



الشبكة العربية للتربية على حقوق الإنسان والمواطنة
Arab Network for Human Rights & Citizenship Education

The Third Edition of the Newsletter – October 2009





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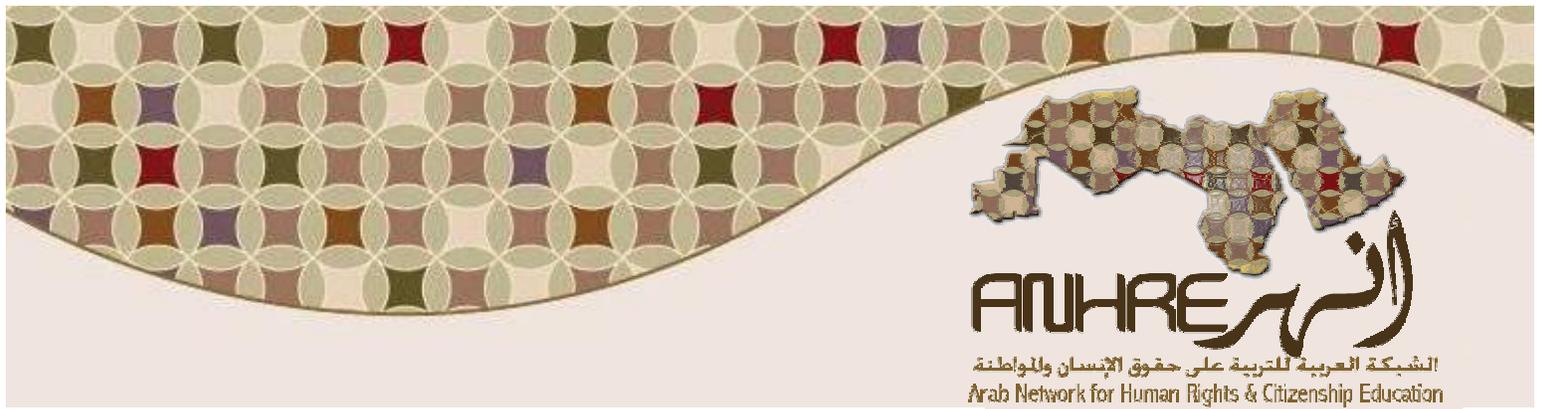
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Lets rearrange our cards

I was sitting next to a journalist holding a number of leaflets on the International Declaration of Human Right which I received from the Bagdad UN office. The Journalist was curious to have a look at these materials I, so I asked him if he was attracted to the color of the cover or the content, his answer was both. I then handed him the International declaration of Human Rights telling him it is a useful tool for his work as a Journalist. There was silence then he gave a surprising comment which made me think for a while: “what do I have to do with it? The title says “Human”, so when I become “Human” I will memorize it by heart”.

Actually, the answer was very desperate; such a reply makes us-the Human Rights workers- face different scenarios: do we have to keep working without calculating the outcome or should we pause and rearrange our cards to think of similar answers and attitudes?

We all know that the Arab region is witnessing various circumstances. Each Arab state has a system that guarantees human rights while many violations of human rights are severely going on as shown in media outlets- killing, abduction, looting...etc. The journalist’s reply forces us to deliberate thoroughly on the type of programs we implement in our countries, its outcomes, and the change achieved among societies. The desired outcomes can not be achieved unless we touch upon people’s life and conditions. No network or organization can activate its role without simulating ordinary people’s dreams- the decent life, and other farfetched dreams.

The most important issue is that we still hear of organizations or networks working on human rights teaching while the current phase requires the shift to human rights education and culture where citizenship evolve with the concept as an intrinsic part.

The new venture of ANHR on Human rights education and culture is a good example but needs more networking to reach each quarter, street, and home. All expertise and qualification are also needed to fulfill ANHRE’s ultimate goal by utilizing the simplest tools- coexisting with citizens.

We also should think of what will come after the educational phase. When I educate someone on certain values and principles, I should wonder what the next step is. How would a person who received such an education maintain this knowledge, to where is he heading, is our work completed at that level, shall we continue mentoring him, should we enable him for a post education phase to help us and share the burden with us?

It is crucial that we rearrange our cards and start planning as we can perceive from the journalist’s reply who was forced to ignore his humanity due to various circumstances. It is our role to regain the faith of his true humanity and of others too.

Editor in Chief

Muhammad Al-Jbouri



Strategic Networking and Planning Workshop:

ANHRE organized a workshop entitled “strategic networking and planning” on June 24-26, 2009-Amman Jordan. The goal of the workshop was to come out with a strategic vision for ANHRE with a clear operational mechanism via acquiring basic skills: the strategic planning, networking, group work, and overcoming the internal differences. The target was to come up with a two or three-year agenda and clear operational mechanisms.



ANHRE coordination committee’s third meeting:



The coordination committee held its third meeting on June 27-28, 2009 in Amman-Jordan where the various Network activities, the bylaw, the code of ethics, and the strategic plan were discussed.



Network members' news



Iraq

Media workers join a training course on observing human rights abuses in Iraq

The Iraqi Human Rights Institute held a training course entitled “Media and Human Rights” with 25 participants of local Media outlets. Participants were able to know human rights principles, the related International Covenants, the 2003 post Iraqi situation, and the increased violation rates without any official or judicial deterrent measures.

Participants commended the value of the training. Khalid, the Italian AKI reporter, stressed the need for such trainings to enhance their knowledge on International Human Rights Covenants and Agreements. He also hoped to follow up similar trainings to magnify the value, and to allow other media colleagues to join.

Asma Badran, Future radio station reporter, noted the importance of human rights awareness among media workers to convey it to the public and to clarify the penalties of human rights violations. She also highlighted the severe breaches faced by Media people—swearing or beating when doing their jobs. Security forces usually are the perpetrators and no reporter was able to file a case due to the threat of being killed or kicked out of his job.

Asma hoped to have more human rights experts in similar trainings to learn more about the personal protection, and the proper channels to go through in case of violation.

The training course aimed at clarifying the role of Media in covering and documenting human rights violations. The course also aimed at spreading the international covenants and the International declaration of Human Rights among Media people.



Southern Iraq....The Culture of Conflict

35 participants representing 25 civil society organizations in southern Iraq joined a workshop on “conflict settlement and peace building education” in Nasireya. The three-day workshop was held to empower youth on conflict settlement and peace building as part of the NBH agenda which was launched in June 2006 in partnership with one of the active Arab organization in conflict settlement and peace building.



Participants received training materials on conflict levels, multiple diplomacy, conflict settlement methods, the concept of peace, peace building mechanisms, means of settling conflicts, facilitation, negotiations, arbitration, troubleshooting, conflict factors, and strategic planning concept.



Egypt: the Closing Forum of Human Rights education in Egyptian

The Human Rights Capacity Building program “Bena” (patronized by UNDP and the Egyptian Ministry of Foreign Affairs in cooperation with the International Human Rights Law Program at the AUC) organized The Closing Forum of Human Rights Education in Egyptian Universities by the end of the training program for academics and staff of Egyptian Universities which lasted for three full years.

The Forum was held on August 17th, 2009 at Zamalek Marriot hotel with 250 participants representing a number of Egyptian Universities: Zaazik, Cairo, Alexandria, Asyout, Banha, Tanta, Hulwan, Suez Canal, Bour Said, The Sixth of October, Suhaj. A number of media outlets and civil society organizations also attended the Forum.

The Forum started with opening remarks of the organizers: HE ambassador Ahmad Hajaj- the national coordinator for Bena, Professor Edward Simpson/AUC vice president, Professor Enid Hill/ the High Commissioner of the International Human Rights Law Program at the AUC.

The opening session was followed by second session entitled “teaching human rights at Egyptian Universities: between reality and aspiration”. The session handled the issue of human rights teaching curricula in universities and the need to be improved.

The session was followed by a documentary on Bena project activities which presented the journey of the training project for 3 years. The documentary showed success stories achieved by the project end-users and the challenges they faced. The film also contained discussions of the Egyptian government policies towards disseminating and enhancing the culture of human rights in the Egyptian society and the role of civil society.



The Introduction Forum of ANHRE member organizations

The Independent commission for Human Rights- Palestine

The Independent Commission for Human Rights was formed by a decision of the late Palestinian president Yaser Arafat on Sep. 30th 1993. The decision was gazetted by the Palestinian Authority under no.59/1995. The duties and responsibilities of the Commission was identified as per the decision as follows: “follow up and guarantee the requirements needed for human rights protection in the various Palestinian laws, legislations, regulations, institutions, departments, and the Palestinian State and the PLO apparatus”. The Decision gave the Commission the right to establish its Bylaw in a manner that guarantees its independence and effectiveness. The Commission started its works early 1994 with Dr. Hanaan Ashrawi as the first High Commissioner who was the initiator of the idea and dynamo behind its creation.

The Code of Values and the Mission

Out of the Commission’s belief that the strong commitment of human rights and basic freedoms respect-stipulated in international declarations and covenants- is the core of the political system which is based on the rule of law, equality, protecting rights and public and private freedoms, legislative mechanisms for accountability, and an honest effective and independent judiciary system.

The Commission observes and enhances human rights in Palestine as indivisible, interdependent, and universal. The Commission observes human rights situation in Palestine and the degree of abidance of the three authorities, the public and private bodies, and detention centers. The aim is monitor how congruent the PA is, in agreements and enforced legislations, with international standards of human rights. In addition to observing the government and the public authorities’ level of commitment to the commission’s recommendations, the commission carries out public and official education and awareness missions on human rights. The programs target the most vulnerable groups to human rights violations, or groups which need a system to enhance its human rights knowledge. The Commission supports civil society organizations concerned with human rights education and awareness. It also receives complaints from abused individuals and groups, and follows up the claims.



Meetings

ANHRE Magazine Activists: ANHRE Network Needs Clear Strategy and Independence in Decision Making

A number of human rights activists and ANHRE members considered the Network's role as new and unique. Yet real requirements are needed to boost the network in the Arab World in addition to a healthy structure and clear strategy.

ANHRE Magazine surveyed a number of activists on the needed requirements for the



coming phase. Khaleesa Kitabi/Morocco stated that ANHRE has all needed human and intellectual resources to succeed. She asserted that "ANHRE's work is prominent and unique, yet what is needed is to deepen interaction". She also called for forming local groups on the region's level since this will facilitate communication where groups can act as network branches.

Ahmad Abdel-Salam Omar/

General Secretary of the Sudanese Research and Development Organization Said: "I believe the most important factors in boosting and developing ANHRE's work in the Arab World are 1) the internal factor of ANHRE and 2) the external- ANHRE's surrounding environment. He added that "this founding phase can focus on the internal factor as setting a healthy structure for the Network without mixing between the Network issues with the member organizations'. The Network is composed of a number of independent entities called organizations; therefore, coordination should be the essence where administrative matters are very limited. Hence, the Network cannot be run by an executive board who takes decisions solely; a situation that might jeopardize the Network existence.

He also added that a clear Network strategy should be formed with the wide participation of senior members taking to make them feel they that they are their creators and owners. This will let them feel unified which will harmonize carrying out activities. Abdel-Salam Omar also noted the importance of setting clear mechanisms to establish the Network geographically. This can be done by nominating national coordinators as well as a regional coordination office for near geographic blocks; such a system will facilitate work, enhance coordination, and achieve justice and transparency.

Kawthar Rhayyim/Director of Future Makers for Human Rights- Iraq said: "for ANHRE to succeed, it needs funding to develop its members to be able to disseminate the acquired knowledge to other HR workers. This will widen the scope of work and increase the advocacy campaigns for human right related issues in Iraq and the rest of the Arab World. ANHRE has to be transparent and just in distributing resources, giving opportunities, and enabling everyone to benefit from the Network. ANHRE needs also to be independent in decision making accepting donors' terms.

ANHRE in the International Training Program for Human Rights

ANHRE has participated in the International Training Program for Human Rights organized by Equitas- the International Center for Human Rights Education. Two of ANHRE members were trainer; both believed that acting as facilitators was an incomparable experience on the personal and career level. Both members agreed that being part of an international training- containing international activists from different countries- was a great opportunity for practicing the acquired skills. They also believed that the training gained them experience about African countries.

Nuha Rocus from Lebanon said: “as a participant, your responsibilities are minor if compared the role of facilitators. As a facilitator, one needs to prepare and to keep working without paying attention to breaks. Facilitation requires following up participant, give them mental support, and study their situations and the countries they come from. As a facilitator, one has to be prepared for questions, provide suitable solutions, solve any arising disputes, and encourage participants to engage in workgroups and



to be open to others. Last but not least, as a facilitator one needs to be modest, accept comments, and work hard to improve the work to succeed.

As for the challenges, Rocus reiterated the huge extra work needed to be done by a facilitator which requires effort and thorough reflection to satisfy his/her personal aspirations and those of the participants. The basic challenge for a facilitator is to be objective, not to be carried away in problems but to find suitable solutions in case disputes erupted during the training among participants, or even between the facilitator and participants. She also noted that earning the participants’ respect is a major challenge since they think of facilitators as models; their ultimate goal is to become facilitators in similar trainings one day.

As for the learned lessons: working under pressure, adjusting with different conditions, being part of the small and the big group, and being part of the glob.

Nuha recalls one anecdote: “I was talking to one group where the facilitator said that all participants are from Africa, then looked at me and said Nuha? I told him “don’t worry Rob, you are an African now. This situation shows that I have succeeded with the participants since they didn’t consider a foreigner. Nuha also gave a recommendation- one has to be at ease and needs to enjoy a sense of humor while working.

Salam reflected on her experience as a facilitator: as an outsider, one look at things differently; yet as an insider, we see all project preparatory steps. We can never feel these issues as a participant; yet as a participant, one enjoys larger space of interactive participation which facilitators do not have due to preparations and meetings.

As for the challenges and the learned lessons, Salam stressed the communicative factor especially if you come from a developing country like Yemen. International trainers will not be convinced of your caliber as a facilitator until it is proven to them during the training and afterwards. She noted that she benefited a lot from the training by feeling the similarity between human rights problems everywhere. Salam recalled one funny situation she found herself in when she discovered that she was secretly admired by more than three people.



Articles

The Higher Commission for Human Rights-Iraq

Edited by Ghassan Al-Salih
Echo for Human Development/ Director

Passing the Higher Commission Law came as a commitment of article 122 in the Iraqi Constitution which stipulates forming a number commissions where Human Right Commission is one of them. The law came as a substitute for the Iraqi Ministry of Human Rights established in 2003 to follow up human rights abuse, detainees, and to create awareness among citizens.



Establishing the commission aimed at building a non-politicized institution for protecting human rights in Iraq and capable of observing and identifying abuses against citizens at all levels. The Commission is completely independent of the government and funded by the General State Budget where members are elected from the Iraqi Parliament to avoid political influence. Yet the question is whether this young institution is able to set criteria for eliminating human rights abuses or not? Is it capable of stopping government practices (executive bodies) from committing human rights abuses in a country of political complexity like Iraq.

The International Standards and Practices (National Human Rights Institutions)

Although there are standards for International human rights practices, countries did not agree on specific definition for national human rights institutions. Up to this date, the concept of national human right institutions remains wide since courts, civil society organizations, state human right institutions, legal aid offices, and society care institutions can all be classified under “national institutions for human rights”.

For the past two decades, many countries approved international conventions where they took their legal responsibilities to implement human rights standards. Human rights are essentially the relationship among individuals themselves, and between individuals and the state. Therefore, the actual human duty is a national duty.

When countries ratify human rights covenants, they are then obliged to implement these standards in their local laws. In order to be passed, each convention needs to be approved and ratified by the legislative authority where it becomes equal to the local enforced law as a common international tradition. Yet, having a human rights law is not enough to protect these rights. The law also did not stipulate the formation of designated agencies to enforce this law. The issue of enforcement has created a major controversy at the international level during the past few years.

It is clear now that enjoying human rights needs effective institutionalized infrastructure to enhance human rights protection. Many countries, lately, have established similar institutions but with a varying degree of efficiency- according to the political nature of these countries.



The issue of national human rights institutions was initially discussed in 1946 at the first session of Economic and Social Council, i.e. two years prior to International Declaration of Human Rights which is regarded as a major achievement for humanity. Forty years later, the issue was raised by the United Nations to emphasize the role of these institutions which can act as observers, informative bodies, and lobby groups to limit human rights violations- especially in non-democratic countries.

In the past few years, human rights institutions responsibilities have evolved in the 1991 Paris International Conference where the human rights committee admitted the need to create mechanisms for interactive cooperation between human rights national institutions and the international ones. The Vienna declaration and Program of Action at the International Conference for Human Rights in 1993 admits “the right of every state to select the framework for their HR national institutions in a way that suits the national needs”. This statement recognizes the immense differences among countries in human rights issues according to the state structure.

Via international practices, the following standards should exist in HR national institutions in order to be independent and impartial:

- 1- legal and executive independence.
- 2- Financial and administrative independence
- 3- Independence in jobs, specialties, and formation.
- 4- To have sufficient independence from the state (the executive authority).
- 5- Easily accessed by all people.
- 6- national institution must have sufficient awareness of its role by identifying itself through the available means.
- 7- Cooperation with NGO's

The Iraqi Human Rights Commission

The Commission was established under law no. 53/2008 to observe human rights applicability in Iraq and its congruity with international standards. The commission is managed by a board of 15 members. Five of the members are parliamentarians, 4 from the general secretariat of the Cabinet, 3 from the Higher Judiciary Council, 2 from civil society organizational, and one member form the Special United Nations Representation for Iraq.

The Head of the Commission has a minister rank and the vice head is equal to a deputy minister. This will later be specified in a Cabinet decree.

An independent commission can observe human rights violations, regardless of the current or previous ones, since rights can not be abolished due to prescriptive period principle. Anyone who has rights shall claim them to be gained. The Commission plays an important role in acting on behalf of the abused by filing cases at the Higher Council of Justice, or in giving advice to the disputing parties. The Mandate of the Commission is broad enough to enter detention centers, observe violations, and have representation inside public institutions. The Commission will also help in reporting to United Nation (yet will not substitute the Ministry of Human Rights that reports directly to the Prime minister who has the power to keep or cancel it).



The Commission will have the right to investigate cases and report them to the Higher Judiciary council; yet the Commission will not rule verdicts. The Commission reports to the House of Parliament similar to the situation of all independent commissions.

The Commission aims at:

- 1- Protect and enhance human rights in Iraq.
- 2- Protect the rights and freedoms stipulated in the constitution, laws, and international conventions ratified by Iraq.
- 3- Establish and develop human rights culture and values.

The Commission holds the following responsibilities:

- 1- Coordinate with related bodies in setting joint work mechanisms and strategies to ensure maintaining the Commission's goals as per article (3) of the law.
- 2- Prepare studies and provide recommendations for improving and enhancing human rights in Iraq
- 3- Study and evaluate the enforced laws to measure its consistence with the constitution, and provide recommendations to the House of parliament.
- 4- Provide recommendations for joining HR international conventions.
- 5- Cooperate and coordinate with Iraqi HR civil society organizations and communicate with International HR NGO's to achieve the Commission's goals.
- 6- Disseminate HR culture via the following means:
 - a- Include HR culture in educational curricula.
 - b- Hold conferences, seminars, social and artistic activities on HR. Issue leaflets, publications and prepare information on HR.
- 7- Provide HR capacity building recommendations to the report preparation committees which the state is committed to be given to the United Nation.
- 8- Prepare the annual report for the House of Parliament with a general HR assessment in Iraq to be published.

Operation Mechanism:

- 1- The Commission receive individual, group and civil society the claims on HR abuses (pre and post the current law enforcement) with absolute confidentiality of the claimers identity.
- 2- Conduct preliminary investigations on HR abuses based on evidences.
- 3- Verify the received claims and conduct necessary investigation if needed.
- 4- File the cases on HR abuses and refer it to the general prosecutor for taking necessary steps and notifying the Commission of the outcomes.
- 5- Visit detention and reform centers. Discuss the issue with the House of Parliament (in case of incongruity with HR standards). Meet with detainees and imprisoned individuals without permission to record violations and report them to the concerned bodies for taking the necessary legal steps
- 6- All ministries, official bodies, independent commissions are committed to provide the Commission with related records, data and statistics



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