



ماعت للسلام والتنمية وحقوق الإنسان
Maat For Peace, Development, and Human Rights

LAS Human Rights Mechanisms — Path & Challenges —



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Issued by: Maat for Peace, Development and Human Rights, 2024

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Preamble

It is with great pleasure that I present to you this study, prepared by Maat for Peace, Development, and Human Rights, on the human rights mechanisms affiliated with the League of Arab States. Maat has undertaken this study in recognition of the crucial importance of regional human rights mechanisms, which play an integral role in strengthening international human rights law. These mechanisms are entrusted with significant responsibilities to promote and protect human rights and achieve sustainable development goals. For decades, the human rights movement has relied on regional human rights mechanisms as tools to encourage compliance with international human rights standards and the realization of the fundamental rights enshrined in the Universal Declaration of Human Rights.

The vital role of these mechanisms is also affirmed in Paragraph 37 of the Vienna Declaration and Program of Action, adopted by the World Conference on Human Rights in 1993. This paragraph emphasizes the decisive role of regional mechanisms in protecting and promoting human rights, and calls for efforts to ensure their strength and effectiveness.

However, despite their significant importance, the human rights mechanisms affiliated with the League of Arab States face various challenges. In recent years, they have encountered widespread criticism due to their limited role and weak interventions in promoting human rights in the Arab region. Additionally, there has been stagnation in the internal regulations governing these mechanisms. One of the most significant challenges lies in the lack of involvement of civil society in their activities and the arbitrary granting of observer status to a limited number of Arab organizations. There is a clear disparity between the human rights mechanisms of the League of Arab States and other regional mechanisms in terms of engagement with civil society. While the African Commission on Human and Peoples' Rights has granted observer status to 577 organizations and the Inter-American Commission on Human Rights has engaged with approximately 466 civil society organizations, the League of Arab States has only recognized 51 civil society organizations as observers, out of an estimated 370,000 civil society organizations in the Arab region. Moreover, only 19 organizations have observer status with the Permanent Arab Committee for Human Rights, and approximately 32 organizations hold the same status with the Economic and Social Council affiliated with the League of Arab States.

These numbers unequivocally highlight the substantial gap between the League of Arab States, particularly its human rights mechanisms, and civil society organizations in the Arab region. This gap necessitates concerted efforts to bridge it and foster stronger ties between Arab civil society and the League of Arab States. One must question the progress of the Arab Decade for Arab Civil Society Organizations 2016-2026, declared by the League of Arab States on February 22, 2016. What has been achieved thus far? Why has the document outlining this Arab contract for civil society organizations not been published, eight years after its launch? Why has the announcement of the Civil Society Contract not been accompanied by concrete measures to enable civil society's engagement in the activities of the League of Arab States as a whole, and its human rights mechanisms in particular?

I can confirm that the lack of meaningful interaction between these mechanisms and Arab civil society will only exacerbate the gap and perpetuate the marginalization of Arab civil society from participating in the activities of the League and its human rights mechanisms and bodies. This remains the primary challenge facing the work of these Arab human rights mechanisms. Therefore, I propose expediting the implementation of Resolution 76/2003, adopted by the United Nations Commission on Human Rights, which urges the League of Arab States and other regional organizations to engage non-governmental organizations in the process of "modernizing" the Arab Charter on Human Rights. Additionally, I believe the Arab League must publish an "Evaluation Study" eight years after the launch of the Arab Decade for Civil Society Organizations, showcasing the progress made towards the goals outlined in this contract, if it indeed exists. This document should be made available to the public. Furthermore, it is crucial to bridge the gap and foster stronger connections between Arab civil society and the human rights mechanisms affiliated with the League of Arab States to advance and enhance human rights as enshrined in international agreements, treaties, and the Arab Charter on Human Rights.

Ayman Okeil

January 2024

Introduction:

In March 1945, the League of Arab States, a regional organization dedicated to Arab states, was established. It predates other regional organizations such as the European and African Union, and even the Charter of the United Nations itself. This highlights the historical significance of the League of Arab States. However, the initial Charter of the League of Arab States did not include any mention of human rights, and these rights were not part of its agenda. This oversight went unnoticed until 1968 when the United Nations General Assembly issued a resolution commemorating the 20th anniversary of the Universal Declaration of Human Rights, urging regional organizations, including the League of Arab States, to observe this day.

In response to the United Nations' call, the League of Arab States convened the Beirut Conference in the same year. The conference focused on integrating human rights protection mechanisms into the work of the League of Arab States. It was also during this time that the League of Arab States established the Permanent Committee on Human Rights in response to a memorandum from the United Nations. In 2004, the League of Arab States made its first commitment to international human rights law by adopting the Arab Charter on Human Rights. This led to the establishment of the second human rights mechanism within the League of Arab States, the Arab Human Rights Committee, also known as the Charter Committee, as outlined in Article 45 of the Charter.

The mechanisms affiliated with the League of Arab States can be categorized into primary mechanisms, namely the Permanent Arab Committee for Human Rights under the Council of the League of Arab States, and the Charter Committee, an independent mechanism responsible for monitoring the implementation of the Arab Charter on Human Rights. Additionally, there is the Legal, Legislative, and Human Rights Committee of the Arab Parliament. These mechanisms are supported by auxiliary departments such as the Human Rights Department of the General Secretariat, the Arab Court for Human Rights (whose statute has been adopted but not yet enforced), and the Department of Civil Society Organizations in the Arab League.

Regional human rights mechanisms have a vital role in promoting and safeguarding human rights, as well as advancing sustainable development goals. For decades, the human rights movement has relied on these mechanisms as instruments to encourage compliance with international human rights standards and the realization of

all fundamental rights outlined in the Universal Declaration of Human Rights, as well as the International Covenants on Civil and Political Rights and Economic, Social, and Cultural Rights.

Paragraph 37 of the Vienna Declaration and Program of Action, adopted during the 1993 World Conference on Human Rights, emphasizes the crucial role of these mechanisms in protecting and promoting human rights.¹ The declaration also supports efforts aimed at ensuring the strength and effectiveness of these mechanisms. Despite various attempts by civil society and individual initiatives by League of Arab States officials, such as former Secretary-General Nabil Elaraby, to activate the role of these mechanisms, their impact has remained limited compared to other regional human rights mechanisms such as the Inter-American Commission on Human Rights and the African Commission on Human and Peoples' Rights.

In recent years, the human rights mechanisms of the Arab League have faced widespread criticism due to their limited role and weak interventions in promoting human rights in the Arab region. The Arab Permanent Committee for Human Rights has been criticized for focusing exclusively on the Arab-Israeli conflict in its agenda. The Charter Committee has faced criticism for its internal rigidity and the absence of a mechanism to address late reports from states parties to the Charter. Additionally, civil society has been unable to actively participate in the dialogue between the Committee and the states party to the Charter. The Department of Human Rights, which serves as the technical secretariat of the Permanent Committee, has also been subject to criticism due to limited financial and human resources, as well as ambiguity surrounding its tasks and mandate.

Among the concerns raised by these criticisms, one of the most significant is the limited communication between Arab human rights mechanisms and active civil society organizations in the Arab region. There is a lack of a clear mechanism for communication between these mechanisms and civil society. Out of the more than 300,000 civil society organizations in the Arab region, only around 50 have observer status with the Arab human rights mechanisms. In comparison, the African Commission on Human and Peoples' Rights has about 577 organizations with observer status,² and the Inter-

¹ World Conference on Human Rights, Vienna, 1993, Para 37, <https://www.ohchr.org/sites/default/files/vienna.pdf>

² Non-governmental organizations, African Commission on Human and Peoples' Rights, <https://achpr.au.int/en/network/ngos>

American Commission on Human Rights has around 446 registered organizations with the Organization of American States that can participate in their work.³

Observer status alone does not grant civil society organizations the ability to engage with Arab human rights mechanisms, Arab summits, or sessions of Arab foreign ministers. This limitation hinders their direct communication with the Arab League and its human rights mechanisms. Some suggested reforms for the League of Arab States have proposed granting these organizations advisory status, similar to the United Nations Economic and Social Council, to enable them to play a more effective role in the reform agenda of the Arab League and promote human rights in the Arab region. However, these proposals have not been implemented.

The League of Arab States and its human rights mechanisms have continued to inform member states that human rights violations are isolated incidents committed by individuals who do not comply with rules, policies, and laws. Their preferred approach has been dialogue and making recommendations through discreet channels, often isolated from the media. However, this approach, although sometimes valid, is becoming increasingly outdated in light of rapid technological advancements.

In response to these issues, **Maat for Peace, Development, and Human Rights** has undertaken a study to address the human rights mechanisms within the League of Arab States. The study aims to clarify the strategies employed by these mechanisms to promote human rights, identify the challenges they face, highlight the gaps in their work, and examine the supporting departments. In the final section of the study, Maat seeks to draw lessons from other regional human rights mechanisms and apply successful experiences to the Arab mechanisms concerned with human rights.

This study by the Maat evaluates the performance of the regional human rights mechanisms affiliated with the League of Arab States, including the primary mechanisms and auxiliary departments. The study also focuses on the significant gap between civil society and these mechanisms, drawing from the experiences of other regional human rights mechanisms such as the African Commission on Human and Peoples' Rights and the Inter-American Commission on Human Rights. It is important to note that the study does not encompass the entire Arab regional human rights system.

This is because any regional human rights system consists of two fundamental pillars: First, instruments and conventions related to human rights, including treaties and protocols. Second, human rights committees oversee the implementation of these provisions and ensure member states' compliance with them.

³ Relations with Civil Society Organizations, Registered Organizations, <https://cutt.ly/hwaxR2LF>

Methodology:

The study relied on a survey of the available decisions issued by the Council of the League of Arab States and the Arab human rights mechanisms, and an analysis of these decisions. Maat also employed a comparative analysis approach between various regional human rights mechanisms to highlight commonalities and identify differences. The study presents the similarities between these mechanisms in the third section. Additionally, the study analyzed the internal regulations of the Arab human rights mechanisms available on the website of the League of Arab States.

Furthermore, the study drew on published studies by regional and international human rights organizations, as well as previous research conducted by Maat on the League of Arab States and its affiliated bodies. During the study, Maat reviewed the guide for the participation of national human rights institutions and civil society organizations prepared by the Human Rights Committee - Charter Committee. In the first part of the study, Maat utilized a tool to evaluate the tasks authorized for the primary human rights mechanisms affiliated with the League of Arab States. The degree of task implementation was categorized into three levels: effective, medium effectiveness, and limited effectiveness.

The study is divided into three main sections:

1. Human rights mechanisms of the League of Arab States.
2. The gap between human rights mechanisms and civil society in the Arab region.
3. Drawing lessons from other regional human rights experiences.

In conclusion, the study includes findings and necessary recommendations that Maat deems essential to communicate to encourage their implementation.

Section I: Mechanisms Concerned with Human Rights in the Arab League:

Human rights mechanisms affiliated with the League of Arab States began to take shape in 1968 when the Council of the League of Arab States agreed to establish the Permanent Arab Committee for Human Rights.⁴ This committee was tasked with promoting human rights and will be discussed in detail in the subsection dedicated to this mechanism. It remained the only mechanism exclusively focused on promoting human rights within the League of Arab States⁵ until the establishment of the Arab Human Rights Committee, also known as the Charter Committee. The Charter Committee is an independent body composed of seven experts responsible for supervising and monitoring the implementation of the Arab Charter on Human Rights.⁶ The Arab Charter on Human Rights is the first and only treaty within the League of Arab States that includes an independent supervisory mechanism specified within the Charter itself, namely the Arab Human Rights - Charter Committee.⁷

Then, the Legal, Legislative, and Human Rights Affairs Committee of the League of Arab States was established to complement the existing human rights mechanisms within the League.⁸ However, its role remained limited compared to the previously mentioned mechanisms.⁹ The sub-part in the first section also focuses on cooperative mechanisms and assistance to main mechanisms, some of which are still dysfunctional with weak mandates. Among these mechanisms is the Department of Human Rights, which is the technical secretariat of the Permanent Committee on Human Rights, as well as the Arab Court of Human Rights, which has not exercised its functions have not yet been fulfilled, due to the lack of ratification of its statute by seven member states.¹⁰ This section of the study addresses the three basic mechanisms in terms of precedence of establishment; and they are: Permanent Arab Committee for Human Rights; Charter Committee; And Legal, Legislative and Human Rights Affairs Committee in the Arab Parliament, and then other cooperative mechanisms such as the Human Rights

⁴ The Arab Human Right Committee: A Promising Mechanism in an Emerging Human Rights System, Page 16,

<https://tinyurl.com/3aapr5uy>

⁵ Ibid, <https://tinyurl.com/3aapr5uy>

⁶ الميثاق العربي لحقوق الإنسان، المادة 45، https://eos.cartercenter.org/uploads/document_file/path/328/ACHR2004_ARA.pdf
⁷ اعتبارًا من يناير 2021، كان هناك 16 دولة طرف في الميثاق العربي لحقوق الإنسان: الجزائر والبحرين ومصر والعراق والأردن والكويت ولبنان وليبيا وموريتانيا وفلسطين وقطر والمملكة العربية السعودية والسودان وسوريا والإمارات العربية المتحدة واليمن. بينما لم تصادق علي الميثاق حتي الآن كل من تونس وجيبوتي والصومال، وسلطنة عمان وجزر القمر والمملكة المغربية بعض هذه الدول الست وقعت ولكن لم تصدق علي الميثاق

⁸ Background: The Arab Parliament, <https://tinyurl.com/2e8mtd4x>

⁹ Ibid, <https://tinyurl.com/2e8mtd4x>

¹⁰ The Arab Court of Human Rights: A Flawed Statute for an Ineffective Court, <https://cutt.ly/Xwax3U6C>

Department, Arab Court for Human Rights, and Department of Civil Society Organizations.

1. Permanent Arab Committee for Human Rights:

Composed of delegates from member states of the League of Arab States, the Permanent Arab Committee for Human Rights is not an independent expert committee like the Charter Committee. Instead, it consists of political delegates. The committee was established in 1968 based on Resolution 2443/48 issued by the Council of the League of Arab States during its fiftieth regular session.¹¹ The proposal for its establishment originated from both the Special Committee and the Steering Committee for Human Rights,¹² following a recommendation from the League's Political Affairs Committee. The recommendation sought the establishment of a permanent Arab regional committee to promote human rights in the Arab region.¹³ Despite being the oldest mechanism among those concerned with human rights in the League of Arab States, the committee has lacked authority and effectiveness throughout its existence due to various challenges.¹⁴

Reviewing the decisions and recommendations from the latest session, No. 51, of the Arab Permanent Committee for Human Rights held in Morocco from February 20 to 22, 2023, we find that the committee's agenda included 11 items. These items covered organizational and procedural measures, as well as violations in the occupied Palestinian territories. However, Maat noted that the committee diverted attention from widespread human rights violations, particularly in conflict-affected Arab countries like Yemen and Syria, especially by militias and armed groups.¹⁵

1.1 Evaluation of Committee's Performance based on Assigned Tasks:

In this subsection of the study, Maat developed an evaluation tool to assess the performance of the Arab Permanent Committee for Human Rights according to its assigned tasks within its internal system. The degree of task implementation will be examined, considering factors such as effectiveness and compliance. This tool divided the degree of implementation into three levels: “**Effective**” is the degree to which the committee has performed the task entrusted to it in an optimal manner, even in light of

¹¹ اللجنة العربية الدائمة لحقوق الإنسان، جامعة الدول العربية،

<http://www.lasportal.org/ar/sectors/dep/HumanRightsDep/Pages/Committee.aspx>

¹² جري تعطيل عمل اللجنة الخاصة واللجنة التوجيهية لحقوق الإنسان

¹³ <https://tinyurl.com/4jj3b7mu> اللانحة الداخلية للجنة العربية الدائمة لحقوق الإنسان،

¹⁴ جامعة الدول العربية وحقوق الإنسان: تحديات علي الطريق، ص 12، https://www.fidh.org/IMG/pdf/report_las_human_rights_ar.pdf

¹⁵ تقرير وتوصيات اللجنة العربية الدائمة لحقوق الإنسان، الدورة 51- <https://cutt.ly/Pwax9DoH>

obstacles; **“Moderately Effective”** is the degree to which the committee initiates steps to perform the task but does not complete it; **“Limited Effectiveness,”** which is the degree of implementation to which the committee is ineffective in performing the tasks it is assigned to perform.

#	Task	Effective	Moderately	Limited
1	Providing advisory opinions to Member States on various human rights issues upon Member States request			√
2	Proposing harmonization of Arab agreements with international human rights standards		√	
3	Preparing draft Arab agreements on human rights that are consistent with the obligations of member states and international standards			√
4	Studying Arab agreements related to human rights in order to express an opinion on their consistency with human rights principles and standards.		√	
5	Preparing studies and research related to human rights			√
6	Studying human rights-related topics referred to Committee by League Council, General Secretariat, or one of the member states		√	
7	Cooperating with Arab committees within the framework of League of Arab States on issues related to human rights		√	
8	Cooperating with Arab League missions abroad regarding human rights issues		√	

#	Task	Effective	Moderately	Limited
9	Preparing a vision of the Arab position towards human rights issues raised regionally and internationally			√
10	Strengthening cooperation with government agencies at the member state level in spreading and promoting a culture of human rights		√	
11	Providing technical support to member states to follow up on the implementation of recommendations from treaty bodies and non-treaty mechanisms upon the request of these states			√

It is noted from the previous table that the Permanent Committee had a limited degree of implementation in five tasks entrusted thereto. The Permanent Committee was given a limited degree of implementation with regard to providing advisory opinions to member states on various human rights topics at the request of member states, and the responsibility in this task could be Common, as the member states of the League also rarely refer issues related to human rights to the Committee to express an opinion on them.¹⁶

The committee's implementation was also limited in relation to the third task mentioned earlier, which involved drafting Arab agreements on human rights. The Permanent Committee rarely took steps to fulfill this task. Similarly, the committee received the same limited degree of implementation for the fifth task, which involved conducting studies and research on human rights. It did not publish any studies or research on this topic and only participated in some studies at the League of Arab States level.¹⁷

Regarding the ninth task, which focused on developing a vision for the Arab position on human rights issues raised regionally and internationally, the committee has

¹⁶ اللجنة العربية الدائمة لحقوق الإنسان، موقع جامعة الدول العربية،

<http://www.lasportal.org/ar/sectors/dep/HumanRightsDep/Pages/Committee.aspx>

¹⁷ عملية تحديث الميثاق العربي لحقوق الإنسان أوجه تراجع مثيرة للقلق،

<http://www.lasportal.org/ar/sectors/dep/HumanRightsDep/Pages/Committee.aspx>

not yet formulated any vision. Its role has been limited to making amendments to the Arab Charter on Human Rights, despite the urgent need to align it with international human rights standards.¹⁸ Consequently, the committee received a limited degree of implementation in this regard. It also received a limited degree of implementation for its last task, which involved providing technical support to member states in implementing recommendations issued by international human rights mechanisms. There is a lack of technical support provided to member states in implementing these recommendations, and Arab countries, in general, are lagging behind in their implementation.

On the other hand, the committee received a moderate degree of implementation for the seventh task, which focused on cooperation with other Arab committees within the League of Arab States on human rights-related topics. As an example of such cooperation, a decision made during the 51st session of the Permanent Committee was the formation of an open-ended group of Arab governmental experts to develop the executive principles of the Arab Human Rights Strategy. This was done in partnership with the Charter Committee and with the assistance of the General Secretariat of the League.

In terms of cooperation with the missions of the League of Arab States abroad on human rights issues, the committee received a moderate degree of implementation for the eighth task. While it cooperated with some missions sent by the League to places like Darfur and the Syrian Arab Republic after the events of 2011, it did not support all the missions sent to Arab countries, nor did it publish information about the results of these missions.

Finally, the committee received a moderate degree of implementation for the tenth task, which aimed to strengthen cooperation in the field of human rights education. Although the committee was involved in the Arab Plan for Human Rights Training, which was later renamed the Arab Plan for Education in the Field of Human Rights, it did not bring about significant changes in this regard. The committee also lacks the authority to adopt this plan. The official launch of this plan is expected to take place in the second half of 2023 during an event hosted by the Kingdom of Morocco.¹⁹

¹⁸ المصدر السابق ذكره

¹⁹ القرارات والتوصيات، ص 143، <http://bitly.ws/P6e5>

The Committee faced several challenges in its implementation. It held a moderate position in the task of studying agreements and preparing drafts. However, the committee lacked the authority to approve or adopt these agreements. There is still a significant gap between the Arab agreements and international human rights standards, highlighting the ineffectiveness of its role. Despite calls to harmonize these agreements, the committee's impact remains limited. Regarding the implementation of the special mission to enact cooperation rules between member states of the League of Arab States in the field of human rights, the committee's authority was "limited." It lacked the power to approve cooperative rules and did not take significant steps to examine the human rights situation in member states of the League of Arab States.

1.2 Challenges Facing Arab Permanent Committee for Human Rights:

- **Lack of independence of Committee Members:**

The Permanent Arab Committee for Human Rights is composed of 22 members, representing the member states of the League of Arab States. Article Two of the Committee's internal regulations governs the selection process. However, the members nominated by each country are political representatives rather than independent experts in the field of human rights. This lack of independence hinders the committee from addressing collective challenges related to human rights in the Arab region.²⁰

- **Insufficient experience in the field of human rights:**

Although the Committee's internal regulations require members to have experience and competence in human rights, individuals without sufficient knowledge or experience have been selected for membership. These individuals lack familiarity with the provisions of the Arab Charter or other international human rights treaties. Previous directives emphasizing the importance of experience and competence in human rights have not been adhered to.

- **Limitation of Committee's agenda to the Palestinian issue:**

While it is essential to address the ongoing violations by the Israeli occupation forces in Palestine, criticism has been directed at the Permanent Committee for limiting its agenda solely to the Palestinian issue.²¹ This narrow focus prevents the committee from effectively addressing other human rights issues in the Arab region. It has been reported

²⁰ جامعة الدول العربية حقوق الإنسان؛ المعايير والآليات، دليل ارشادي، ص 27، <https://tinyurl.com/46uw74xj>

²¹ Ibid, <https://tinyurl.com/3aapr5uy>

that the committee deliberately chose to prioritize the Palestinian issue, as it allows them to exercise greater influence compared to other human rights matters in the region.²²

2. Arab Human Rights Committee - Charter Committee:

Charter Committee was established in 2004 under Article 45 of the Arab Charter on Human Rights. It consists of seven independent experts who are elected by the state's parties to the Arab Charter on Human Rights through a secret ballot.²³ These experts are expected to maintain complete independence and separate their membership in the Committee from any other governmental position. The primary function of the Charter Committee is to consider the reports submitted by states parties regarding their adherence to the rights and freedoms outlined in the Charter. The Committee reviews these reports, prepares a report that includes its observations and recommendations, and submits it to the Arab League Council.

2.1 Evaluating Committee's Performance According to Tasks Assigned Thereto

Maat used the same tool with which it evaluated the performance of the Arab Permanent Committee for Human Rights when evaluating the performance of the Charter Committee, although the nature of the tasks assigned to each committee differed.

Table evaluating the performance of Arab Human Rights Committee - Charter Committee

Task		Effective	Moderately	Limited
1	Receiving reports submitted by States Parties under Article 48 of Charter, discuss them, and issue concluding observations and recommendations to the State submitted the report	√		

²² جامعة الدول العربية وحقوق الإنسان تحديات علي الطريق، ورشة العمل الإقليمية القاهرة؛

https://www.fidh.org/IMG/pdf/report_las_human_rights_ar.pdf

²³ What are human rights? Council of exurb, <https://www.coe.int/en/web/compass/what-are-human-rights->

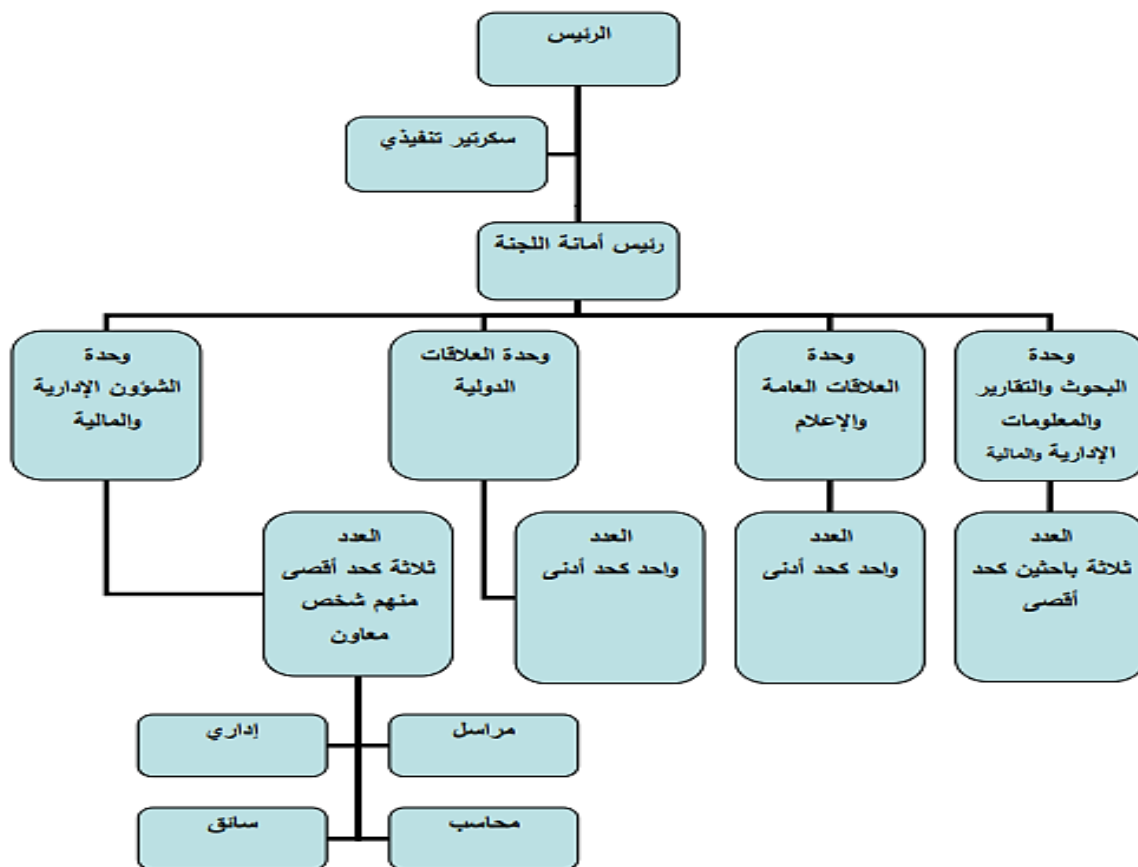
	Task	Effective	Moderately	Limited
2	Interpreting the Charter to ensure its optimal and good implementation			√
3	Holding seminars, conferences and workshops on human rights situation in a way that contributes to performing its tasks and serving the goals of Charter		√	
4	Requesting any information from bodies of Arab League and various Arab labor institutions			√
5	Submitting an annual report to Arab League Council on its activities, including observations and recommendations of final Committee regarding the report of each state party	√		
6	Developing guidelines for how States parties to the Charter and civil society organizations concerned with human rights prepare reports to be submitted to Committee	√		
7	Establishing own organizational structure that clearly shows the functional units and the number of occupants of those positions.		√	

Regarding the previous table illustrating the Committee tasks, the Charter Committee has achieved a level of effective implementation in the first task. This task involves receiving reports submitted by States parties under Article 48 of the Charter, discussing them, and issuing concluding observations and recommendations to the respective State. Committee continues to receive reports from member states of the Charter within its mandate, although there may be delays in publishing them on the Committee's electronic platforms.

Similarly, Committee has achieved the same level of implementation in the fifth task, which involves submitting an annual report to the Council of the Arab League. This report includes the final committee's observations and recommendations regarding the

report of each state party. The Charter Committee already submits an annual report to the Council of the League of Arab States, encompassing concluding remarks and recommendations.²⁴

In terms of developing its own organizational structure, the Committee has achieved a "medium" level of implementation. The committee has already published an organizational structure on the Arab League's website, outlining job units and the number of occupants in those positions. However, the published organizational structure is not entirely complete, as some units are missing.



However, the Committee has received a "limited" level of implementation in the second task, which involves interpreting the Charter to ensure optimal and effective implementation. The Committee lacks interpretive competence for the provisions of the Charter and has not yet formulated any general comments on the provisions of the Arab

²⁴ لجنة حقوق الإنسان العربية – لجنة الميثاق، جامعة الدول العربية، الإصدارات،

<http://www.lasportal.org/ar/humanrights/Committee/Pages/CommitteePublications.aspx>

Charter for Human Rights. Its interpretation of the Charter is limited to the concluding observations issued by the Committee based on the discussions of States parties' reports.²⁵

The Committee has also received a "limited" level of implementation in the fourth task, which involves requesting information from Arab League bodies. The Committee is self-sufficient and solely focuses on tasks specified in its bylaws. Many stakeholders have called for amendments to broaden its scope. Additionally, the Committee has achieved an average level of implementation in organizing seminars, conferences, and workshops on human rights situations. While the committee has held some seminars and conferences related to this goal, they were not held periodically, and the outcomes were not effectively implemented.

2.2 Challenges Facing Charter Committee:

- Lack of scheduled meetings:

The Committee does not have fixed dates for annual discussions of reports received from states parties to the Arab Charter on Human Rights. This is in contrast to other regional committees, such as the African Commission on Human and Peoples' Rights, and the treaty bodies of the United Nations, which meet on predetermined dates, at known locations, and according to a set work agenda.

2.2 Challenges facing the Charter Committee:

- Lack of scheduled meetings:

The Committee lacks fixed dates for annual discussions of reports received from states parties to the Arab Charter on Human Rights. This is in contrast to other regional committees, such as the African Commission on Human and Peoples' Rights, and the treaty bodies of the United Nations, which meet on predetermined dates, at known locations, and according to a set work agenda.

- Stagnation of the internal system:²⁶

One of the challenges facing the Charter Committee is the failure to update its bylaws. Attempts are currently being made to rewrite the committee's bylaws, but progress is

²⁵ الميثاق العربي لحقوق الإنسان والمعايير الدولية، دور لجنة الميثاق؛

<https://hikama.dohainstitute.org/ar/issue05/Documents/hikama05-2022-Moataz-El%20Fegier.pdf>

²⁶ النظام الداخلي للجنة الميثاق، <http://bitly.ws/P6np>

slow and does not involve the participation of other relevant stakeholders within the university.

- **Lack of a mechanism to address late reports from States Parties:**

Another challenge facing the Committee is the absence of a mechanism to address the issue of late reports by states parties to the Charter. According to the Charter, each state party must submit its first report to the Committee within one year from the date the Charter enters into force, followed by periodic reports every three years. The Committee may request additional information from States Parties concerning the implementation of the Charter. However, by the end of 2023, a group of countries, including Yemen, Libya, and the Syrian Arab Republic, had not yet submitted their reports to the committee.²⁷

- **Limited communication between Charter Committee and civil society organizations:**

Charter Committee has faced criticism for its limited communication with civil society organizations, particularly non-governmental organizations. These organizations have been unable to intervene during the dialogue between the Committee and the State Party during the discussion of reports. Additionally, civil society organizations have had limited participation in these dialogues, as they do not have the same opportunities to speak as other mechanisms at the regional or United Nations treaty committee levels. However, these organizations can submit parallel reports alongside the reports of states parties to the Arab Charter on Human Rights.²⁸ Organizations with observer status can also attend sessions, following the Guide for Participation of National Human Rights Institutions and Non-Governmental Organizations prepared by the Charter Committee.²⁹

- **Diverting attention from challenges facing realization of civil and political rights:**

Maat has noted that the Committee, in most states party to the Charter, does not sufficiently focus on human rights violations, particularly civil and political rights. Several civil society organizations have also claimed that the Committee avoids mentioning certain violations and practices that are inconsistent with the Charter and other international human rights treaties in the acceding states. According to these

²⁷ التقرير السنوي الرابع عشر للجنة الميثاق، ص 9- <http://bitly.ws/P6ph>
²⁸ دليل مشاركة المؤسسات الوطنية المعنية بحقوق الإنسان والمنظمات غير الحكومية التي أعدته لجنة الميثاق، ص 2، <http://bitly.ws/P6rT>
²⁹ المصدر السابق ذكره، <http://bitly.ws/P6rT>

organizations, this undermines the effectiveness and efficiency of the Committee and hampers the implementation of its mandate as outlined in the Charter. This diversion of attention from civil and political rights may be linked to the traditional view of the League of Arab States, which prioritizes economic and social rights over civil and political rights. Just as we criticize some international institutions concerned with human rights and some Western countries that support them for prioritizing certain rights over others, we note the same focus within the League of Arab States. It is important to remember that all human rights are universal, interconnected, and indivisible.

3. Legislative, Legal, and Human Rights Affairs Committee:

According to the Arab League website, the third mechanism concerned with human rights in the Arab region is the Committee for Legislative, Legal, and Human Rights Affairs, which is one of four committees affiliated with the Arab Parliament. The Committee consists of 17 members from Arab League member states, including the Chairman and Vice-Chairman of the Committee. Since its establishment, the Committee has held five meetings, starting from the first meeting on October 13, 2023, and concluding with the fifth and final meeting on June 9, 2023. It is worth noting that the Committee held its meetings nine years after the establishment of the Arab Parliament and its auxiliary bodies.

On March 29, 2012, the Council of the League of Arab States at the summit level issued Resolution No. 559 of the twenty-third regular session held in the city of Baghdad, the capital of the Republic of Iraq, which adopted the statute of the Arab Parliament to be a space for practicing the principles of Shura, democracy, freedom, and human rights and to be a tool for dialogue, decision-making, and power. To advance the popularity of the Arab action system and become an effective partner in formulating joint Arab policy to serve the highest interests of the Arab nation and to confirm the principle of expanding political participation as a basis for democratic development in Arab countries to strengthen ties between Arab peoples.” Thus, the Arab Parliament moved from the transitional parliament stage to the permanent parliamentary institution and opened its work. Its first regular session was held on December 12, 2012.

3.1 Evaluation of performance of Legislative, Legal and Human Rights Affairs Committee

Maat used the same tool with which it evaluated the performance of the Permanent Arab Committee for Human Rights and the Charter Committee when

evaluating the performance of the Legal, Legislative Affairs and Human Rights Committee, although the nature of the tasks assigned to each committee differed.

Table evaluating performance of Legislative, Legal and Human Rights Affairs Committee

Task	Effective	Moderately	Limited
1 Studying legislative and legal issues and Arab agreements referred by Parliament		√	
2 Proposing a study of issues and topics supporting coordination and integration of Arab legislation			√
3 Technical preparation for hearings held by Parliament with Arab organizations specialized in legislative, legal, and human rights fields, and holding hearing committees for this purpose.	√		
4 Studying proposed amendments to statute, bylaws, and other parliamentary regulations			√
5 Studying what is referred to it by Parliament regarding the interpretation of the provisions of the statute, internal regulations, and other regulations of Parliament			√
6 Studying what is referred to it by Parliament regarding cases of membership acquisition and expiration, members' immunities, and expressing legal opinions on matters and issues referred to it by Parliament.	√		
7 Preparing the necessary responses to reports of international and regional organizations regarding human rights in any Arab country			√
8 Proposing the necessary recommendations regarding Arab human rights, to enhance the status of the Arab human being in international reports on human rights.			√

Regarding the initial task assigned to the Committee, several pieces of legislation were naturally referred to the Committee for discussion. For example, the Committee was referred to a draft resolution submitted by the Speaker of the Arab Parliament regarding the Masam project for mine clearance in Yemen. Additionally, the Committee was referred to a draft resolution submitted by the Speaker of Parliament to reject the report of the High Commissioner for Human Rights regarding the human rights situation in Yemen. Concerning the seventh task related to "preparing necessary responses to reports from international organizations," there are unclear implications for achieving this goal. As for the eighth task, Maat did not reach any of the suggestions made by the committee. In addition to the above, Maat noted a group of factors that may be obstacles to the development of the committee's work, which can be summarized as follows:

Confidentiality of meetings: The meetings are closed and secret, not open to the public, and only a limited number of journalists cooperating with the League of Arab States are invited.

Lack of members: The committee often holds its meetings without all members being present.

Lack of civil society participation: Civil society is not invited to participate in the committee's meetings, and there is no mechanism explained by the committee for organizations to participate in the meetings or access the committee's agenda and schedule.

Limited information: The committee does not publish any information about the outcomes of its meetings or the decisions it adopts or discusses. This adds ambiguity to the work of the committee. The committee merely posts a picture of the meeting without providing further details about the discussions that took place.



2023/04

Picture showing last meeting of Legal, Legislative, and Human Rights Affairs Committee

4. Affiliate mechanisms concerned with human rights in the Arab League:

In addition to the primary mechanisms focused on protecting human rights within the League of Arab States, there are other mechanisms or departments that support and assist these primary mechanisms in carrying out their assigned tasks. Among these mechanisms are the Department of Human Rights, the Arab Court for Human Rights, and the Department of Civil Society Organizations. Maat did not utilize the tool that it used to evaluate the tasks of these departments, given that their tasks and functions are unclear and shrouded by ambiguity.

4.1 Human Rights Department:

The Human Rights Department serves as the technical secretariat of the Permanent Committee on Human Rights. It provides technical support to the Permanent Committee and prepares the committee's meetings, reports, and recommendations. It is one of the

most active mechanisms within the League of Arab States concerning human rights. However, it operates within a limited mandate, and its human and financial resources are also limited. The ambiguity surrounding its tasks has sometimes hindered its effectiveness.³⁰

4.2 Arab Court of Human Rights:

The Arab Court for Human Rights is an independent judicial body established in accordance with its statute. Its primary objective is to strengthen the human rights obligations of Arab countries, as stated in Article Two of the Court's statute.³¹ The proposal to establish the court was part of the initiatives to reform the human rights system of the League of Arab States, in line with Article 20 of the Arab Charter on Human Rights.³² The court was established eight years after the adoption of the Arab Charter on Human Rights, following the submission of a proposal by the government of Bahrain on January 15, 2012. In Resolution No. 7489 of 2012, the Ministerial Council of the Arab League welcomed Bahrain's initiative and entrusted the General Secretariat of the League of Arab States, with the assistance of a body of Arab legal experts, to prepare a report on the establishment of the Arab Court, taking into account regional experiences with similar courts.³³ The statute of the Arab Court included various loopholes, which prompted the International Court of Justice to send an appeal to the foreign ministers of the League of Arab States on August 31, 2014, urging them to postpone any procedures regarding the adoption of the statute.³⁴ A delegation from the International Court of Justice and other local and international organizations visited Egypt from August 31 to September 5, 2014, to engage with representatives of states and high-level officials from the League of Arab States, in order to delay the adoption of the statute and provide an opportunity for consultation and reconsideration. At that time, the Court was unable to hold meetings with the Secretary-General of the League of Arab States to deliver this appeal.

³⁰ إدارة حقوق الإنسان، جامعة الدول العربية،

<http://www.leagueofarabstates.net/ar/sectors/dep/HumanRightsDep/Pages/default.aspx?RID=32&SID=6>

³¹ النظام الأساسي للمحكمة العربية لحقوق الإنسان، المادة الثانية، <https://tinyurl.com/c4yvwwjz>

³² مصدر سبق ذكره، المادة 20، علي الرابط التالي

³³ THE ARAB COURT OF HUMAN RIGHTS: A STUDY IN IMPOTENCE, page 11, https://www.sqdi.org/wp-content/uploads/147-172-515_Magliveras-Naldi.pdf

³⁴ The Arab Court of Human Rights: A Flawed Statute for an Ineffective Court, International commission of jurists, <https://tinyurl.com/4swccdc7>

On September 7, 2014, League's Ministerial Council adopted a version of the statute that had been circulated at the conference held in May 2014, which included the abolition of the ability of the Arab Human Rights Committee to refer cases to the court. However, the statute of the court did not enter into force because seven countries did not ratify it, as required by the statute.³⁵

4.3 Challenges Facing Arab Court of Human Rights:

- **Lack of direct access for victims:**

The primary purpose of having a regional human rights court is to ensure that individuals have the ability to seek justice and guarantee their right to an effective remedy and compensation for alleged violations they have experienced. However, according to the statute of the Arab Court for Human Rights, victims cannot directly bring cases before the court.³⁶ Only state parties, whose nationals claim to be victims of human rights violations, have the right to bring cases before the court. However, this is subject to the condition that both the complaining state and the state against which the complaint is made are parties to the statute of the court.³⁷

- **Court's statute did not enter into force:**

Due to the failure to complete the necessary ratifications for the statute of the Arab Court for Human Rights, the amended statute of the court has not entered into force. According to Article 33 of the statute, the statute will come into effect after it has been ratified by seven member states and the ratification documents have been deposited. However, these ratifications have not been completed as of now.³⁸

4.4 Management of Civil Society Organizations:

At the beginning of the millennium, the League of Arab States established the Civil Society Administration as per the decision of the Economic and Social Council.³⁹ Its purpose was to serve as a mechanism for connecting civil society with Arab human rights mechanisms and other bodies of the League. This administration was incorporated within the structure of the General Secretariat of the League of Arab States. However,

³⁵ النظام الاساسي للمحكمة العربية لحقوق الإنسان،

https://mjle.journals.ekb.eg/article_156091_6614d0fcb99be439c9bf41b57ddcf835.pdf

³⁶ Ministerial Council meeting and the adoption of the draft Statute of the Arab Court of Human Rights,

<https://tinyurl.com/3m2zf3v7>

³⁷ النظام الإقليمي العربي لحقوق الإنسان: دراسة مقارنة، لجنة حقوق الإنسان العربية، ص 123، <https://tinyurl.com/y27nfdmt>

³⁸ مصدر سبق ذكره، المادة 33.

³⁹ تقرير الاجتماع الثالث والثلاثين لإدارة المجتمع المدني، ص 2، <http://bitly.ws/P6AI>

civil society in the Arab region faces several limitations. It does not have the opportunity to participate in Arab summits, attend sessions of the Council of Foreign Ministers, or receive advanced notice of the agendas of these bodies.

Ministerial Council meetings are also closed, and agendas are not disclosed prior to the meetings. Some Arab organizations have been compelled to address this exclusion and influence summit agendas and discussions by holding parallel forums. Since its inception, the administration has conducted 33 meetings as of February 2023.⁴⁰ However, these meetings have not resulted in fundamental changes to bridge the gap between civil society and the League of Arab States or its human rights mechanisms. The recommendations put forward by the administration do not receive sufficient attention from the relevant bodies.⁴¹ For example, since 2014, the Committee has consistently called for the formulation of unified criteria to grant observer status to civil society organizations, allowing them to participate in the activities of the League of Arab States' organs and mechanisms, in line with a decision of the Council of the League of Arab States. However, these appeals have not yielded any results. The administration's primary goal, which was to develop an Arab strategy for partnership with Arab civil society organizations and implement action plans to achieve this strategy, remains unattained to this day.⁴²

⁴⁰ الاجتماع 32 لإدارة المجتمع المدني، <https://tinyurl.com/3ru4udbh>

⁴¹ المصدر السابق

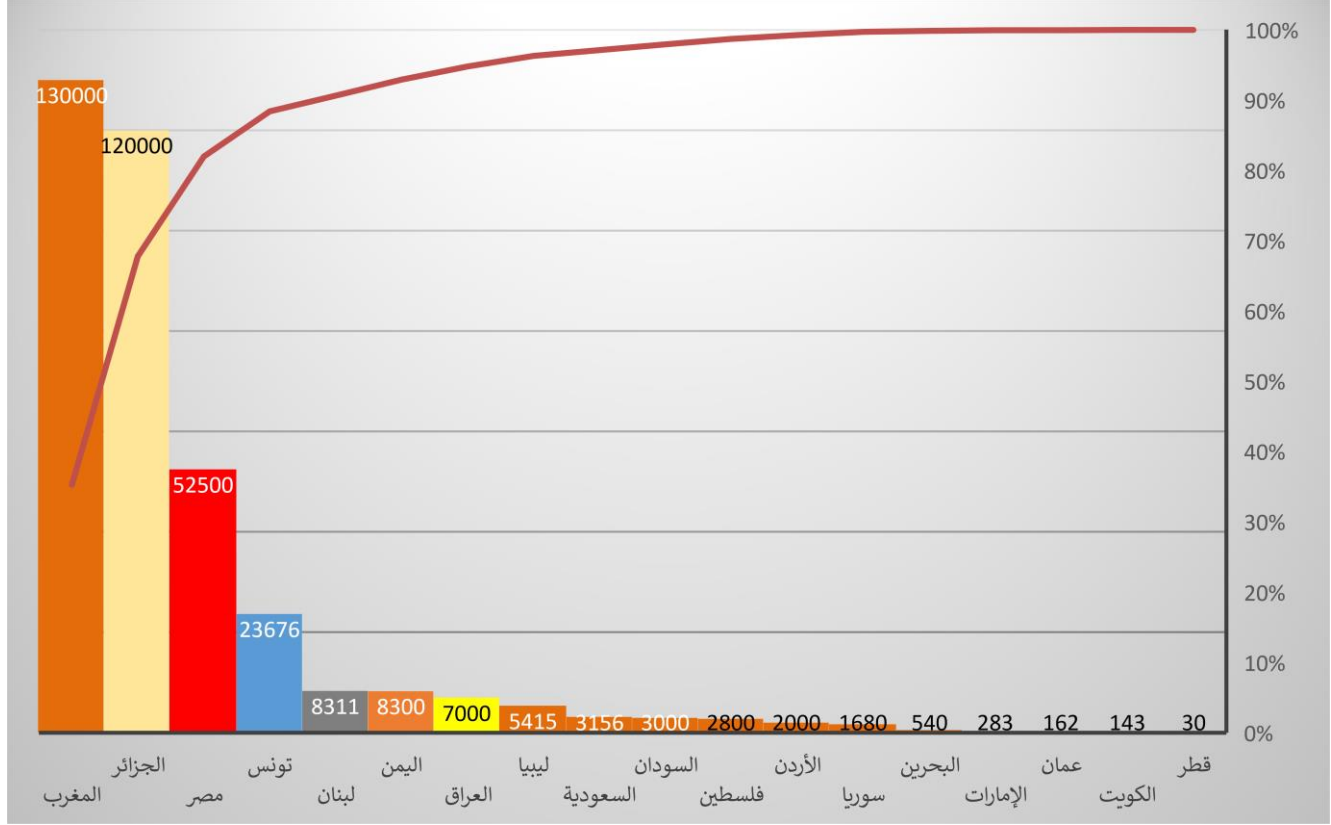
⁴² إدارة منظمات المجتمع المدني، جامعة الدول العربية،

<http://www.leagueofarabstates.net/ar/Sectors/Dep/Pages/default.aspx?RID=56&SID=6>

Section II: Civil Society Interaction with League of Arab States:

Civil organizations in the Arab region have made attempts over the past years to engage and interact with the work of the League of Arab States. Perhaps the first attempt was in 1970 when the Iraqi Human Rights Association submitted a draft of the Declaration of Human Rights to the Arab Permanent Committee for Human Rights. However, Arab countries rejected and showed little interest in implementing it. Since then, the relationship between civil society and the Arab League has remained tense. Nevertheless, with the increasing number of these organizations, reaching approximately 368,996 civil society organizations in 18 Arab countries, the need for cooperation between these organizations and the mechanisms and agencies of the League of Arab States has become urgent.

Number of CSOs in 18 Arab countries



**** Chart does not include countries for which reliable data is not available**

According to Maat's vision, the relationship between the League of Arab States and civil society organizations has passed through three different stages since the beginning of the twentieth century, in terms of events and periods.⁴³

First Stage

It marks the stage that began in 2002 as a response to the significant pressures faced by the League of Arab States to narrow the gaps between itself and civil society, which has now become a recognized entity in all member states of the United Nations. In light of these changes, the then Secretary-General, Amr Moussi, established the position of the Secretary-General's Commissioner for Civil Society. This position was initially held by Ambassador Taher Al-Masry and underwent subsequent amendments to become the "Envoy of the Secretary-General for Civil Society." Later, Ambassador Nancy Bakir and Ambassador Haifa Abu Ghazaleh also held this position.

Second Stage

This stage commenced with the events of 2011, when civil society organizations gained importance and were taken into consideration, particularly in the Arab region, amidst political, economic, social, and cultural changes following the overthrow of some Arab heads of states. There arose a need to engage with the human rights mechanisms of the League of Arab States. Consequently, these organizations put forth proposals and organized consultative meetings with other stakeholders to build bridges and bridge the gap between the mechanisms of the League of Arab States. Throughout this stage, Arab civil society organizations presented various proposals, including the suggestion to grant advisory status to Arab organizations, allowing them to attend meetings of the League Council, the Permanent Committee, or the Charter Committee. However, these proposals did not succeed, failed to enter into force, and were rejected by the majority of member states of the League of Arab States.

In June 2014, during a conference held by the League of Arab States with the High Commissioner for Human Rights, Nabil Elaraby, who was the Secretary-General of the League of Arab States at the time, expressed the opinion that civil society organizations should participate in formulating an Arab strategy for human rights. However, these organizations were excluded from the consultation on the strategy that was eventually adopted in 2019, and it did not gain the expected momentum. Member states of the

⁴³ تفاعل المجتمع المدني مع جامعة الدول العربية، <http://bitly.ws/P6DJ>

League of Arab States have not translated this strategy into national human rights strategies. Only a limited number of member states of the League of Arab States have adopted national strategies for human rights. This has led some parties to call for an update to this strategy.⁴⁴

Third Stage

At the third level, this stage coincided with the announcement by the General Secretariat of the League of Arab States in 2016 that the decade from 2016 to 2026 would be dedicated to Arab civil society.⁴⁵ This decade was relaunched as a commitment by the League to work hand in hand with Arab civil society, with the goal of increasing participation and cooperation with civil society and other stakeholders. However, the announcement of the Civil Society Decade was not accompanied by any measures to enable civil society to engage in the activities of the League of Arab States, particularly its human rights mechanisms. As the end of what the secretariat referred to as the "Civil Assembly Decade" approached, we observed only limited cooperation between civil society organizations and the Arab League.

In the 51st session of the Arab Permanent Committee for Human Rights, held in February 2023, the committee decided to postpone its efforts to establish unified standards for granting observer status to civil society organizations. The reason given for this postponement was the need for further study, despite the fact that these efforts had been ongoing since 2014, following Arab League Council Resolution No. 7788 of 2014, which called for the formulation of unified standards for granting observer status to Arab civil society organizations in the organs and mechanisms of the Arab League.

1. Challenges Faced by Civil Society in Interacting with Arab Mechanisms

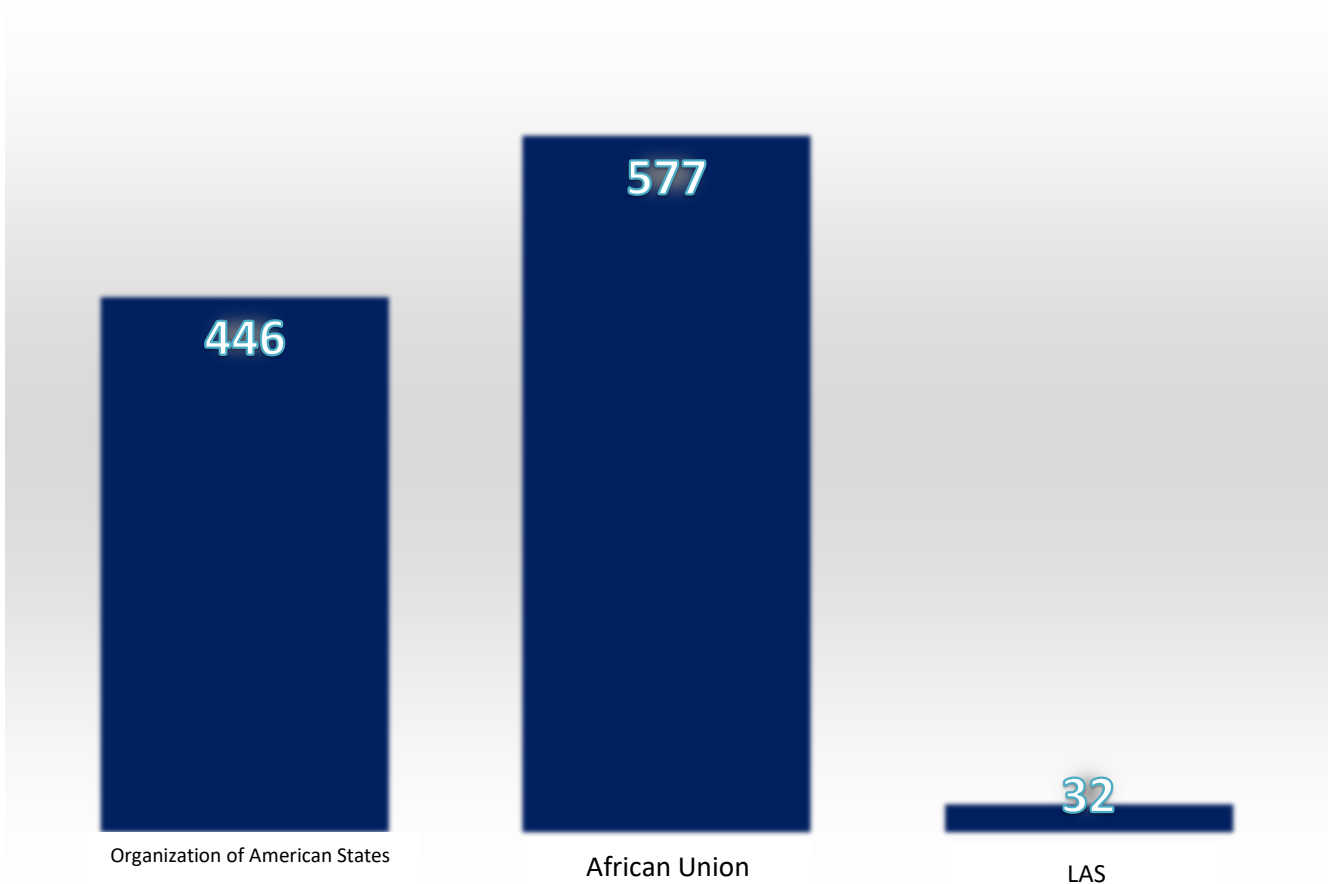
• Onerous conditions for obtaining observer status

One of the primary obstacles faced by civil society organizations when attempting to cooperate and engage with Arab League mechanisms is the excessively burdensome conditions for obtaining observer status. These conditions divert the attention of organizations from cooperating with these mechanisms. A clear comparison can be made with organizations that have observer status in other regional mechanisms. For

⁴⁴ مصدر سبق ذكره، علي الرابط التالي: https://www.fidh.org/IMG/pdf/report_las_human_rights_ar.pdf
⁴⁵ العقد العربي للمجتمع المدني، <https://urlis.net/rbqtdq8s>

instance, the African Union has granted observer status to 577 civil society organizations, while the Organization of American States has granted observer status to 446 organizations.

Organizations holding observer status in regional human rights organizations



Despite various attempts to establish unified standards for civil society organizations to obtain observer status and participate in Arab League activities, beginning with Arab League Council Resolution No. 7788 of 2014, which called for the formulation of unified standards, this decision still seems elusive. The Permanent Arab Committee for Human Rights postponed the consideration of formulating unified criteria for granting observer status to civil society organizations during its last session in February 2023.

- **Restrictions on access to information**

One of the main reasons for the decline in communication between civil society and the Arab human rights mechanisms affiliated with the League is the insufficient information provided on the Arab League website or by the Technical Secretariat when requested. Even the resolutions, reports, and other resources issued by the Council of the League of Arab States and the human rights mechanisms are only available in their most recent versions, with older resolutions automatically deleted from the League's website. This undermines any evaluation process of these resolutions. Such practices contradict the target of ensuring access to information, as outlined in Goal 16 of the Sustainable Development Goals, which encourages the establishment of strong and effective institutions.

- **Obstruction of participation in Arab summits and League Council meetings**

Civil society organizations in the Arab region are not allowed to participate in Arab summits, regardless of their observer status or affiliation. This also applies to meetings of the League Council. The agenda for the Council of Arab Foreign Ministers or the Arab Summit is not announced in advance, limiting the access of civil society organizations to these summits or Foreign Ministers' sessions.

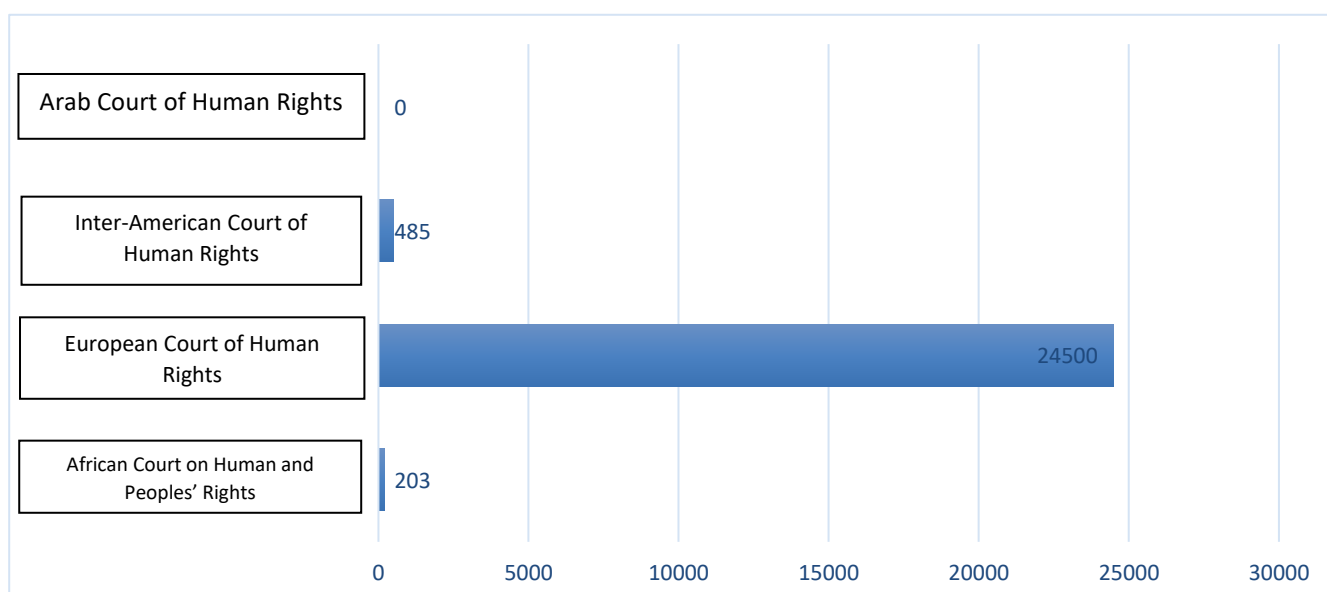
Section III: Benefiting from Regional Human Rights Mechanisms Experiences

Maat reviewed other regional experiences with regional mechanisms for protecting human rights, and was impressed by the experience of the American Commission on Human Rights and the African Commission on Human and Peoples’ Rights, and they developed their working mechanisms in order to strengthen their own mandate. However, in this section of the report, Maat focused on strength aspects in the work of the two mechanisms, which can be used to strengthen the mandate of the Arab Committee for Human Rights, or what is known for short as the Charter Committee.

1. Existence of a Regional Court Specialized in Receiving Complaints from Individuals

Looking at the experiences of establishing regional human rights courts, especially the court affiliated with the Inter-American Commission on Human Rights and the court affiliated with the African Commission on Human and Peoples’ Rights, and the experience of the European Court of Human Rights, we find a wide gap between the jurisdictions of these courts compared to the jurisdictions of the Arab Court of Human Rights, which does not have the jurisdiction to receive complaints directly from alleged victims. Besides, the Court did not issue any rulings because it was suspended due to the failure of its statute to enter into force, in contrast to the European Court of Human Rights, the African Court on Human and Peoples’ Rights, and finally the Inter-American Court of Human Rights. The table below outlines the rulings issued by each court regarding human rights violations.

Judgments issued by regional human rights courts



2. Diversify Financial Resources

Regional human rights mechanisms generally suffer from a lack of financial resources, but the experience of the Inter-American Commission on Human Rights can serve as a guide. In 2022, the budget of the Inter-American Commission on Human Rights reached more than \$10 million, which includes the Commission’s staff and operating expenses. 44% of the budget of the Inter-American Commission on Human Rights came from the Organization of American States, but even with a problem with financial resources, the organization decided to double the Commission’s resources in the period from 2018 to 2022.

Inter-American Commission on Human Rights Financial resources according to 2022 budget

Division Of Financial Resources	Value
Staff Expenses	7177000
Operating Expenses	3079.800

In addition, the Committee receives financial support from member states of the Organization of American States and some civil society organizations, which has enabled the Committee to overcome the financial resources crisis, even if relatively. However, if we look at the Arab Committee for Human Rights - Charter Committee, we find that the 5th paragraph of Article 46 of the Arab Charter for Human Rights has requested the Secretary-General of the League of Arab States to provide the necessary resources, employees and facilities to enable the Committee to perform its work within the budget of the League of Arab States. However, Committee's unannounced budget surrounds its financial resources in a state of ambiguity and makes it difficult to assess its need for additional resources. However, in any case, committee members complain, and some research and studies share, that the committee lacks sufficient financial resources to perform its work. Another aspect of increasing the financial resources of the Inter-American Commission on Human Rights is the permanent observers from outside the organization, which are the European countries that the Commission granted permanent observer status. Between 2015 and 2016, the financial resources contributed by the

permanent observers to the programs of the Organization of American States, including the Commission, amounted to more than 31 million dollars.⁴⁶

3. Existence of Complaints Procedures Mechanisms

Among the challenges facing the human rights mechanisms affiliated with League of Arab States is the lack of a complaint procedures mechanism compared to the African Commission on Human and Peoples' Rights and the Inter-American Commission on Human Rights, which enables civil society to raise individual complaints and issues to the mechanisms. In the table below, there is a comparison between these regional mechanisms regarding complaints procedures mechanisms.

Regional Mechanism	Ability to Receive Complaint	Requirements for Filing Complaint
Arab Human Rights Committee	×	There are no specific requirements and civil society cannot submit a complaint on behalf of individuals to Committee
African Commission on Human and Peoples' Rights	√	If organization has observer status
US Commission on Human Rights	√	In order for civil society to be able to file a complaint with the Inter-American Commission on Human Rights, it is necessary for the civil society organization to be legally recognized in one or more member states.

⁴⁶ Permanent Observers and the OAS: Shared Values, Joint, <https://tinyurl.com/3pwjnkvf>

4. Adopting Periodic Strategic Plans

While the strategic plan is important for all institutions, including institutions concerned with promoting human rights, it can also make a difference in accelerating the pace of achieving the desired results by these institutions. Some regional human rights mechanisms have pushed towards adopting strategic plans, and among these mechanisms is the American Committee. For human rights, which has adopted three strategic plans since its inception, the most recent of which was the Strategic Plan 2023-2027, which was adopted on December 12, 2023 in conjunction with International Human Rights Day, and which was adopted by the Committee in consultation with all stakeholders, including civil society organizations. The plan aimed to facilitate access to justice mechanisms for affected people, it also set a goal related to the financing plan, which includes ensuring that member states of the Organization of American States remain as main funders of the Committee while maintaining various other sources as well. In this context, the human rights mechanisms of the League of Arab States, especially the Charter Committee, have remained restricted to a single⁴⁷ outdated strategic plan that has not been amended since 2014, and this plan has not been extended to another stage.⁴⁸

5. Strengthening Cooperation with High Commissioner for Human Rights

The Office of the High Commissioner for Human Rights has a special section for regional human rights mechanisms. This section is responsible for enhancing cooperation with these mechanisms and providing them with technical support whenever possible.⁴⁹ Besides, it implements resolutions of the United Nations General Assembly, which requested the Secretary-General to continue strengthening exchanges between the United Nations, intergovernmental organizations and regional mechanisms concerned with human rights. Despite the cooperation shown by Commission with regional human rights commissions such as the American Commission on Human Rights and the African Commission on Human and Peoples' Rights, cooperation between the Commission and the mechanisms remained affiliated with the League of Arab States remained limited.

⁴⁷ خطة العمل السنوية للجنة حقوق الإنسان العربية، لجنة حقوق الإنسان العربية، <https://tinyurl.com/3awrhc6c>
⁴⁸ المصدر السابق نفسه

⁴⁹ Websites Regional Human Rights Mechanisms and Arrangements, <https://www.ohchr.org/en/countries/nhri/websites-regional-human-rights-mechanisms-and-arrangements>

Among the specific examples, on 21 and 22 October 2022, the Office of the High Commissioner for Human Rights organized a workshop on strengthening cooperation between United Nations mechanisms and regional mechanisms for the promotion and protection of human rights in order to strengthen cooperation between regional mechanisms and international human rights mechanisms with the aim of formulating concrete proposals for cooperation between international mechanisms. And regional human rights, according to the statement published on the website of the High Commission. All regional mechanisms concerned with human rights participated. However, Maat did not find any mechanism or administration affiliated with the League of Arab States among the participants in this workshop. This absence is noted in other activities carried out by the High Commission for Human Rights.⁵⁰

6. Ability to Interpret Treaties

A group of regional human rights mechanisms have been entrusted with a specific mandate to interpret the provisions of the treaties and conventions that monitor the implementation of their provisions, such as the American Commission on Human Rights and the African Commission on Human and Peoples' Rights. For example, the aforementioned committee has the mandate to interpret the African Charter on Human and Peoples' Rights based on a request from one of the states or from African Union. The Committee accordingly adopted a set of decisions to interpret the provisions of the African Charter on Human and Peoples' Rights. However, Arab Human Rights Committee, Charter Committee, or even Permanent Committee or the Arab Court of Human Rights did not exercise this jurisdiction. In this context, the United Nations treaty bodies, which have experience working in formulating general comments on provisions of treaties and agreements that monitor their implementation, can be useful.

7. Existence of an Independent Website for Regional Human Rights Mechanisms

Looking at the information provided by the regional human rights mechanisms, we find that these mechanisms have an independent website. This website contains all the relevant activities, strategic plan, and committee's annual report.⁵¹ Among the best examples are the website of the American Commission on Human Rights, and the

⁵⁰ Enhancing cooperation between United Nations and regional human rights mechanisms, <https://www.ohchr.org/en/enhancing-cooperation-between-united-nations-and-regional-human-rights-mechanisms>

⁵¹ See the Inter-American Commission on Human Rights website, <https://www.oas.org/en/iachr/>

website of the African Commission on Human and Peoples' Rights.⁵² However, the Arab Human Rights Committee, as one of the mechanisms affiliated with the League, does not have its own independent website, and the definition of its activities and the mechanism of its work is limited to its digital platforms, with the possibility of publishing after a period on the section designated for the committee on the website of the League of Arab States.

⁵² See the African Commission on Human and Peoples' Rights website, <https://achpr.au.int/>

Conclusions & Outcomes

We can say with confidence that a review of the human rights mechanisms within the League of Arab States (LAS) and its affiliates reveals a need for significant reform. These mechanisms operate on an unclear path, hampered by restrictive procedures and limited engagement with civil society. Reforming these mechanisms undoubtedly requires participation of all effective parties and major stakeholders, especially civil society organizations. Thus, starting with facilitating procedures related to observer status in the LAS may ease access of these organizations to the League's activities. However, these steps have not yet begun. Among the findings of the report in this context are:

- Communication between LAS human rights mechanisms and civil society remains insufficient. Acquiring observer status, although essential for participation, requires onerous procedures. It seems that the decision of the Permanent Committee on Human Rights at its last session No. 51 held in February 2023 to postpone consideration of establishing unified criteria for granting observer status to civil society organizations reflects the challenges in enhancing civil society interaction.
- Permanent Arab Committee for Human Rights, as well as Arab Human Rights Committee emanating from the Arab Charter on Human Rights, do not fulfill the due monitoring of human rights due to the restrictions placed on their work, whether in their internal systems or in the practical practice of member states;
- Lack of available information about meetings and activities of human rights mechanisms in the League of Arab States will remain a primary concern when discussing any measures to build bridges between civil society and the League of Arab States;
- Any desired results for improving Arab human rights mechanisms should start from granting independence to the members who form these committees, with the necessity of separating the official positions they hold from their positions in these mechanisms.

Recommendations

- Amending mandate of Arab Permanent Committee for Human Rights to allow it to appoint special rapporteurs and external missions on specific issues, like other regional human rights committees;
- Making documents and information about the League of Arab States available to ensure real interaction between civil society and the League;
- Amending internal regulations of Arab Committee for Human Rights in a way that helps the committee perform its mandate optimally and allows the largest number of civil society organizations to participate in the committee's activities;
- Initiating further cooperation between Arab human rights mechanisms and other regional and international mechanisms for protecting human rights;
- Implementing Arab League Council Resolution No. 7788 calling for preparing the final formulation of unified standards that Arab civil society organizations must have to grant them observer status in the organs and mechanisms of the Arab League;
- Arab Parliament needs to consider activating the work of its Legal, Legislative and Human Rights Committee to exercise decisive and effective roles to promote human rights in the Arab region;
- Developing independent websites for human rights mechanisms affiliated with the League of Arab States;
- Conducting awareness campaigns to urge member states of the League of Arab States to ratify the statute of the League of Arab States;
- Arab Committee for Human Rights - Charter Committee - updated its strategic plan that it adopted in 2014;
- General Secretariat of League of Arab States issued a report on the results regarding the adoption of the period 2016-2026 as a decade for Arab civil society;
- The Council of the League of Arab States needs to consider publishing the agenda of its main meetings, such as the summit conference, sufficiently in advance of holding this conference so that effective parties and stakeholders can see the agenda;
- Working to implement Resolution 76/2003 adopted by United Nations Commission on Human Rights, which calls on the League of Arab States and other regional organizations to participate with non-governmental organizations in the process of "modernizing" the Arab Charter on Human Rights.