaration-human-rights/.

³⁵ “Protecting Human Rights In Armed Conflicts.” *UNICEF*, 2014, www.unicefemergencies.com/downloads/eresource/docs/Global%20Norms%20and%20Standards/Non-Paper%20on%20Protection%20Human%20Rights%20in%20Armed%20Conflict.pdf

³⁶ Al-Midani, Mohammed Amin. “The Enforcement Mechanisms of the Arab Charter on Human Rights and the Need for an Arab Court of Human Rights.” Arab Center for International Humanitarian Law and Human Rights Education, Dec. 2008, aci.hl.org/articles.htm?article_id=22.

³⁷ *Arab Charter on Human Rights*. 2004, hrlibrary.umn.edu/instree/loas2005.html.

³⁸ *Ibid*

³⁹ *Ibid*

League faces challenges ensuring that states uphold their commitments to protect human rights during times of conflict.

The largest problem facing the League is adjudicating complaints of human rights violations. The 2004 Human Rights Charter established the Arab Human Rights Committee to review states reports on their human rights and make recommendations regarding their situations. However, the committee has no complaints mechanism for reporting and investigating rights violations.⁴⁰ This leaves the committee only able to make recommendations on the materials a state submits itself, making it largely ineffective. In 2013, the League adopted the Statute for the Arab Court of Human Rights, which would have created a body to adjudicate complaints of human rights violations brought by one state against another, but it has not been ratified by enough states to enter force.⁴¹ This leaves the League with no mechanism to enforce human rights standards or to address concerns of ongoing human rights violations. In addition to identifying rights violations that need to be addressed, Members of the Council should keep in mind enforcement challenges and how to best empower the League to follow through on its commitment to human rights.

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

Conflict creates a significant degree of human rights violations. One of the largest issues in the Arab world is the targeting of civilians during conflict. In Yemen, both the Saudi led coalition and the Houthi-Saleh forces have carried out indiscriminate attacks that disproportionately affected civilian infrastructure.⁴² Thousands of civilians have been killed and little is being done to prevent the bombing of civilian targets. In Syria, targeting hospitals and medical facilities has become a war strategy, at least 15 hospitals have been damaged or destroyed in Idlib and Hama since the beginning of May 2019, leaving at least 300,000 people without access to hospital care.⁴³ Civilian casualties, as a result of direct target or indiscriminate violence, is unacceptable from a human rights perspective. The Arab League has condemned violence that affects civilians, including calling for no-fly zones to protect civilian infrastructure and helping to negotiate temporary cease-fires. But the League has done little to pressure states that fail to comply with peace-building agreements or who continue to fail to value civilian lives during conflict.

⁴⁰ “Middle East and North Africa.” *International Justice Resource Center*, ijrcenter.org/regional/middle-east-and-north-africa/.

⁴¹ *Ibid*

⁴² “Letter Dated 26 January 2018 from the Panel of Experts on Yemen Mandated by Security Council Resolution 2342 (2017) Addressed to the President of the Security Council.” *United Nations Security Council*, 26 Jan. 2018, reliefweb.int/sites/reliefweb.int/files/resources/N1800513.pdf.

⁴³ “Security Council Must Address Crimes against Humanity in Idlib.” Amnesty International, 17 May 2019, www.amnesty.org/en/latest/news/2019/05/syria-security-council-must-address-crimes-against-humanity-in-idlib/.

Another major rights violations occurring in many of the ongoing conflicts in the region is arbitrary detention and extrajudicial killing. In Yemen, all parties to the conflict have conducted a range of actions that deny individuals due-process rights, including arbitrary detentions of political rivals, torture, and enforced disappearances.⁴⁴ In Libya, since the beginning of the 2011 conflict, thousands of people have been subject to detention and torture in secret facilities, with no judicial recourse.⁴⁵ Additionally, migrants and asylum seekers are detained in facilities, often close to the front lines of conflict, and used to move or maintain military equipment, both violating their rights and threatening their safety.⁴⁶ Unjust imprisonment and extrajudicial killings being used as tools of conflict are clear human rights violations and Members of the Council should consider how to prevent states and other armed groups from using these actions to further political goals.

Access to basic humanitarian needs is another right often denied to those in conflict zones. The humanitarian problems faced by states in conflict increases the risk of famine and exacerbates a lack of access to medical care. In Yemen, the closing of land crossings and ports has obstructed humanitarian aid access and resulted in widespread starvation. Over 14 million people within the country are at risk of famine and are reliant on humanitarian aid.⁴⁷ Members of the Council must consider which rights are under immediate threat and respond to those problems accordingly.

II. Questions to Consider in Your Research

- What is my state's position on the 2004 Arab Charter on Human Rights? Does my state actively uphold all the rights within the charter, protect additional rights not included in the charter, or view some rights within the charter as less important to protect?
- What are some of the barriers to successful rights protection in my state and how might those be avoided in a League wide solution?
- In what ways has my state been successful at protecting human rights and is there something the League could learn from those efforts?
- Which rights does my state view as the largest priority during times of conflict?

III. Questions a Resolution Might Answer

- Should outside groups, like human rights NGOs investigate allegations of human rights violations or should investigations be handled within the league?

⁴⁴ "Letter Dated 26 January 2018 from the Panel of Experts on Yemen Mandated by Security Council Resolution 2342 (2017) Addressed to the President of the Security Council." *United Nations Security Council*, 26 Jan. 2018, reliefweb.int/sites/reliefweb.int/files/resources/N1800513.pdf.

⁴⁵ "UN Report Documents Litany of Violations and Abuses amid Chaos in Libya." OHCHR, 25 Feb. 2016, www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17089&LangID=E.

⁴⁶ "Libya: Deadly Attack Highlights Disregard for Civilians." Human Rights Watch, 3 July 2019, www.hrw.org/news/2019/07/03/libya-deadly-attack-highlights-disregard-civilians.

⁴⁷ "Middle East and North Africa - Review in 2018." *Amnesty International*, www.amnesty.org/en/countries/middle-east-and-north-africa/report-middle-east-and-north-africa/.

- Who decides whether rights violations have occurred and what should they be authorized to do to combat those violations?
- What rights should be prioritized during times of conflict and how can the League ensure all parties are protected?
- How can the Arab Human Rights Committee be empowered to more successfully fulfill its mandate to oversee the protection of human rights within the League?

IV. Additional Resources

[Human Rights Movements in the Middle East](#)

An overview of human rights trends in the Middle East, emphasizing the development of norms and challenges for rights advocates. In addition to reading the Arab Charter on Human Rights, this is a good resource for understanding the formation of human rights norms in the region.

[The Arab Human Rights System](#)

A brief overview of the existing charters and actions on human rights within the Arab League. This article is a great resource for understanding what has already been done on the issue of human rights by the League, as well as some of the challenges those efforts have faced.

[A Human Rights Approach to Health Care in Conflict](#)

An evaluation of health care during conflict through the lens of human rights. It outlines the obligations of states not to interfere with the right to health and the strategies used during conflict to deny people this right.

[Challenges In Applying Human Rights Law To Armed Conflict](#)

An overview of some of the difficulties in applying human rights norms during times of conflict. It focuses on the weaknesses of the enforcement of international law and would be a solid starting point for a resolution seeking to prevent some of those challenges in Arab League implementation of human rights laws.