



Human Rights Without Prejudice

Newsletter, Issue No.1 2017

The United Nations Economic and Social Council (ECOSOC)
confers special consultative status on the Geneva Centre as from 27 July 2017



GENEVA CENTRE FOR HUMAN RIGHTS ADVANCEMENT AND GLOBAL DIALOGUE
مركز جنيف لحقوق الإنسان والحوار العالمي
CENTRE DE GENÈVE POUR LA PROMOTION DES DROITS DE L'HOMME ET LE DIALOGUE GLOBAL
In Special Consultative Status with the Economic and Social Council of the United Nations
هو مركز استشاري خاص لدى المجلس الاقتصادي والاجتماعي للأمم المتحدة



Introductory remarks by the Chairman of the Geneva Centre

Dr. Hanif Hassan Ali Al Qassim
Chairman of the Geneva Centre for
Human Rights Advancement and Global Dialogue

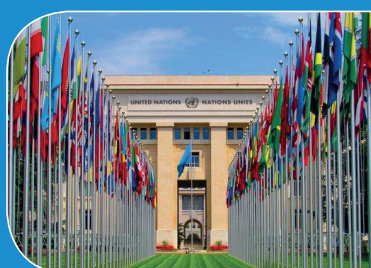
Page 2



The Founder of contemporary Algeria, the warrior and Sufi leader who introduced an Islamic Democracy

Ambassador Idriss Jazairy
Executive Director of the Geneva Centre

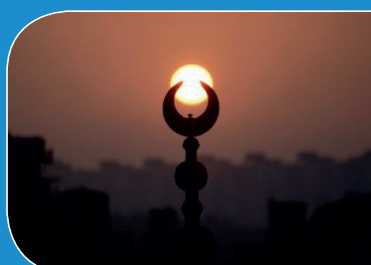
Page 3



Activities of the Geneva Centre to promote a value-driven human rights system

Staff of the Geneva Centre

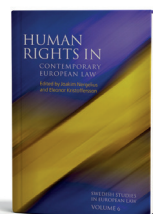
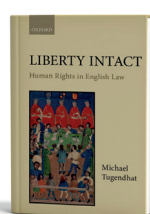
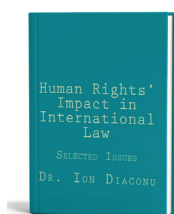
Page 6



Independent views on human rights issues in the Arab region by guest writers

Dr. Mohammed A'shoor, Professor at Zayed University, Abu Dhabi
Dr. Ahmed Al-Dawoody, Legal Adviser at Politics and Assistant Professor at the Al-Azhar University, Cairo
Dr. Alsayed Ali Abu Farha, College of Politics and Economics, Beni Sweif University, Cairo

Page 25



Book reviews

Pages 30

THE GENEVA CENTRE FOR HUMAN RIGHTS ADVANCEMENT AND GLOBAL DIALOGUE

www.gchragd.org

The Geneva Centre for Human Rights Advancement and Global Dialogue ("The Geneva Centre") is a nongovernmental, non-profit organisation based in Geneva, Switzerland enjoying special consultative status with the United Nations (UN). It works in cooperation with the Permanent Missions of UN Member States accredited to the UN office in Geneva, the United Nations Office of the High Commissioner for Human Rights (OHCHR) and United Nations Human Rights Council and with civil society organizations to promote and protect human rights through global dialogue. The Centre is independent of any government, political ideology, economic interest or religion.

As of the latest Board meeting held on 16 March 2017 at the Geneva Centre's Headquarters, the Board of the Geneva Centre is constituted of the following members: **H. E. Dr. Hanif Hassan Ali Al Qassim** (Chairman of the Board of Management – UAE); **Dr. Mohamed Butti Thani Tarish Al Shamsi** (Treasurer – UAE); **H. E. Mr. Saad Ahmed Al Farargi** (Board Member - Egypt); **Dr. Michael Kouly** (Board Member – Canada); **Mr. Trevor Mostyn** (Board Member - UK).

Ambassador Idriss Jazairy is the Executive Director of the Geneva Centre.

1. Introductory remarks by the Chairman of the Geneva Centre

The Geneva Centre being an independent think tank - working towards the promotion and the advancement of a value-driven human rights system, pursues the activities reported in this newsletter, drawing inspiration from the valuable contribution of ideas identified in its panel meetings. These are held several times a year on issues related to human rights law and humanitarian law. The focus of the Centre's activities is related to the advancement of human rights in the Arab region.

The present issue of the newsletter includes the outcome of research engaged by the Centre on Arab and Islamic reflections on concepts and practice related to human rights and to humanitarian law. In this current edition, the Executive Director of the Geneva Centre Ambassador Idriss Jazairy comments on the spiritual heritage of the founder of modern Algeria, Emir Abd el Qader el Jazairy, whose contributions to human rights and humanitarian law have not been given adequate recognition in modern history.



This newsletter is also an opportunity to report on the activities of the Geneva Centre which were given shining recognition by ECOSOC through its decision to confer upon the Centre its Special Consultative Status on 26 July 2017. In March of this year, the Geneva Centre organized a conference entitled *"Islam and Christianity, the Great Convergence: Working Jointly Towards Equal Citizenship Rights."* I felt it therefore appropriate to share with the readers of the present newsletter the outcome of the deliberations of this significant event. The Centre also held numerous major activities to promote and advance human rights through cross-cultural, political, religious and civilizations dialogue which are referred to briefly in this newsletter. The newsletter also refers to other development which have occurred during the year including the Messages I send on the occasion of the United Nations International Commemorative Days.

The Geneva Centre has also invited independent guest writers to contribute in the field of human rights and international humanitarian law. They have written three articles addressing issues related to human rights and humanitarian law. These contributions were written by:

- Dr. Mohammed A'shoor, Professor at Zayed University, Abu Dhabi: *"Protection of Civilians during Armed Conflicts"*
- Dr. Ahmed Al-Dawoody, Legal Adviser (Islamic Law and Jurisprudence) at the International Committee of the Red Cross (ICRC) and Assistant Professor at the Al-Azhar University (Cairo, Egypt): *"Rights of Civilians and Non-combatants in Time of War according to the Shari'a"*
- Dr. Alsayed Ali Abu Farha, College of Politics and Economics, Beni Sweif University: *"Protection of Civilians in Yemen and Syria: Humanitarian Efforts in Grey Contexts"*

Finally, the present version of the Geneva Centre's newsletter contains an overview of innovative books addressing issues related to human rights and humanitarian law.

Dr. Hanif Hassan Ali Al Qassim
Chairman of the Geneva Centre
for Human Rights Advancement and Global Dialogue

2. The Founder of contemporary Algeria: the warrior and Sufi Leader who introduced an Islamic Democracy

By: Ambassador Idriss Jazairy

Executive Director of the Geneva Centre¹

Abu Temmam, a famous Arab thinker and anthologist of the 9th century, once said that *"There are amongst people those who are dead but who remain alive by their evocation and those who are alive and well but who, for people, are dead"*. By this standard, the Emir Abd el Qader al Jazairy is very much alive today, with city squares and streets across the world bearing his name and a city in Iowa in the US named after him. Not a year has elapsed without new books and innumerable articles published about this towering international figure. He was honoured by Abraham Lincoln, Queen Victoria, Tsar Alexander II, Sultan Abdelmajid I and, of course, Napoleon III – who, as Louis Napoléon earlier ordered his release from house arrest at the château of Amboise – and praised by Rimbaud, Voltaire, Browning and Thackeray.

The Emir fought the French invaders of Algeria for seventeen years from 1830 to 1847. He waged 116 battles against five princes, ten field-m Marshals and 150 generals. Despite the French army outnumbering his troops ten to one and using that weapon of mass destruction of the time – the mighty mobile cannon – the French conquest was slow and laborious. In December 1847 the fighting officially ended, leading to what Algerians refer to as a treaty to end hostilities. The French called it, not ingenuously, a surrender. By this treaty the French committed inter alia to the transfer of the Emir, his family and followers to Alexandria or Acre. However, the treaty was shamefully violated by France.

This saga of the sword, although impressive, is not why the memory of the Emir is still so vivid in people's mind to this day. His spiritual longevity is related to the universal character of the values he upheld and to the relevance of his legacy to contemporary concerns. His writings reflect this.

Despite the cruelty of the French invaders, the Emir led, in contrast, a chivalrous war. At the end of the 1830s he introduced rules concerning the humane treatment of prisoners. This developed in 1842 into his Code for the Protection of Prisoners. He summoned, in the midst of the war, a congress of 300 of his most important decision-makers and had this revolutionary code adopted. The Code prohibited torture, a practice now re-introduced by a major power in the form of *"waterboarding"*. Upholding human rights in wartime is not easy. Even the UK announced last October that it would derogate during wartime to the European Convention on Human Rights. In the same spirit, it has decided to discontinue the Iraq Historic Allegations Team.

The Emir's Code also prohibited the mistreatment of prisoners and the killing of unarmed enemy soldiers or prisoners. In his jails there were no *"enemy combatants"* prevented from enjoying basic human rights. Indeed, the code recognised the rights of prisoners even to have a chaplain and to share the same material conditions as the Emir's own troops. He introduced the practice of exchanging prisoners. One first exchange took place at Sidi Khelifa in 1841. However, no further exchanges occurred because the French decided that what was taken away by force, whether prisoners or property, should only be regained by force.

Henri Dunant, the great Swiss humanitarian activist, is credited with having introduced the first code to protect war prisoners that led to the creation of the Red Cross but that was in 1863, some twenty years after the adoption of the Emir's code.

1. In February 2017 Ambassador Jazairy spoke on the Emir Abd el Qader to the Oxford Centre for Islamic Studies. The present article is drawn from his Oxford lecture.



*"How have they kept their promise?
Turned they the vessel's prow Unto Acre, Alexandria,
as they have sworn e'en now?
Not so: from Oran northwards the white sails gleam
and glance, And the wild hawk of the desert is
borne away to France!"*

Dunant had spent 15 years in Algeria before taking his world-famous initiative and he refers to the Emir in his correspondence so one may safely argue that Abd el Qader initiated international humanitarian law.

Abd el Qader was fighting to protect the community that had elected him. At that time the act of allegiance or *bay'a* was the prevailing form of selection of a leader by the people. We would call it an election today. This popular endorsement of his leadership took place first in the plain of Ghriss, in the green highlands of Western Algeria, then in the town of Mascara and then in other regions across the whole country, although not in Algiers which was under French occupation, or in Constantine. The Emir's democratic credentials contrasted with those of the Dey of Constantine who was appointed by the Ottoman Sultan.

In his first acceptance speech the Emir committed himself to upholding the rule of law for government servants and citizens alike. All would be treated equally, with no favour shown to his relatives. This precluded conflicts of interest between State and family, a contentious political issue today. Having separated the executive from the judiciary, he also established a legal review court to challenge influence-peddling by the powerful, again a topical issue. His saga is an antidote to today's islamophobia, a behaviour more readily accepted in some quarters as freedom of opinion where Islam is involved than would be the case for anti-Semitism.

The Emir evinced the true meaning of Jihad, a word distorted in the international media. The Greater Jihad for him, as for all true Muslims, is the fight against one's own temptations and weak-



nesses. To practise the Greater Jihad he resorted to Sufism, Islamic mysticism with its links to Christian mysticism. He also practised the Lesser Jihad, a right to self-defence as enshrined in the United Nations' Charter. His Jihad was admired even in North America and led the Founding Fathers of the city of Elkader in Iowa to make him the symbol of their commitment to freedom in the 1850's

Today this correct understanding of Jihad has evaporated. Regrettably, this results from the fact that terrorist groups in the Middle East have misused the concept of "*Jihad*" to justify heinous crimes. Their hijacking of faith is no different from that of other terrorists such as those of the Ugandan Lord's Resistance Army, who claim to invoke the Christian faith as their inspiration, or of Nigeria's Boko Haram who do the same but in the name of Islam. These violent extremists manipulate religion to claim legitimacy for actions condemned by all civilisations. Where illiteracy or ignorance is widespread this alleged religious cover can be a good recruiting gambit.

What is worrying, however, is that the world media call these groups "*Jihadis*", a barbarism which does not even exist in Arabic, actually confirming their alleged religious legitimacy. Rather than denouncing the criminalisation of Islam, they Islamise crime. The media thus provide such groups with recruitment publicity while stimulating in credulous people's minds, both in the Middle East and in the West, a conflation of Islam with terrorism. Even the head of a major power who cursed the misrepresentation of facts by the media now falls into their trap. He does so by also equating Islam with terrorism not just in rhetoric but in action by shutting out of his land nationals from several mainly Muslim countries. This is providing additional unsolicited recruitment support for terrorist groups like the so-called Daesh. Increasing numbers of Muslims are offended and consider that their dignity is being trampled by this amalgamation. They respond with equally sweeping condemnations of the faith of their critics. This creates social tension at the local as well as the international levels.

The Emir had anticipated the populist antagonism we see today. Addressing what we now refer to as Islamophobic postures, he said, "*When we see people deprived of insight who labour under the delusion that the principle of Islam is steeped in dogmatism, roughness, violence and barbarity, this is an opportunity for us to repeat these words: what is required is patience and in God we must confide*". In other words, he recommends to Muslims, who are under increasing pressure today outside their ancestral region, not to be overwhelmed by their anger over as-

saults on their dignity. Only spirituality, he advises, will enable wisdom and forethought to be the masters in full control of their minds and to provide a rational response. This applies totally to current provocations. Likewise, he might be referring to some contemporary doctrinaire preachers when he writes, referring to Islam: "*The harm done to religious prescriptions can unfortunately be ascribed more to those who have claimed to uphold religion through inappropriate means rather than to those who have fought it.*"

This Sharif, or descendent of the Prophet Muhammad, reaffirmed the great convergence between Abrahamic religions, in particular between Islam and Christianity. He asserted in a letter of July 1862 to a French bishop, Monsignor Pavy, that the teachings of both of these faiths were the same and could be encapsulated in two principles: the worship of God and compassion towards His creatures.

Our religions, he averred, only differ in the prescriptions provided as to how best to comply with these cardinal principles.

This brings the Emir to the conclusion in his book "*Reminder to the Thoughtful and Notice to the Oblivious*" that religions are complementary and all lead to tolerance. Thus religious intolerance or religious violence are oxymorons.

Tolerance was the hallmark of his magnum opus, *The Book of Halts* in which he wrote: "*The Divine in itself espouses a variety of states and refuses to remain in a single manner of being*". In other words, he explains that the perception of the Divine by Christians corresponds to God's reality but He is not only that. Muslims of all denominations perceive also a correct vision of the Divine but God is that and is also more than that.

The Emir goes onto say "*Whoever limits the Real (that is the Divine) to one creed and does not recognise it in any other, whichever it may be, is in denial of God*". He concludes, "*God embraces the beliefs of all His creatures as He embraces them with His mercy*".

This vision of a great convergence between Islam and Christianity, to be put at the service of the protection of all religious minorities across the world, needs to be re-discovered. It is advocated by the Quran itself (29:46) where God says: "*Say: We believe in He who was revealed to us and who was revealed to you. Your God and our God is one and to him we are subservient*".

This really goes beyond tolerance which should only be a transitional stage towards empathy. As a Sufi, Abd el Qader saw that

only through empathy with people of other faiths could one progress on the path to one's own faith. Dialogue starts between you and me and then I become you and you become me; then we realise that there is only Him. That, of course, is the ultimate stage of mystical faith and wisdom.

It is no wonder, therefore, when in July 1860 civil strife broke out between Muslims and Christians in Damascus, where the Emir ultimately settled in exile, that he stood up courageously for the oppressed Christian minority.

There were 14,000 Christians in the town. The Emir, assisted by two hundred Algerian followers who had preceded or joined him in his Syrian exile, succeeded in rounding up under his protection 11,000 of them. Not over his dead body or that of his men would they let the angry crowds get at these Christians.

Foreign observers later asked him why he had risked his life to rescue these Christians when other Christians had invaded his native land, destroyed it and were colonising it. His reply was that he had fought the French for so long not because they were Christians but because they had invaded his country. As for rescuing the Christians of Damascus from sure death, he had just complied with the teachings of the Quran that states the following: *"Whoever kills a single soul wantonly is as if he had killed the whole of mankind and whoever saves one is as if he had saved the whole of mankind"* (5:32). He added in a letter of 1862 to Monsignor Pavy that his action was dictated by a concern for the *"rights of humanity"*, an expression that preceded and anticipated the adoption of the Universal Declaration of Human Rights 85 years later.

Such was the way this enlightened statesman, who was clearly ahead of his time, advocated the protection of minorities and the right to life, the most sacred of all human rights.

In compliance with the principle of Shura, the Emir made sure he had the full support of the population in order to lead the country

“The Divine in itself espouses a variety of states and refuses to remain in a single manner of being.”



democratically. He introduced the separation of the executive from the legislative authority and the principles of good governance. He rejected autocracy and consulted his officials before taking any major decision. He had an austere lifestyle and was detached from worldly possessions. Most of all, he introduced humanitarian law on the battlefield. He also upheld the *"rights of humanity"* including the right to life and the protection of religious minorities. He thus was the harbinger of the contemporary concept of humanitarian law and human rights law. History has not given him adequate credit for his foresight.

3. Activities of the Geneva Centre to promote a value-driven human rights system

On 26 July 2017, the United Nations Economic and Social Council (ECOSOC) adopted a resolution conferring special consultative status to the Geneva Centre. The members of the ECOSOC NGO Committee - after an initial concern from Iran that was addressed by the Geneva Centre's Executive Director Ambassador Idriss Jazairy who was present in New York - adopted unanimously a recommendation to ECOSOC to grant special consultative status to the Geneva Centre. The Committee is composed of 19 members representing all regions of the world.

In line with Resolution 31/1996 adopted during the 49th plenary meeting on 25 July 1996 by ECOSOC, the Geneva Centre will be able to designate spokespersons "to sit as observers at public meetings of the Council and its subsidiary bodies" as well as sessions at the UN Human Rights Council.

The Centre will also have the privilege of providing written statements and oral presentations during meetings arranged by ECOSOC and the Human Rights Council.

The Geneva Centre's Chairman Dr. Hanif Hassan Ali Al Qassim commented on the decision of the UN to grant the Centre special consultative status. Dr. Al Qassim said:

"The decision to confer special consultative status with ECOSOC enables the Geneva Centre to act as an increasingly effective platform for dialogue between a broad variety of parties involved in the promotion and protection of human rights. Today is the beginning of a new chapter for the Geneva Centre."

The Geneva Centre's Executive Director Ambassador Idriss Jazairy also praised the decision of the UN to grant special consultative status to the Geneva Centre. Ambassador Jazairy said: *"The decision of the Economic and Social Council of the United Nations to confer Special Consultative Status to the Geneva Centre is an acknowledgement of the effectiveness of the think-tank in discharging its mission to enhance human rights, promote awareness of human rights values beyond policies and train new generations of journalists, lawyers and civil servants in a value-driven approach to human rights."*



The Geneva Centre obtains special consultative status with ECOSOC

The Geneva Centre organizes a conference on 15 March, 2017, at the Palais des Nations on *"Islam and Christianity, the Great Convergence: Working Jointly Towards Equal Citizenship Rights"*

By: Trevor Mostyn
Geneva Centre Board Member

The Centre ran a side-event to the March session of the Human Rights Council at the UN's Palais des Nations on 15 March which highlighted the theological proximity of Christianity to Islam in the pursuit of the advancement of equal citizenship rights. It was attended by an audience of over 250 diplomats, UN institutions and representatives of civil society. Participants in the opening ceremony watched a video message delivered by HRH Prince El Hassan bin Talal of the Hashemite Kingdom of Jordan.

Peace and the religions of Abraham (Ibrahim)

The common element in monotheistic religions, HRH Prince El Hassan told the meeting through video-link, is «faith and confidence in the good, human-loving, compassionate, and merciful God». All of our religions, Judaism, Christianity and Islam, he said, consider justice and peace as gifts from God.

The 2001 Brussels Declaration (*"The Peace of God in the World. Towards Peaceful Coexistence and Collaboration Among the Three Monotheistic Religions: Judaism, Christianity and Islam"*) had not been heeded and, he said, we repeat at this meeting in the spirit of Judaism, *"What is hateful to you do not do to your fellow man - this is the entire law, all the rest is commentary"*.

Christianity, Prince Hassan told the assembly, has the tradition of *"all things whatsoever ye would that men should do to you, do ye even so to them for this is the law of the Prophet."*

The Prophet Muhammad is quoted as saying, *"What is the rule of Islam? What is the best thing in Islam? And the answer was: to feed the hungry, to give the greeting of peace both to those one knows and to those one does not know."*

Prince Hassan argued that for education to foster better relations among Jewish, Christian and Muslim faith groups the theory that mutual knowledge cures all is not enough. The most important thing was love.

“From the Baltic to the Black Sea, from The Black Sea to the Levant...all of this constitutes the cradle of civilisation and the relationship between the haves and the have-nots”

He believed in patriotism – loving one's country - but he decried nationalism at the expense of another which is what emerged in the Caucasus. Citizenship, he believed, was about values that apply not to brand names but to promoting creative common ground *"based on shared values"*. Noting that 2018 will be one hundred years since the Treaty of Versailles, he asked the meeting to imagine a Versailles that emphasised the importance

Islam and Christianity

The Great Convergence:
Working jointly towards
equal citizenship rights

Wednesday 15th March 2017
from 15:00 to 17:30
Palais des Nations,
Room XIX



Special video message by
HRH Emir Hassan of Jordan



Permanent Mission of the
People's Democratic Republic of
Algeria to the United Nations
Office at Geneva and other
international organizations in
Switzerland



Permanent Observer Mission of
the Order of Malta to the Office
of the United Nations and other
international organizations in
Geneva



Permanent Mission of the
Lebanese Republic to the
United Nations Office and
other international organizations
in Geneva

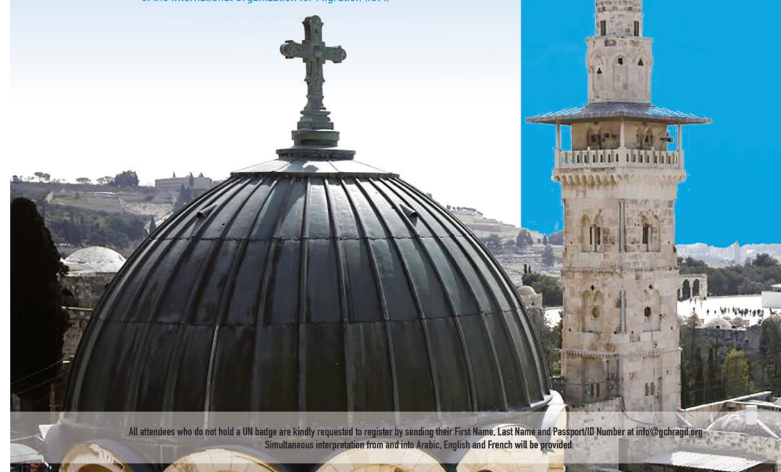


Permanent Mission of the
Islamic Republic of Pakistan
to the United Nations Office
and other international
organizations in Geneva



Geneva Centre for Human
Rights Advancement and
Global Dialogue

In the presence of H.E. William Lacy Swing, the Director General
of the International Organization for Migration (IOM)



All attendees who do not hold a UN badge are kindly requested to register by sending their First Name, Last Name and Passport/ID Number at info@oic.ch/geneva.org. Simultaneous interpretation from and into Arabic, English and French will be provided.

"All of our religions disapprove of the religious justification of violence and inhumane actions. None of them approve of violence, terrorism or ill-treatment of human beings"



HRH Prince El Hassan Bin Talal

- Moderator
H. E. Mr. Idriss Jazairy,
Executive Director of the Geneva Centre.
- Opening Remarks
H.E. Dr. Hanif Hassan Ali Al Qassim,
Chairman of the Geneva Centre's Board of Management.
- Panellists
H.E. Ambassador Marie-Thérèse Pictet-Althann,
Permanent Observer of the Sovereign Order of Malta to the UN
H.E. Ambassador Tehmina Janjua,
Permanent Representative of Pakistan to the UN
H.E. Sheikh Lubna Khalid Al Qasimi,
Minister of State for Tolerance of UAE.
Reverend Dr. Olav Fykse Tveit,
General Secretary, World Council of Churches (WCC).
H.E. Minister Lakhdar Brahimi,
Former Minister of Foreign Affairs of Algeria and a member of the
Elders, a group of eminent global leaders.
H.E. Minister Tarek Mitri,
Former Acting Minister of Foreign Affairs of Lebanon, Director of the
Issam Fares Institute for Public Policy and International Affairs (IFI).
Honourable Mark D. Siljander,
Former U.S. Congressman, U.S./U.N. Ambassador's author of "A
Dreadful Misunderstanding: A Congressman's Quest to Bridge the
Muslim-Christian Divide", President of Bridges to Common Ground.
Reverend Timothy Radcliffe,
Dominican friar of the English Province, and former Master of the
Order of Preachers (commonly known as the Dominicans).
Professor Carole Hillenbrand,
Professor of Islamic History, University of St. Andrews.

of a survey of our sources for any chosen time-period. Today, he said, we have a civil society actively tweeting. Was there, he wondered, a knowledge-base, a compassion of knowledge-base for such tweets?

Challenging violence

In his opening remarks, the Geneva Centre's Chairman Dr Al Qassim noted that *"Arab, Christian and Jewish societies had once lived together as peaceful and thriving neighbours, joined together for societal reasons with inter-religious and multi-cultural tolerance"*. By contrast, today the social fabric for these same communities had been *"shredded with the escalation of violence and the destruction of the foundations of societies"*.

“*The result had been a leadership vacuum that has seeded fertile ground for the rise of violent groups seeking power through an ideology of violence, usurping one of the world's major religions.*”

He then called on the audience to observe a minute of silence to express solidarity with the innocent victims of violence and hatred wherever they might have suffered.

"There are fundamentalist and violent individuals in all peoples and religions – and with intolerant generalisations they become stronger because they feed on hate and xenophobia."

(Pope Francis)

These true words, said Dr. al Qassim, marked the character of our current world - rising populist movements triggering the disruptive effects of political and civil unrest, the scale of which causes serious alarm.



Chairman of the Geneva Centre Dr. Al Qassim

Let us not forget, he said, that two great religions – Islam and Christianity - have a common foundation in a shared Abrahamic heritage.

Both the Quran and the Bible teach the faithful to pursue peace and tolerance and both preach love. Continued inter-faith intolerance and discrimination is obviously a denial of the original messages intended by both religions, he added.

The religions of love

The core message of divine religions, said the UAE Minister for Tolerance, Sheikha Lubna Khalid Al Qasimi, is the message of love. *"We all share the same teachings: of justice, social equality, compassion, respect, peace and non-violence. Muslim-Christian dialogue dates back to the rise of Islam in the seventh century. We share a common heritage. For more than fourteen centuries, our communities of faith have been linked by their theological understandings and by geographical proximity."*

“*Under Islam the Prophet Muhammad had established a pluralistic society in which citizenship and equal rights were granted to all people regardless of religious beliefs.*”

Today, she said, the UAE had more than 120 churches in addition to the Middle East Council of Churches which gathers under its roof all the churches existing in the country. There are close to 200 nationalities living in the country. The UAE had created the world's first ministerial post for tolerance, a post that she proudly held.



UAE Minister of State for Tolerance

Rejoicing in the Other

The former Master of the Dominican Order of Preachers, Father Timothy Radcliffe, shared with the meeting his view that the stranger, the so often feared 'other', should be rejoiced in rather than feared.

“ At their best the three Abrahamic religions challenge this fear of difference ”

After the murder by an Islamist militant of Bishop Claverie of Oran in Algeria, a man Father Radcliffe had venerated, hundreds of Muslims had attended Claverie's memorial service, proclaiming him their bishop. *"I not only accept that the Other is Other", said Claverie, "a distinct subject with freedoms of conscience, but I accept that he or she may possess a part of the truth that I do not have, and without which my own search for truth cannot be fully realized."* Christianity and Islam have a vital contribution to make, he said, *"the embrace of the stranger in his or her difference."*

Father Radcliffe believed that Christianity and Islam, the two most widespread religions in the world, should be at the forefront of opposing all xenophobia.



Reverend Timothy Radcliffe

Jesus and Mary in Islam

Father Radcliffe was responding in part to former US Congressman Ambassador Mark Siljander, the author of a book called *"A Deadly Misunderstanding, Quest to Bridge the Muslim/ Christian Divide"*.

“ I once disliked Muslims and the Qur'an until challenged about by narrow mindedness and bigotry. A comparative study of the Qur'an and the Semitic languages associated with the three Abrahamic holy books crushed my narrow paradigm. ”

Reading the important Quranic Sura of Mary he learnt that Jesus was born of a virgin birth, was considered to be the 'breath' or spirit of God and is mentioned many times in the Quran. Studying the Aramaic roots of the three linked religions, he realized that they shared the same message of peace, not war.



Honourable Mark D. Siljander

There are no minorities

Minister Lakhdar Brahimi, Algeria's former foreign minister and a man who had brokered important world peace agreements, had been outraged when Christians in some Muslim countries had been targeted by the 'so-called Jihadists'. He, for one, refused to call Christians in countries such as Syria, Iraq, Egypt and Lebanon 'minorities'. Their roots in these countries were as *"deep, if not deeper, than those of anyone else"*.

Minister Brahimi was deeply sorry that churches had been targeted and entire families sagely attacked in their own homes in Egypt.

He told the meeting that he understood why Christians were fleeing the threat over the past few years and was *"grateful to the countries"* that were offering them asylum.

He hoped that Christians and Muslims in the so-called Muslim majority countries would together do all that was needed to protect Christians.



“ When Daesh first entered the Syrian Province of Rakka in Syria, they damaged the cross of a local church. In the middle of the night, seven young men had climbed onto the roof of the church and, at the peril of their lives, had repaired the damage. ”

Condemning fanaticism

“Some member states considered introducing the term “Christianophobia” in the oncoming resolution of this UN Council”

Ambassador Marie-Thérèse Pictet-Althann, the Permanent Observer of the Sovereign Order of Malta, also felt that Christian communities, in particular, were victims of persecution.

Religious leaders had a clear responsibility to act through interand intra-faith dialogue and cooperation between religious and political components of society, she said. So-called religious conflicts had more to do with a lack of rule of law and good governance, she said. We should aim, she said, to identify a model of inclusive citizenship rights that is firmly based on the values promoted by Christianity and Islam.

“In Lebanon veiled Muslim nurses in Order of Malta clinics proudly wore the Cross of the Order on their chests”



Ambassador Marie-Therese Pictet-Althann

Christians condemn the invasions

World Council of Churches (WCC) General Secretary Rev. Dr Olav Fykse Tveit described a visit by the Grand Imam of Al-Azhar, together with several members of the Muslim Council of Elders, to the World Council's Ecumenical Institute at Bossey near Geneva. The Grand Imam, said Dr. Tveit, represents an institute that has millions of students while the World Council has only fifty at Bossey. “But we believe we have the same purpose”, he said, “namely to be a place where we work together to understand one another, and what are one another's shared faith and values.”

“One of the first results of that invasion was that the Christian communities became victims”



Reverend Dr. Olav Fykse Tveit

In February Dr. Tveit had led church leaders from different parts of the world to Iraq to visit both the Christian leadership and the leadership of other faiths, particularly Islam. They were studying the impact of the tragedy in Iraq, not only from the last years of violence but also the war that started in 2003. That war was waged, he said, despite a unified Christianity protesting against the idea of using invasion as a way to solve a national political problem. One of the first results of that invasion was that the Christian communities became victims. Today, he said, Iraq has only one tenth of the numbers of Christians “that were there 30 years ago”

Theology is not the root of the problem

The Permanent Representative of Pakistan to the UN, Ambassador Tehmina Janjua, said that if we are to address the issue of citizenship rights/minorities globally, then we need to go “beyond the relationship of Christianity and Islam”, in viewing this issue from the perspective of religion alone. Although the issue of citizenship rights has been highlighted by the situation of Muslim communities in Europe it is only one amongst a “complex of factors”. Others are of “greater significance”, she said. As discussed throughout the side-meeting, Christianity and Islam share many commonalities.



Ambassador Tehmina Janjua

Ambassador Janjua argued that to secure the rights of minority communities we must remain focused on economic and political drivers behind the worsening situation of these communities. Failure to address the anxieties of majority and minority communities, she said, will surrender “political space to the more extreme elements of society”.

Rights of the Dhimmis (protected People of the Book) and citizenship rights

The former acting minister of foreign affairs of Lebanon Minister Tarek Mitri gave a historic analysis to the Christian-Islamic nexus. Beginning in the early 16th century under the Ottomans, he explained, the dhimma system of religious pluralism reached its highest point of codification. During the 19th century the European powers, tempted by the Ottoman Empire's weaknesses, developed relations with minority communities.

Despite often difficult choices, Christians on the whole aspired to a *"citizenship freed from domination from abroad"*.

While their fight for political and civil equality opposed them to the increasingly moribund Ottoman Empire, it united them with the Muslims in a national struggle for independence. For the majority of Christians, this struggle was to continue against the European nations after they had shared the spoils of the First World War. "In the latter part of the 19th century and in the early 20th century", he added, *"Christians played a role in shaping a new social and political order that far outweighed their numerical importance"*.

The Arab uprisings of 2011, he said, transformed a region that seemed resistant to change. Today's disillusionment is *"often rushed and at times engineered"*, he said. Nevertheless, *"the*



Minister Tarek Mitri

yearning for dignity, freedom, and political participation that motivated the revolutions against patrimonial authoritarian regimes cannot be dismissed as ephemeral", he told the audience.

Schools must spread knowledge of all religions

Professor Carole Hillenbrand, Professor of Islamic History at the Universities of Edinburgh and St Andrews, said that we must remind ourselves that what Muslims and Christians share is much *"more than what divides them"*. Both groups believe in the One God, and that really matters in a rampantly secular world, she said.

“

We must respect each other's beliefs, rituals and festivals and be ready to learn more about each other.”

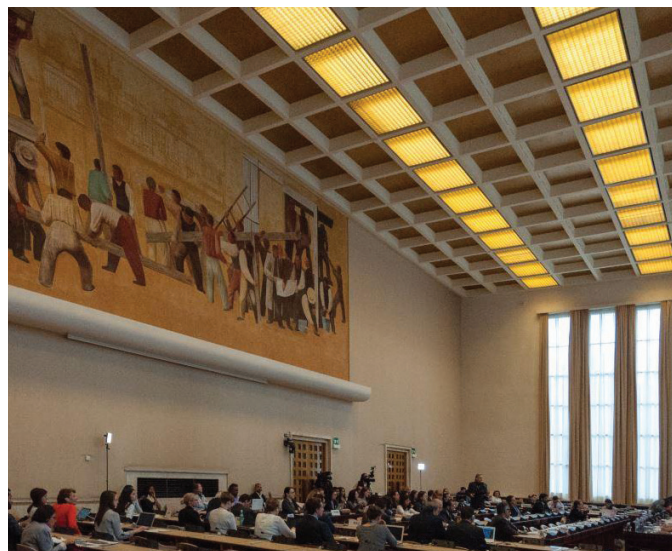
She believed that *"school curricula should introduce children to the major faiths from year one, raising awareness of other faiths"*. Children should see *"worship in action in mosques and churches"*. They should celebrate how differences within these living faiths express diversity and pluralism, recognising that *"they are neither monolithic nor unchanging,"* noted Professor Hillenbrand.



Professor Carole Hillenbrand

The Geneva Centre holds a conference on 12 May, 2017, at the Palais des Nations on “*Human rights: Enhancing equal citizenship rights in education*”

By: Staff of the Geneva Centre



On the occasion of the 27th session of the HRC Universal Periodic Review, the Geneva Centre held a panel debate on 12 May 2017 – Room XII, from 12:00 to 14:00 - at UNOG. The conference entitled “*Human rights: Enhancing equal citizenship rights in education*” was co-sponsored by the UNESCO Office in Geneva, the International Bureau of Education UNESCO and the

Permanent Mission of the Kingdom of Bahrain to the United Nations Office and other international organizations in Geneva. The goal of the panel debate was to assess the impact of education in rebuilding societies affected by inter-communal violence in the broader context of human rights. It aimed in particular at exploring the role of education in promoting equal and inclusive citizenship rights. Bahrain, Sri Lanka and Colombia all three being countries previously affected by inter-communal stress or conflict - were resorted to as case studies. The panel discussion was guided by the achievements of Finland in promoting equal and inclusive citizenship rights through education.

Video statement by the Minister of Education of Bahrain: Youth remains an invaluable asset for social progress and global peace



H. E. Dr. Majid bin Ali Al-Nuaimi, the Minister of Education of the Kingdom of Bahrain

The Minister of Education of the Kingdom of Bahrain H. E. Dr. Majid bin Ali Al-Nuaimi, delivered a special video message to the participants during the panel debate. Dr. Al-Nuaimi explained Bahrain’s vision of using education as a catalyst for promoting peace, tolerance and dialogue within the Bahraini society. Bahrain has for decades, he said, remained at the centre of cultural interchanges owing to the country’s strategic location as an international harbour in the Arabian Gulf. “*These included different people living in peace, tolerance and love regardless of their gender or religion*” he observed, emphasizing that the Kingdom wants to preserve its rich cultural heritage and “*instil it in the successive generations of students.*”

Education as a catalyst for social inclusion

The Chairman of the Geneva Centre Dr. Hanif Hassan Ali Al Qassim noted in his opening remarks that UNESCO has played an influential role in sensitizing the international community about the “*transformative power of education.*” Dr. Al Qassim referred to the seminal report prepared in 1996 by the French politician Jacques Delors entitled “*Learning: The Treasure Within*”. He considered learning to be a “*catalyst for promoting social inclusion and active citizenship*” and “*for enhancing cooperation between nations*” to promote global peace and harmony.



Chairman of the Geneva Centre Dr. Al Qassim

Bahrain's innovative education model

The Permanent Representative of the Kingdom of Bahrain to the UN in Geneva, H. E. Ambassador Yusuf Abdulkarim Bucheeri, presented Bahrain's vision in using education as a catalyst to build a society where its citizens would *"live together in tolerance and in peace."* Ambassador Bucheeri noted that his country has taken the lead in the *"Education for All Development Index"* - spearheaded by UNESCO - as a result of the country's innovative efforts to promote education for all *"as a genuine human right."* In line with the vision of the His Majesty King Hamad bin Isa Al Khalifa, the speaker stated that Bahrain has become *"one of the leading countries in the field of guaranteeing human rights for all"* through education.



H.E. Ambassador Yusuf Abdulkarim Bucheeri

Welcoming remarks by the Geneva Centre's Executive Director: Let difference beget not division but a celebration of diversity

The Geneva Centre's Executive Director Ambassador Idriss Jazairy stated in his intervention that the motto of today's panel debate is to act in a way that will let *"difference beget not division but a celebration of diversity"*. This should be conducive, he noted, to *"celebrate diversity both across borders and domestically"* by fostering the acceptance of diversity as *"an indicator of the prevalence of human rights."* Despite the need to promote peace and celebrate diversity worldwide, the Geneva Centre's Executive Director warned about the rise of populism and of xenophobia in Europe. The hijacking of religious faiths by extremist groups in the Middle East and in Northern Africa, he said, is also triggering a state of fear, hatred and intolerance that is gaining ground. In response to these challenges, he noted that societies need to promote *"greater equality in citizenship rights"* to make the notion of minority rights obsolete.



Ambassador Idriss Jazairy

UNESCO's pioneering role in advancing the right to education worldwide

The Director of the UNESCO Liaison Office in Geneva, Mr. Abdulaziz Almuzaini, stated in his introductory speech that UNESCO has played a pioneering role in advancing the right to education globally. Mr. Almuzaini noted that the *"1960 UNESCO Convention against Discrimination in Education"* was the first *"legally binding international instrument that lays down the core elements of the fundamental right to education."* The UNESCO Director reiterated that equal access to education is a prerequisite for *"inclusion, reconciliation and dialogue"* particularly among youth regardless of social backgrounds. This lays the foundation, he argued, for *"mutual understanding and lasting peace"* in societies.



Mr. Abdulaziz Almuzaini

The transformative power of education

Mr. Renato Opertti, Senior Program Specialist at the UNESCO International Bureau of Education (UNESCO-IBE), referred in his intervention to the landmark report published by Jacques Delors on the importance of *“education as an agent of transformation.”* *“20 years down the line,”* he said, we are still speaking about the importance of *“putting education as a transformative agent”* suggesting that the transformative power of education is not being fully leveraged. In response to this observation, Mr. Opertti suggested putting stronger emphasis on: i) the integration of civic education and of civil education in the fulfilment and implementation of global citizenship education; ii) the need for a *“systematic approach”* to global citizenship rights education. This requires revising policies, curriculums, pedagogies and the role of the teachers on a regular basis; iii) the synergies of providing access to education built on universal values and *“cosmopolitan open idea of the world”*, iv) on streamlining a process to integrate different views and national sensitivities into educational policies, frameworks and curriculums.



Mr. Renato Opertti

Bahrain's innovative education model

The Director of Intermediate Education at the Ministry of Education of the Kingdom of Bahrain, Ms. Nujood Aldoseri, presented the achievements of Bahrain in restoring diversity and social harmony following the 2011 civil strife that swept the country. She said that Bahrain resorted to education to provide psychological counselling to children affected by the upheavals. In this context, Ms. Aldoseri praised the role of UNESCO's International Bureau of Education (IBE), and in particular Mr. Opertti, for their involvement in supporting Bahrain in implementing the *“Enhanced Citizenship and Human Rights School”* project. *“The objective of this project”*, she noted, *“lies in educating students according to the values of citizenship and humanism on the basis of good citizenship, moderation and tolerance.”* She further added that this project was implemented shortly after the 2011 civil upheaval that had *“damaged the social fabric of the society”* thus providing an opportunity to *“enhance civilizational identity, pacific coexistence, dialogue, acceptance of others, diversity and pluralism.”*



Ms. Nujood Aldoseri

Restoring social harmony in Sri Lanka through education

The former Professor at the University of Peradeniya (Sri Lanka), Mrs. Sunethra Karunaratne, presented the experience of Sri Lanka in restoring social harmony following the end of the country's civil war. Professor Karunaratne noted that education is a powerful tool *“to share the minds and hearts of people towards achieving peace and social cohesion.”* Professor Karunaratne ended her presentation suggesting that Sri Lanka's 10 years' experience in post-conflict education training should be studied to identify lessons learned from her country's approach to education. Producing *“good citizens for the country and world at large”*, she said, requires including *“day-to-day life to integrate concepts of peace, social cohesion, citizenship and sustainable development.”*



Mrs. Sunethra Karunaratne

The promotion of a culture of peace in Colombia through education

Dr. Ana María Velásquez, Associate Professor at the Universidad de los Andes Faculty of Education (Colombia), spoke about the experience of Colombia in building a culture of peace and of non-violence in the wake of the Colombian civil war. Dr. Velásquez stated that hope has been regained in the reconstruction of the country following the Colombian government's peace treaty with FARC, one of the country's leading left-wing guerrilla groups. *"Thanks to the peace treaty signed with FARC", she said, "high expectations were placed on educational systems as a mean to face this post conflict scenario and to prepare the society to build a more peaceful, inclusive and democratic system."* In this regard, the speaker observed that the Colombian National Ministry of Education launched in 2004 a national citizenship competencies programme aiming at creating a culture peace and at enhancing human rights nationally.



Dr. Ana María Velásquez

Finland as a forerunner in the promotion of global citizenship education

Ms. Kristina Kaihari, Counsellor of Education at Finnish National Board of Education, presented the founding pillars of Finland's acclaimed education model considered as the number one educational system in the world. The speaker stated that her country *"has always placed great value on education. Our society's well-being and prosperity is built on equity in education and equal right to learning. We have taken decisive steps to offer equal opportunities also for people with immigrant backgrounds to pursue study paths all the way to tertiary education, should they wish to do so."* The promotion of human rights and the respect of human dignity, she said, are integrated in national core curricula at all levels of education. Education is based on *"equality and cultural diversity"* that aspires to promote *"democracy and active citizenship as well as global citizenship."*



Ms. Kristina Kaihari

The role of civic education in the realization of social peace

Mrs. Samar Kildani, National Director of El Hassan Youth Award (Jordan), addressed the role of civic education in the realization of peace and of harmony in societies. Mrs. Kildani emphasised that education trains people *"to serve the society."* Education also affects their values related to *"democracy, interaction and critique, research, acceptance of responsibility."* Enabling social peace to reign, she noted, depends also on the need to foster social and economic development. Dialogue, negotiation and a preventive culture are key conditions to address the rise of violence and conflicts witnessed in many societies around the world. In this regard, the speaker called for a new model of education to respond to the challenges faced by modern societies.



Mrs. Samar Kildani

Statements of the Chairman on the occasion of International Commemorative Days of the UN

“Social justice guarantees peace and releases the potentials of sustainable development.”

On the occasion of the celebration of the International Day of Social Justice, Dr. Al Qassim reminded world opinion of the misery suffered by Arab countries, especially Syria and Yemen. In Syria, conflict had forced more than five million Syrians to emigrate, according to UN Refugee Agency (UNHCR) statistics. In Yemen, excessive dependence on imports has triggered severe food security emergencies in conflict zones.

The Centre's Chairman attributed the root cause of such conflicts to the lack of social justice in these societies. Had it been realized, stability would have been achieved and development could have been sustained. He highlighted the negative consequences brought about by unbridled and irrational globalization. Working on the achievement of sustainable development would reduce economic differences among citizens and help achieve social justice for both men and women.



He called on nations to abide by the 2030 Sustainable Development Goals set by the United Nations which call for inter alia justice among and within nations.

Dr. Al Qassim called for the application of international criteria that will oblige all countries to abide by the rules of social justice in their domestic relations. At the same time, these criteria will incite all nations to cooperate with one another in order to achieve development and make education and technology accessible to all with a view to raising Man's status and dignity worldwide. He presented the UAE experience in achieving social justice among all citizens. That guaranteed the socioeconomic rights of citizens, providing them with entitlements to housing, medical treatment, education, marriage support and other welfare provisions. Meanwhile, the UAE implemented stringent rules to uphold the rights of expatriates, especially the working classes, by obliging employers to provide proper living standards, setting a minimum level for salaries and providing accommodation and transport. The government sets a limit for working hours on regular workdays and specially under difficult climate conditions. The UAE provides a unique social justice model for all residents, whether UAE citizens or expatriates.

Read the Chairman's statement published at IPS by clicking on the following link:

<http://www.ipsnews.net/02/2017/humanitarian-crisis-result-of-decades-of-globalization-with-no-concern-for-social-justice/>

Empowerment of women in the Arab region: The Chairman calls for targeted measures

In addition to the Chairman's statement on the occasion of the 2017 World Day of Social Justice, Dr. Al Qassim published an op-ed in the renowned media outlet Inter Press Service (IPS) in relation to the 2017 International Women's Day observed on 8 March. In his statement, the Chairman called for bolder laws, regulations and policies for accelerating the empowerment of women and the elimination of all forms of violence and discrimination. *“Empowerment of women and gender equality are key building blocks to harmonious societies built on the pillars of justice, solidarity and equality,”* Dr. Al Qassim noted.

He also reiterated that the Geneva Centre is *“committed to promoting the culture of respecting and protecting human rights in the countries that we have access to. We will keep our gear high in calling for more change with regard to women's rights.”* In order to raise further awareness on the advancement of women's rights in the Arab region, the Geneva Centre plans to arrange a conference at the United Nations Office in Geneva (UNOG) scheduled for 2017 as a follow-up to the side event held on 19 September 2016 on Women's rights in the Arab region.

Links to the Chairman's statement published at IPS can be accessed at:

<http://www.ipsnews.net/03/2017/hanif-hassan-al-qassim-calls-for-bold-laws-regulations-and-policies-for-empowerment-of-women/>

Economic growth does not generate happiness

On 20 March, the International Day of Happiness was celebrated worldwide. The Chairman of the Geneva Centre issued a statement highlighting the importance of recognising the relevance of happiness and well-being as universal goals and aspirations in the lives of human beings. The Chairman cautioned against equating happiness with materialism and consumerism stating: *"Happiness has merely been reduced to a material*

pursuit of physical objects and accumulation of wealth that has left a social vacuum filled by materialism and consumerism." In his concluding remarks, the Chairman proposed that happiness should become a criterion for good governance. He praised the recent efforts made by countries such as India, Venezuela, the UAE and Bhutan *"to promote happiness beyond economic terms."*

The Chairman's message in relation to the 2017 International Day of Happiness is available at:

<http://www.gchragd.org/en/blog/international-day-happiness-2017-message-dr-hanif-hassan-al-qassim-chairman-geneva-centre-human>

The Right to Truth: Restoring justice to victims of gross human rights violations

On 24 March, the Geneva Centre also observed the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims. In this regard, the Chairman of the Geneva Centre issued a statement that was published on the Centre's website. The Chairman hailed the bold decision of the UN to proclaim the Right to Truth as an International Day in commemoration of the many human rights champions who have sacrificed their lives to denounce violations of human rights. The Chairman used the occasion to speak out for the millions of Syrians who have fled Syria as a result of the outbreak of the Syrian Civil War that is becoming

one of the deadliest conflicts in the 21st century. *"Propaganda rather than truth underpins the drama unfolding in Syria, the rest of the Middle East, and indeed wherever conflict prevails or mass cross-border migration occurs in search of survival"*. In his concluding remarks, Dr. Al Qassim underscored the importance of restoring the dignity of victims of human rights violations by achieving justice for past human rights violations. *"If justice is ever to prevail in our global society, truth needs to be sought, identified and acted upon, especially in terms of calling violators of human rights to account and of providing remedy and reparations for victims,"* he underlined in his statement.

The Chairman's statement in relation to the 2017 International Day of the Right to Truth is available at:

<http://www.gchragd.org/en/blog/-2017international-day-right-truth-concerning-gross-human-rights-violations-and-dignity-victims>

The impact of depression on people's health remains a prime concern for many countries around the world

On the occasion of the 2017 World Health Day, the Chairman of the Geneva Centre highlighted the importance of addressing the effects of depression on people's health. He observed that the *"widespread violence and the imminent fear of terrorist attacks"* give rise to depression and mental illness among people living in societies permeated by violence and conflict. Dr. Al Qassim referred to a recent study initiated in 2015 by the Migration Policy Institute (MPI). This survey, he said, concluded that *"79% of Syrian refugee children had experienced death, 45% displayed*

symptoms of PTSD and 44% reported symptoms of depression." Post-traumatic stress disorder (PTSD) and depression have also become issues of concern in other countries located in the Arab region such as Tunisia, Libya, Yemen and Egypt owing to civilian upheavals and violent turmoil. To address these issues, the Chairman of the Geneva Centre suggested that victims of PTSD *"deserve our full and unconditional support to address their psychological plights."*

Read the Chairman's statement in relation to 2017 World Health Day at:

<http://www.gchragd.org/en/article/-2017world-health-day-message-dr-hanif-hassan-ali-al-qassim-chairman-geneva-centre-human>

Critical Minds for Critical Times: Media's role in advancing peaceful, just and inclusive societies

On 3 May 2017, Dr. Al Qassim issued a statement emphasizing media's impact to transform societies through enlightenment and active citizenry. He cited the hadith of the Prophet Muhammad underlining that *"the ink of the scholar is holier than the blood of the martyr."* Article 19 of the 1948 Universal Declaration of Human Rights defends freedom of expression and the right to information, he emphasized that press freedom is being limited

by the following factors: i) firstly, the safety of journalists is being compromised around the world. According to the Committee to Protect Journalists, more than 1,200 journalists have been killed since 1992. Dr. Al Qassim stated that *"journalists have the right to work free from the threat of violence and of fear in their capacity as transmitters of information to the public."*

ii) Secondly, Dr. Al Qassim noted that *“the accountability of media needs to be strengthened so that it represents the public’s interests.”* The spread of fake news and fabricated stories in social media contradict the goals of freedom of opinion or of expression. He called for a return to the founding principles of press freedom and journalism – accountability, transparency and independence of news media –to stop the flow of misinformation that is on the rise.

Dr. Al Qassim’s reflections on the occasion of the 2017 World Press Freedom Day can be accessed at:

<http://www.gchragd.org/en/article/reflections-2017-world-press-freedom-day-dr-hanif-hassan-ali-al-qassim>

Enhancing cultural diversity worldwide through the promotion of dialogue

In a statement issued by the Chairman of the Geneva Centre – published in Inter Press Service (IPS), Jordan Times, Emirates News Agency and Modern Ghana – Dr. Al Qassim noted that the 2017 World Day for Cultural Diversity for Dialogue and Development recognizes the importance of building harmonious relationships between peoples through cultural interaction and cultural empathy. Nonetheless, the Chairman warned that the world is on the brink of entering into a phase of fragmentation and irreconcilable division as a result of the rise of xenophobia, bigotry and racism in Europe. He quoted Father Radcliffe’s

statement presented during the 15 March panel debate held at UNOG – on the theme of *“Islam and Christianity, The Great Convergence: Working Jointly Towards Equal Citizenship Rights”* – where he stated that we should never fear *“the stranger, in his or her difference, because he or she will be a source of richness.”* He embraced this view stating that we need to *“intensify dialogue between and within societies, civilizations and cultures. We need to learn more about each other, to build mutual bonds and to break down the walls of ignorance that have insulated societies.”*

The Chairman’s statement in relation to the 2017 World Day for Cultural Diversity for Dialogue and Development can be accessed on the Geneva Centre’s website at:

<http://www.gchragd.org/en/article/reflections-2017-world-day-cultural-diversity-dialogue-and-development>

Aggression against children in the Arab region needs to come to an end

In relation to another major international commemorative day – the 2017 International Day of Innocent Children Victims of Aggression observed on 4 June 2017 – the Centre’s Chairman used the occasion to commemorate the adoption of United Nations General Assembly Resolution 77/51 calling for the promotion of the rights of the children. This Resolution, he said, *“was considered a milestone in promoting and advancing the right of children in conflict and wars.”* Despite the adoption of this seminal Resolution, Dr. Al Qassim noted that children

“continue to bear the burden of conflicts and calamities. They are indiscriminately targeted by belligerents owing to their vulnerability and physical weakness.” As a result of this, more than 250 million children live in countries affected by conflict. In order to protect children from abuse, exploitation and the intensifying conflicts, peace needs to be given a chance, he said. The conflicts in the Middle East need to come to an end through diplomacy. He concluded that *“impunity should not become the norm of societies recovering from wars and conflicts.”*

The Chairman’s statement on the 2017 International Day of Innocent Children Victims of Aggression is available at:

<http://www.gchragd.org/en/article/aggression-against-children-arab-region-needs-come-end>

Child labor in the Arab region does not belong to the 21st century

On 12 June 2017, the Chairman of the Geneva Centre issued a statement on the occasion of the 2017 Child Labour Day. Dr. Al Qassim appealed to Arab states to eliminate and end all forms of child labour in line with the provisions set forth in the Sustainable Development Goals (SDGs). The importance of addressing child labor in conflict areas and in disaster settings has remained a neglected subject, he said, owing to the priority of other issues by international decision makers. He observed that child labour remains an issue of concern in countries located in the Arab region such as Syria and Yemen.

Despite this troubling context, he noted, there is hope in the horizon as SDG 8.7 stipulates the need to end child labor *“in all its forms”* by 2025. In this regard, he invited all Arab states to work jointly towards the realization of this imperative goal. Lastly, the Chairman concluded his statement by emphasizing that the return to peace is the first step towards the full elimination of child labor. *“To reverse this trend, war-torn societies need to be allowed to return to a modicum of peace and stability guaranteeing families safe living conditions and peaceful prospects,”* concluded Dr. Al Qassim.

Statement of the Chairman issued in relation to the 2017 Child Labour Day is available at:

<http://www.gchragd.org/en/article/child-labor-arab-region-does-not-belong-21st-century>

World society needs to express greater solidarity for refugees worldwide

On 20 June 2017, Dr. Al Qassim published in IPS his reflections on the protracted migrant and refugee crisis, that has become a contested issue in the developed world. *"The world has not witnessed a more complex movement of people since the end of the Second World War,"* he said, *"as thousands of human beings undertake perilous and treacherous journeys in hope for a better and a safer future."* Dr. Al Qassim highlighted that countries in the Middle East has welcomed and provided shelter to more than 5 million refugees whereas rich and developed societies in the West has ignored their obligations to address the plight of refugees whom have fled their home societies owing to the

rise of conflict and violence. To address this dire situation, Dr. Al Qassim called upon governments in the Middle East and in the West to work jointly to address the protracted refugee crisis. He argued that *"rich countries have a moral responsibility to provide development assistance to poorer countries to achieve a more equitable burden sharing arrangement for hosting refugees."* In order for peace and stability to return to the Middle East, Dr. Al Qassim suggested that countries in the West and in the Middle East need to *"step up their joint efforts"* to eliminate the root causes of extremism and sectarian violence.

Read Dr. Al Qassim's statement in relation to the 2017 World Refugee Day at:

<http://www.gchragd.org/en/article/world-society-needs-express-greater-solidarity-refugees-worldwide>

Torture poisons societies from within constituting the worst form of human cruelty

In addition to the Chairman's statement on the occasion of the 2017 World Refugee Day, Dr. Al Qassim published an insightful statement in commemoration of the International Day in Support of Victims of Torture that was observed on 26 June 2017. Dr. Al Qassim stated that it is essential to support victims of torture, both financially and morally, to help them overcome their painful experience. He observed that the Abu Gharib Prison scandal in Iraq in 2003 and images from the Guantanamo Bay Camp

in Cuba are still troubling the global conscience, as well as the terrifying atrocities committed by the ISIS terrorist group in many areas in the Middle East. In conclusion, Dr. Al Qassim emphasized that it is time for peoples and governments to unite and stand together to combat practices that threaten human dignity while highlighting that victims must be supported in all possible ways.

To read Dr. Al Qassim's statement on the 2017 World Torture Day, please consult the following link:

<http://www.gchragd.org/en/article/reflections-2017-world-day-cultural-diversity-dialogue-and-development>

Promoting sustainable population growth remains key to raising human rights standards, particularly the right to life and the right to a stable family life

Dr. Al Qassim also shared his remark on the commemoration of the 2017 World Population Day observed on 11 July 2017. The Geneva Centre's Chairman called upon the international community to urgently implement the UN Sustainable Development Goal 5.3 that calls to eliminate all harmful practices, such as child marriage. He highlighted the dangers of getting married at this age, including dropping out of school, and the deterioration of women's social status. In light of these observations, Dr. Al Qassim also stressed the importance of

developing and promoting family planning mechanisms to maintain sustainable population growth and give people rights in family life. *"Enhancing family planning policies enables societies to cope with population pressures by bringing down the fertility rate to a sustainable level. This would improve the economic well-being of families and alleviate poverty and inequality,"* concluded the Geneva Centre's Chairman in his statement.

The Chairman's statement issued in relation to the observation of the 2017 World Population Day can be accessed at:

<http://www.gchragd.org/en/article/promoting-sustainable-population-growth-remains-key-raising-human-rights-standards>

Outcomes of the Board meeting held on 16 March at the Geneva Centre's Headquarters in Geneva

The Board of the Geneva Centre for Human Rights Advancement and Global Dialogue (*"The Geneva Centre"*) held its annual meeting on 16 March at its Headquarters in Geneva under the chairmanship of H.E. Dr. Hanif Hassan Ali Al Qassim. At this meeting, the Board accepted and unanimously approved the 2017 Action Plan proposed by the Executive Director Ambassador Idriss Jazairy.

The Board expressed great satisfaction with the preparation of the 15 March side-event on the subject of *"Islam and Christianity, the Great Convergence: Working Jointly Towards Equal Citizenship Rights"* that was attended by over 250 participants. It also approved the holding of the panel debate entitled *"Human rights: Enhancing equal citizenship rights in education"* that was held on 12 May 2017 at UNOG in collaboration with the UNESCO Geneva Liaison Office, IBE-UNESCO and the Permanent Mission of the Kingdom of Bahrain to UN Geneva



The Executive Director suggested to the Board that the Geneva Centre hold similar events at the United Nations Office in Geneva (UNOG) to challenge the politicization of human rights and build bridges between different narratives. It was suggested that events on themes related to migration and the use of phobic language in the 21st century should be arranged by the Geneva Centre during the course of the year.

The Centre is currently in the process of organization a panel debate on the promotion and advancement of women's rights in the Arab region. A panel debate on migrants, refugees and internally displaced persons (IDPs) is also set to take place during the month of November to address contemporary issues related to the treatment of migrants, refugees and internally displaced persons (IDPs).

Discussions were also held among Board Members on the need to strengthen the Geneva Centre's communication activities. Board Member Michael Kouly expressed his willingness to help support the Centre's endeavours to implement effective

communication initiatives. In response to this, a media and communications strategy has been developed to strengthen the Centre's communication activities.

In relation to the Geneva Centre's ambitions for 2017, Dr. Al Qassim underscored that the Geneva Centre should keep up its momentum and extend its global reach. He stated: *"The Geneva Centre is becoming an influential actor recognised for its efforts to promote human rights awareness among the general Arab and Muslim public and enhance inter-cultural understanding around the world."* Already the idea of holding a major world conference in 2018 on *"Religions, Creeds and/or Other Value Systems, Joining Forces to Enhance Equal Citizenship Rights"* which gained support at the recent meetings held by the Centre on 15 March 2017 is now in the early stages of preparation.

If interested in receiving the draft concept note of the Geneva Centre's forthcoming world conference, please send an email to info@gchragd.org.

Training program for UAE journalists in Dubai: The Geneva Centre launches its *"Human Rights-Media"* cycle

The Geneva Centre for Human Rights Advancement and Global Dialogue (Geneva Centre) organized a training session in Dubai, from 13-10 July, for 14 UAE journalists. A top-class program whose title announced in advance the timeliness of its implementation and the importance of its realization. *"Enhancing Journalists' Role in Promoting Human Rights"* was the focus of this training.

The enthusiastic welcome expressed by the participants (members of the UAE Association of Journalists) was a demonstration of the importance of this training program. The Emirati journalists interacted with a variety of high-level professionals, whose expertise is recognized worldwide. The trainers were specialized in human rights, humanitarian law and the media. The training program provided participants with the opportunity to deepen their knowledge about the theory and practice of international law in this regard.

The following lecturers were invited by the Geneva Centre to deliver their contributions on the role of journalists in promoting human rights:

- H. E. Idriss Jazairy, Executive Director of the Geneva Centre
- Judge Omar Mekky - Regional Legal Coordinator for the Middle East and North Africa at the ICRC
- Mrs. Kamelia Kemileva, Executive Manager of the Geneva Academy of International Humanitarian Law and Human Rights



- Prof. Mohammed Amin Al-Midani - President of the Arab Centre for International Humanitarian Law and Human Rights Education
- Dr. Ahmed Al-Dawoody, Legal Adviser (Islamic Law and Jurisprudence) at the International Committee of the Red Cross
- Mr. Salim Koudil - Editor-in-chief at the Algerian daily newspaper "Liberté"
- Professor Osman El Hajjé, Founder of the Human Rights Centre at Jinan University in Lebanon and a former Independent Expert of the Human Rights Council
- Dr. Pierre Sob, the Founder and Director of Horizon Learning Link and President of Africa 21

The Chairman of the Geneva Centre, H.E. Dr. Al Qassim chaired the closing ceremony and delivered the certificates of attendance to the fourteen participants members of the Journalists Association and other correspondents of the press in Dubai.

Chairman of the Geneva Centre joins the International Institute for Tolerance's Board of Trustees



ON 23 June 2017, the Chairman of the Geneva Centre H.E. Dr. Al Qassim was nominated as a member of the International Institute for Tolerance's Board of Trustees. A decree was issued on 21 June 2017 by the Vice President, Prime Minister and Ruler of Dubai, His Highness Sheikh Mohammed bin Rashid Al Maktoum on the establishment of the International Institute for Tolerance and the Board of Trustees.

The objectives of the International Institute for Tolerance are to among others instil the value of tolerance and openness in young Arab leaders and to consolidate the UAE's role as a model for tolerance and cultural and religious pluralism. The functions of the Institute will also include proposing policies and legislation aimed at entrenching the values of tolerance and moderation in the society.

The Board will be led by The Minister of State of Tolerance of the United Arab Emirates (UAE) Sheikha Lubna Khalid al Qasimi. In addition to Dr. Al Qassim, members of the Board of Trustees will include Ohood bint Khalfan Al Roumi, Noura bint Mohammed Al Kaabi, Shamma bint Suhail Al Mazrui, Dr. Hamad Al Sheikh Ahmed Al Shaibani, Mr. Sultan Butti Bin Mejren, Mr. Turki bin Abdullah Aldakhil, Mr. Mazen Jubran Hayek, Mr. Gerald Francis Lawless, Mr. Ahmed Ismail Al Abbas, Mr. Sunny Varkey, and Mr. Avishesha Bhojani.

The Institute will be headquartered in Dubai.

Meeting between the HRH Prince Charles, the Prince of Wales, the Chairman of the Geneva Centre and Ambassador Idriss Jazairy at the inauguration ceremony of the Oxford Centre on Islamic Studies' new premises on 16 June 2017

On 23 June 2017, the Chairman of the Geneva Centre H.E. Dr. Al Qassim as well as the Centre's Executive Director Ambassador Idriss Jazairy and Board Member Trevor Mostyn attended the inauguration ceremony of the new premises of the Oxford Centre for Islamic Studies whose patron is HRH Prince Charles, the Prince of Wales.

The Chairman of the Geneva Centre and its Executive Director had the opportunity to meet with HRH Prince Charles, the Prince of Wales. On this occasion, the Chairman of the Geneva Centre Dr. Al Qassim stated that he *"would be honoured to collaborate with the Oxford Centre to forge dialogue and to build bridges between Islam and Christianity"*

"The Geneva Centre", he said,



" is currently in the process of arranging a World Conference on the subject of 'Religions and Beliefs, Joining Forces to Enhance Equal Citizenship Rights.' I believe this would be an ideal opportunity for both Centres to unite their forces in addressing prevailing misunderstandings affecting Muslim-Christian relations through the advancement of equal and inclusive citizenship rights "

Invitees during the inauguration ceremony also included representatives from academic institutions, governmental organizations as well as international and non-governmental organizations.

The Geneva Centre is currently in the process of establishing a long-term partnership with the Oxford Centre for Islamic Studies. This decision will be announced in due time.

The Geneva Centre holds a new human rights training programme for Arab lawyers and legal experts

From 23 - 20 March 2017, the Geneva Centre for Human Rights Advancement and Global Dialogue welcomed 13 young Arab professionals from the United Arab Emirates and Saudi Arabia for an advanced training programme on human rights mechanisms. The programme, entitled *"Promotion and Protection of Human Rights: Legal Experts' Engagement with UN Human Rights Mechanisms and Specialized Agencies"*, took place within the framework of the Centre's long-term partnership with the Emirates Association of Lawyers and Legal Experts, and followed three other training programmes targeting a similar audience.

The participants (7 women and 6 men) were provided with an overview of the Human Rights Council Mechanisms as well as of ways to actively engage with these, with a special focus on the UPR.

The lectures and workshops were delivered respectively by:

- H. E. Idriss Jazairy, Executive Director of the Geneva Centre
- Dr. Ahmed Aoued, expert in International Law at the UAE Permanent Mission
- Mr. Nazar Abdelgadir, Executive Director of the Geneva Institute for Human Rights
- Mr. Azriel Goulandris, Education Officer at the World Federation of United Nations Associations
- Mrs. Alexandra Kerinvel-Spanu, Consultant in International Law and Development
- Prof. Osman El Hajjé, Founder of the Human Rights Centre



at Jinan University in Lebanon and a former Independent Expert of the Human Rights Council

- Dr. Pierre Sob, the Founder and Director of Horizon Learning Link and President of Africa 21.

The participants expressed overall appreciation for the organization of this training programme and underscored the importance of this kind of sessions of the development of their future career.

The training programme was concluded by an award ceremony in which the Executive Director of the Geneva Centre, Ambassador Idriss Jazairy, thanked the trainees for their active participation and re-iterated the Geneva Centre's readiness to continue hosting similar training programmes for civil society organisations in the Arab region.

Teaching is the most important human right in the social sphere of learning

H. E. Dr. Al Qassim took part in the award ceremony of the UNESCO-King Isa Bin Hamad Al Khalifa Award for the use of ICT in Education, held in Paris. The award was given to two organizations, one German and one Bangladeshi, for their efforts in educating migrants and displaced persons in war-torn communities.

He expressed high appreciation for the efforts of the Kingdom of Bahrain to empower poor societies in the world to access quality education. This implies the use of state-of-the-art technologies to provide educational opportunities for those who cannot access them due to poverty, war or displacement. He stressed that the Geneva Centre plays its role in raising awareness of human rights beyond the realm of mere political rights.

The basis of human rights, he added, is socio-economic rights, and education comes first because Man cannot enjoy rights without education, social awareness and culture. Enabling the disadvantaged in the Arab and, more broadly, in the Islamic regions, to have access to good education is the best antidote to the spread of the poison of hatred, intolerance and violent extremism.



The Swiss press ethics committee upholds the position of the Geneva Centre in litigation with Tribune de Genève

The Swiss Press Council having reviewed the complaint of the Executive Director of the Geneva Centre concluded on 26 May 2017 that indeed the journalist had violated Number 1 of the “Declaration of the Duties and the Rights of the Journalists” concerning his obligation “to seek the truth”. While the Council did not call for a publication of a rectification by the TDG, it nevertheless decided to notify its decision to all Swiss media and also expressed this position on its own website. This decision became public and was disseminated through all available media channels including Google.

On 10 October 2016, Tribune de Genève (TDG) published an article signed by journalist Alain Jourdan claimed in its title concerning the Executive Director of the Geneva Centre that it

was “*One mandate too much for the former Algerian diplomat*” indicating in the sub-title: “*Human Rights Council: Idriss Jazairy exercises simultaneously the functions of Special Rapporteur and of Executive Director of an NGO, an unprecedented situation.*”



The defamatory attack initiated by TDG was referred to by the international press “as Islamophobic”. On 21 October 2016, the Algerian newspaper *Liberté* (<http://www.liberte-algerie.com/enquete/idriss-jazairy-victime-dislamophobie256978->) ran an article entitled “*Idriss Jazairy, victim of Islamophobia*” that was also published in the French investigative journal *Mediapart* (<https://blogs.mediapart.fr/salim-koudil/blog/211016/chronique-dune-desinformation-idriss-jazairy-victime-dislamophobie>) on the same day.

A Centre study on the protection of civilians in wartime

Prohibition of practices violating the basic rights of individuals

Article 147 of the Fourth Geneva Convention on the protection of civilians prohibited willful killing, torture or inhuman treatment, including biological experiments, willfully causing great suffering or serious injury to body or health, unlawful deportation or transfer or unlawful confinement of a protected person, compelling a protected person to serve in the forces of a hostile Power or willfully depriving a protected person of the rights of fair and regular trial, taking of hostages and the extensive destruction and appropriation of property, not justified by military necessity, and carried out unlawfully and wantonly.

Prohibition of deterrent hostilities against critical premises and installations

Parties at war have been known to resort during armed conflicts to certain measures to put pressure on their adversaries and force them into surrender, including through the starvation of civilians, as well as through economic embargo by sea, land or air, leading to harmful consequences on both civilians and the military alike. The Geneva Conventions prohibit all such forms of hostilities against facilities needed for human survival, whether the attack take the pattern of an offensive or destruction or disablement of such facilities whatever the motive, as military necessity does not give the belligerents the right to destroy water facilities if it is indispensable to the survival of civilians.

The United Nations General Assembly Resolution No. 3074 of 1973 is related to this subject. The resolution stipulates that persons accused of committing war crimes and crimes against humanity shall be detected, arrested, extradited and punished. The provisions of article 8 of the Statute of the International Criminal Court are related to the same provision as the article which stated that attacking the civilian population per se, or civilians who do not take active part in hostilities, shall be treated as a war crime. The use of indiscriminate weapons such as cluster bombs in densely-populated areas shall represent a war crime.

“States shall assist each other in detecting, arresting and bringing to trial persons suspected of having committed such crimes and, if they are found guilty, in punishing them.”

The United Nations General Assembly Resolution No. 3074

The guarantee and supervision provided by the General Assembly, the UN Human Rights Committee monitoring the compliance of UN Member States with the 1966 International Covenant on Civil and Political Rights and the International Criminal Court represent an essential contribution to the development of Humanitarian Law and to the efforts to protect

civilians, especially non-combatants, in times of war and armed conflicts. This guarantee shall supersede impunity of the perpetrators.

Prohibition of indiscriminate attacks and the use of civilians as shields

Article 51(4) of the 1977 Additional Protocol I to the Geneva Conventions prohibits indiscriminate attacks targeting civilians. Indiscriminate attacks mean military assaults that are not directed at a military target or those that use a method or instruments of fighting such as bombs, rockets or mines that cannot target a certain military object or indiscriminately hit military and civilian targets or civilian premises and structures. It can be defined also as an offensive that might inflict losses and damage upon civilians that are disproportionate by comparison with direct and tangible military advantages sought. The convention also prohibits the use of civilians as human-shields to protect certain places against military hostilities.

Prohibition of deterrent hostilities against engineering works and installations

Article 56 of Additional Protocol I to the Geneva Conventions prohibits taking any of the engineering works or installations such as bridges, dams and nuclear power plants as targets of attacks even if they were military targets, especially when that attack may cause the release of dangerous forces that can cause heavy losses among civilian populations. The prohibition shall apply to the two warring parties in their operations, be they offensive or defensive.

Violation of the principles of the protection of civilians shall be considered war crimes

According to Article 2(51) of Additional Protocol I to the Geneva Conventions, directing any hostilities against civilians causing deaths and serious wounds among them shall be considered as war crimes. The civilian population should not be an objective of hostilities. When such hostilities are launched, deliberately causing deaths or serious injuries, they shall be considered grave breaches of the “*International Humanitarian Law*” and, as such, shall be treated as war crimes.

Also the claims of commanders who gave orders to carry out the crimes, protecting themselves under the cover of sovereignty and the liability of the state, not of individuals, for those practices will be dismissed.

In spite of all the said efforts and good offices to protect civilians in wartime and armed conflicts, the world continues to witness many armed conflicts accompanied by gripping reports on the suffering of civilians.

The rules of international humanitarian law, were created and developed to spread peace and security worldwide. However, implementation has been wanting! Humanitarian rules require human minds and souls to apply them. That is what mankind misses under the burden of the scourge of war and the agony of conflict.

4. Independent views on human rights issues in the Arab region by guest writers

Protection of Civilians during Armed Conflicts

By: Dr. Mohammed A'shoor

Professor at Zayed University, Abu Dhabi

Readers of the history of Man observe the direct impact of atrocities and the horrors of war on the one hand and Man's attempts to mitigate those risks on the other. This paper traces the historical development of the rules for protecting civilians through laws of warfare or what has come to be known as Humanitarian Law, which is the foundation-stone of that protection. "Civilians" means, in general, non-combatants, the wounded and prisoners of war.

Starting from the doctrine that *"everything is permissible in wars"* to the 1928 Kellogg-Briand Pact to prohibit wars, many attempts have been made to spare mankind the scourge of warfare by producing rules that regulate war and standards to protect non-combatants, the wounded and respect for the dead. To deal with this, some codes were established to wage and

Humanitarian Law, the most sublime version of the *"War Regulating Law"*. The above mentioned conventions and agreements shared common elements, the most prominent of which included the expansion of the scope of application to cover all armed conflicts, international or national, and the adoption of the principle of negotiation to implement the provisions of the conventions or giving wider protection to targeted groups, above all civilians.

The International Convention of Civil and Political Rights of 1966 stipulates in article 6 thereof that "No one shall be arbitrarily deprived of his life". Similarly, the Convention Against Torture of 1984 obliged the states parties to this convention to take necessary actions to protect civilians under all circumstances.

"General Features of the Development of the Rules of the Protection of Civilians"

manage wars according to rules of mutual interest (reciprocity) or of ethics (chivalry), or religious teachings (such as the Christian classification of wars as just and unjust, or the instructions of the Prophet Muhammad to his soldiers, and his practice of the rules of war).

However, with the escalation of the methods of warfare and the development of lethal weapons, along with the increasing misery of war, modern societies have sought, through political, religious and intellectual efforts, to insist on the observance of humanitarian rules adopted throughout history to alleviate the scourges of war and protect civilians and their properties, their cultural assets and their sacred shrines. These calls have been positively responded to since the 18th century with the emergence of disciplines aimed at regulating war and limiting its impact on warring armies.

The 19th century witnessed the beginnings of the codification of the practice of the traditions and norms of war by virtue first of the Code for the Protection of Prisoners of War of the Emir Abd el Qader of Algeria in 1842. This was followed by the Geneva Convention of 1864 and the Hague Conventions of 1899 and 1907, followed by the Geneva Conventions of 1949 and their annexed protocols and covenants that represented the foundation of what has come to be known as the International

Legal foundations mean the international conventions and accords that are mainly concerned with the protection of Man and of human dignity, a growing need in cases of wars and conflicts. Following the Emir's Code which bound only one army, his own, the Universal Declaration of Human Rights is the first international foundation in this respect.

The declaration stresses in Article 3 thereof the right to life, freedom and the personal safety of individuals. The right to life is the basis upon which all other rights are built, without which other rights lose their value. Among other basic foundations is the confirmation that no state party to the Declaration shall disavow its own obligations under any circumstances whatsoever, whether these circumstances are a state of war, threat of war, internal instability or any other state of emergency.

Foundations and Implications of Protecting Civilians in Armed Conflicts

Protection of civilians during wars

Long before the Geneva Conventions, Islam provided humane treatment for prisoners of war (POWs). The proof of that was in the distribution of POWs among the companions of the Prophet who ordered them to treat the captives well. Although there were no prisons or POW camps at that time and POWs could have been tied up and left in the open which might easily have injured them, they were taken to the houses of Muslim fighters where they were cared for.

Biographies of the Prophet record the humane treatment of prisoners of war after the Battle of Badr. This treatment represented the guidelines of the provisions of the treatment of POWs that complied with those of the third Geneva Convention on the treatment of POWs dated 12 August, 1949.

These provisions stipulated that accommodation, food, clothing, the protection of the unity of the prisoners' family and the prohibition of torturing them to obtain information must be respected and observed.

The evidence was very clear when they were accommodated in mosques and the houses of the companions of the Prophet as had happened at the Battle of Badr. The good and humane treatment of POWs was mentioned in the Quran as one of the characteristics of faithful believers, "And they give food in spite of love for it to the needy, the orphan, and the captive" (Al-Insan, Man, 76:8).

History tells us that when the Muslim leader Salah Ud-Din Ayoubi was unable to feed the large number of captives when his army restored Beit Al Maqdis in Jerusalem, he freed them¹. The Emir Abd el Qader in similar circumstances proceeded likewise.

Regarding the clothing of POWs, Jaber Bin Abdullah narrated in the validated (Sahih) Hadith of al Bukhari, «On the day of Badr, some prisoners were let in. Al Abbas entered without wearing a shirt. The Prophet looked at him and gave him a shirt and then it was found that the shirt of Abdullah was more fitting so the Prophet decided to put it on that prisoner»².

As for keeping the unity of the family of the POWs, Islam prevented separation of the members of families including fathers, grandchildren and siblings³.

It is to be noted that Islam prohibits torturing POWs to obtain military intelligence. When Imam Malik (D.795 AD) was asked if he would approve torturing prisoners to give information about the weaknesses of the enemy, he replied, "I have not heard of that"⁴. In this short response, it becomes evident that torturing of POWs to gain military information had never occurred to the Muslims and had never been discussed by Muslim scholars.

In conclusion, these religious references confirm that the Muslim scholars of old focused on two important points: protection of non-combatants on the enemy side and the prohibition of the destruction of the assets of the enemy unless military necessity demanded it, proving thereby the fact that Islam respects the dignity of Man.

1. Dalilah Mubarak, Disciplines of International Relations in Islam during Time of War, Journal of Islamic Studies, Voi.4, No.9, July,2004, pp.206.

2. Mohammed Bin ismael AlBukhari, Mukhtasar Sahih AlBukhari, Riyadh, Almaarif Bookshop, 2002, Vol.2, pp.318.

3. Mohammed Bin ismael AlBukhari, Mukhtasar Sahih AlBukhari, Riyadh, Almaarif Bookshop, 2002, Vol.2, pp. 318.

4. Wahba Alzihali, Consequences of War in Islam: A comparative Study, Dar Alfikr, Damascus, 3rd edn. 1998, pp.415.

Rights of Civilians and Non-combatants in Time of War in Islamic Shari'a

By: Dr. Ahmed Al-Dawoody

Legal Adviser (Islamic Law and Jurisprudence) at the International Committee of the Red Cross (ICRC) and Assistant Professor at the Al-Azhar University (Cairo, Egypt)

The provisions of the Shari'a guaranteed the protection of civilians and non-combatants in time of war and approved a set of rights that would protect them and their property and would also protect them against any breaches of their dignity. Fighting in war must only be against adversaries. The Quran clarifies this fact, *"And fight in the way of God the ones who fight you, but do not transgress; surely God does not love transgressors"* (The Cow, Verse 190). Many hadiths referred to the prohibition of targeting women, young children, the elderly and even wage-earners hired by the enemy on the battlefield to take care of the cattle or secure equipment.

Several Islamic scholars mentioned other categories of non-combatants who should not be targeted in time of war, including the blind, the infirm, the insane, craftsmen and tradesmen. Ibn Qeim Aljawziah (d.1350 AD) summed up the categories to be targeted in war following the teachings of Islam in his famous statement, *"Muslims were ordered to fight those who fight them and prohibited to fight those who do not fight"*¹. This short and precise sentence proves without any doubt the principle of the immunity of non-combatants². However, this does not mean that this immunity is absolute. Those who enjoy it may lose it once they join the fighting. Moreover, if the enemy sought safety in any language they used, oral or written, openly or in allusion or even in sign language, during the battle, they should not be fought and protection must be provided to them and their property until they return home³.

Although weapons and military approaches used by Muslims in the early years of Islamic history were to a large extent simple and even primitive in their capacity to cause serious damage to the enemy and its assets, the provisions on this subject prohibit inflicting damage upon civilians and non-combatants. Islamic rules prohibit targeting assets of the enemy unless it was urgent for military reasons. To prove this case, scholars discussed matters related to fighting techniques that might expose the lives of civilians and non-combatants to danger if weapons such as catapults, fire, poisoned arrows and siege as well as night assaults to force the enemy to surrender, though scholars differed in their interpretations of these provisions, and concluded that the bloodshed of civilians is prohibited and indiscriminate attacks and the excessive use of force are not permitted.

Therefore, the use of military force is limited by military necessity. Any indiscriminate destruction of the property of the adversary shall be classified as a crime of turpitude on earth. Imam Awzaie (D.774 AD) emphasized this concept when he said " Muslims are not permitted to carry out any act that might lead to destruction on the territories of the enemy" quoting the verses from the Quran *"and when he turns away, he diligently endeavors about the earth to cause corruption thereon and destroy the tillage and cause stock to perish"*⁴ (The Cow; 205).

This attitude can be explained by the fact that everything in this Universe belongs to God. Humans are merely heirs required



to protect it. Islamic provisions on the prohibition of mutilating the dead body of an adversary represent a model in respecting human dignity. In spite of the enmity and the attempt to kill each other in wars, your enemy is a human being who was dignified by God, *"Indeed, We have already honoured the seeds of Adam"* (Al Israa, The Night Journey, verse 70).

As a sign of respect, The Prophet ordered Muslim fighters to avoid hitting the enemy combatant on his face⁵. Human dignity requires respect for the human body not only in life only but also after death. Therefore, Islam prohibited mutilating the body of an enemy and ordered Muslims to return enemy corpses to their relatives or bury them if the enemy did not take them back.

Muslims buried all the bodies of their adversaries in their first battle in Islamic history, The Battle of Badr, in 624 AD⁶. Yula bin Murrah was reported to have said that he had travelled with the Prophet several times and whenever he passed by a decomposed body the Prophet would order its burial without asking if it was the body of a Muslim or an infidel⁷.

As a result of the international failure to provide support to civilian populations, the burden of protecting civilians falls on the heads of the main victims. That is currently the case of the Middle East conflicts where the regional states in general, and the Arab countries and the Arab Gulf states, in particular bear the largest part of the burden.

Regional Efforts to Protect Civilians in Yemen and Syria

The protection of civilians does not feature with sufficient priority on the political agenda of non-Arab parties that are involved, in one way or another, in the two crises of Syria and Yemen. At the procedural level the efforts of the Gulf nations follow two main tracks, one official and the other non-governmental. On the official track most of the Gulf Cooperation Council (GCC) States see the protection of civilians as one of the main items of the political vision of these countries. The second track is the unofficial attitude represented in the efforts of the humanitarian organisations seeking to alleviate the suffering of the civilians in both Yemen and Syria.

At the official level, the Saudi-led Arab Coalition in Yemen puts the protection of civilians on the top of its agenda. This stand is evinced in three ways: first, the coalition is committed to upholding international humanitarian law; second, it cooperates with UN agencies working in Yemen; thirdly, the Coalition has set up an independent team of experts to evaluate incidents that may threaten civilians, set procedures of verification and targeting, submitting a separate report on each case with recommendations and suggesting procedures required to avoid a repetition of any such incidents in the future.

As for the Gulf states' efforts in Syria, both Saudi Arabia and UAE exerted efforts to reach an agreement on a full and lasting ceasefire, stressing the significance of providing protection to civilians according to the international resolution taken in this regard, requesting at the same time, not to let perpetrators of war crimes and crimes against humanity, go unpunished in the

two countries. These efforts were reiterated in the Astana talks on the Syrian crisis and during the sixth meeting of the focal points concerned with the protection of the civil population held in Seoul on 22 June 2016.

At the NGO level, the stand of the Gulf countries can be observed through the efforts of the Red Crescent Societies of three countries that called for the unification of their efforts in the emergency advisory meeting of the Heads of these institutions held in Kuwait in December 2016 to avoid duplication in relief activities reaching a wider category of the affected communities in both countries.

Finally, it may be concluded that the international efforts to protect civilians seem slow in materializing in both Syria and Yemen due to the conflict of interests among those actors, especially the United States and Russia. The heavy burden of the situation in the two countries lies on the regional states and the Gulf States in particular.

The Gulf countries play an active role at the formal and informal levels to relieve the refugees and help the civilians in the two nations, despite the complicated situation that makes it difficult to provide the assistance as required.

¹ See Wahba Alzihali, *Encyclopedia of Islamic Jurisprudence and Contemporary Issues*, Dar Alfikr, Damascus, 2010, Vol.7, p. 511

² For further details, see Amir Alzamali, *Islam and the International Humanitarian law*, ICRC, 4th edn., pp.162-163.

³ See Muhidin Bin Sharaf Alnawawi, *Altalibin Approach*, verified by Mohamed Tahir, Jeddah, Almihaj, 2005, p.523, and M.Alshirbini, Beirut, ND, p.237, *International Relations in Islam in Time of war*, p.183.

Protection of Civilians in Yemen and Syria: Humanitarian Efforts in Grey Contexts

By: Dr. Alsayed Ali Abu Farha

College of Politics and Economics, Beni Sweif University

The Geneva Convention IV of 1949 concerning the protection of civilians in time of armed conflicts is still the international legal umbrella for the protection of mankind across the world. The convention provided a number of articles and provisions regarding the status of civilians and the humanitarian requirements needed to protect them, not only during wars or armed conflicts but also in internal conflicts. The convention adopted advanced legal principles, the most outstanding of which it expanded to provide protection to non-parties to conflicts according to certain principles and prevented the protected persons from giving up the rights granted to them wholly or partially by virtue of the convention.

However, that legal protection very often did not result in the expected outcomes in many cases over the last six decades when the status of the civilians in time of armed conflicts was the target of flagrant violations.

The failure to protect civilians in Yemen and Syria is severe and is the result of a situation made more complicated in the light of the discrepancies and interventions on the ground, as a result of the interrelated regional and international interventions. As such, the efforts made for the protection of civilians in both Yemen and Syria are linked to the vagaries of evolving political considerations.

The concern of the international community regarding the protection of civilians in Yemen and Syria seem to have arrived late. Its response was to some extent contradictory following two distinct tracks: on the one hand, the track followed by international organizations to protect civilians in the two countries and on the other hand the track following by the official response of the western nations. The efforts on the first track were steady but ineffective whereas the efforts on the second track seemed feeble and aimless.

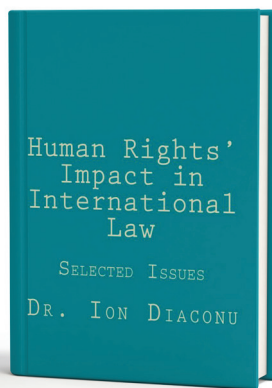
The first track covers the efforts of the international humanitarian organizations, whether UN-related or not including ICRC, that continuously warned against the deterioration of the human situation in Yemen and Syria in the wake of the intensification of fighting and widening



of the scope of the war. The track includes the efforts of UNHCR to building refugee shelters in non-combat areas or camps in neighboring countries like Jordan, in addition to the continued warnings about the deterioration of the humanitarian situation in both countries. The efforts of other international organizations such as The International Organisation for Migration (IOM) should also be mentioned in coordination with UNHCR on one hand, and through its periodic statements and warnings on the other. These organizations follow migratory trends and observe the maps of population movements, displacement and migration in these countries. Finally, the efforts of World Health Organisation (WHO) deserve a mention for meeting the health needs of the refugees escaping the areas of conflict in both countries and across national borders.

It is to be noted here is that these humanitarian efforts are limited in their impact. The role of these organizations is confined to providing camp shelter and medical relief. They do not provide protection to the civilians affected by the conflict, but limit their role to issuing warnings and statements only. Nor do Western nations help in putting these civilians out of harm's way.

5. Book Reviews



Human Rights' Impact in International Law (Selected Issues)

Author: Ion Diaconu
expert on international law and retired
Romanian Ambassador
Create Space Independent Publishing Platform,
2017

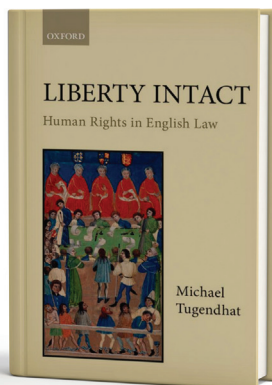
This book deals with the consequences that human rights have on international law in some of its aspects, such as the mandatory norms, basic principles, international security, criminal justice, protection of the environment, humanitarian issues, international responsibility, liability of transnational corporations and cultural and linguistic diversity.

The chapters of the book provide details on international conventions, covenants and the practices of states and national and international courts. The author identifies the applicable norms of international law, areas of application and the approaches and trends in other areas, taking into consideration the latest developments that have had their impact on areas like the responsibility of transnational companies or the protection of the environment and how to respond to climate change.

Human rights, being a component of international law, are still in a process of flux as it has not been able to contain the rise of

systematic racial discrimination and racial hatred, in Europe in particular. In the light of intensive investigations, the book lists experiences of all continents, courts and regional and international organisations and programmes such as the International Court of Justice, UNESCO, UNDP, the International Law Committee, the International Criminal Court and other judicial agencies.

The author tries to prove the universality of the subject of human rights despite human diversity. The 24 chapters of the book study the ground rules and are a good foundation for more detailed studies.



Liberty Intact: Human Rights in English Law

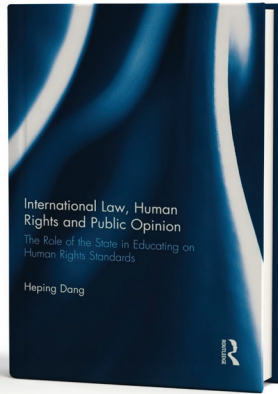
By: Sir Michael Tugendhat
Honorary Professor at the University of Leicester
Oxford University Press, 2017

What is the relationship between the special perceptions of the provisions of the English law and those that we find in the draft laws related to human rights in other parts of the world? How did English Common Law impact on the Universal Declaration of Human Rights of 1948 and the European Convention on Human Rights of 1950? Michael Tugendhat answers these questions and others in his historical narrative on human rights since the eighteenth century.

The author focuses on the early human rights declarations such as The Virginian Rights Declaration of 1776, the French Declaration of Human and Citizen Rights of 1789 and the American Rights Accord of 1791.

The writer asserts that human rights documented in these declarations have been sacred provisions in English Common Law since the eighteenth century. Most of them were derived from English law and policies since the fifteenth century. The impact of English law could be felt, as per Blackstone's interpretation of the laws in England, in the English revolutions of 1642 and

1688, the two revolutions of 1776 and 1789, up to the Universal Declaration of Human Rights and the European Convention on Human Rights. Furthermore, the writer states that the British law, in most cases, can either meet the standards set by human rights covenants or exceed them. Human rights law, the author explains, is a typical British law and is not a new invention that was imported from abroad. The book is divided into three parts, presenting a short history of human rights. It examines the rights provided for in both the American and French declarations, showing their roots in the English law. The book discusses the rights and how they have been used in the past and present.



International Law, Human Rights and Public Opinion:

The Role of the State in Educating Human Rights Standards

By: Heping Dang, lecturer at the Chinese University of Hong Kong
Routledge, 2017

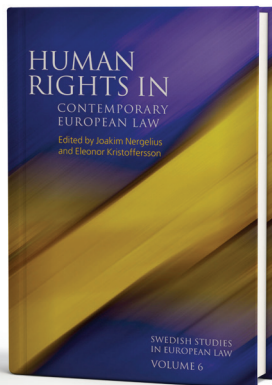
This book examines the situations in which the role of public opinion becomes an obstacle in the way of protecting and promoting human rights and their principles. From the perspective of international law that the author adopts, the book answers two basic questions: the first is whether international law provides for the necessity of taking an independent attitude toward issues of human rights and the second is whether international law encourages and educates public opinion on basic criteria of human rights.

The theme of the book is closely related to the attitudes of public opinion of discrimination based on race, gender, age, health condition and sexual tendencies.

The subject is linked to the conditions under which public opinion takes responsibility for disturbing practices such as female genital mutilation and the death penalty.

Regarding the latter, which are violations of human rights, the study challenges the defence of countries that claim that the death penalty cannot be banned because of the pressure of support from public opinion.

The book also discusses the role played by education, according to the provisions of international law, in nurturing the desired attitudes of people towards the principles of human rights.



Human Rights in Contemporary European Law

(Swedish Studies in European Law)

Edited by: Joakim Nergelius (Associate Professor in Law at Lund University) and Eleonor Kristoffersson (Professor in tax law at Örebro University)
Hart Publishing, 2017

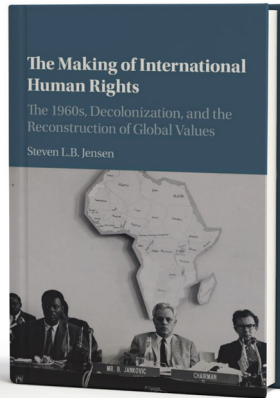
This volume focuses on the main subjects of European legal trends in activating human rights on the continent and the affiliation of the European Union to the European Convention on Human Rights.

Among the subjects tackled, in addition to that of affiliation, are the questions related to the activation of relevant covenants of human rights as general principles in international law.

It deals also with specific subjects such as the illegality of suing a person twice for the same offence, due to its connection with

Swedish taxation law and what is called the horizontal or the "third impact" of human rights.

The book discusses the growing role of the judicial and constitutional revision in the courts in Sweden. (Series of Swedish Studies in the European Law, Vol.6).



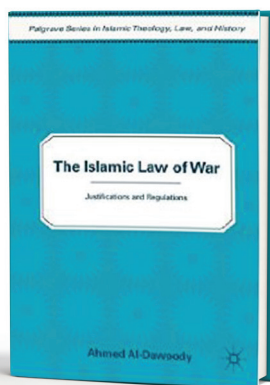
The Making of International Human Rights: The 1960s, Decolonization and the Reconstruction of Global Values

By: Steven L. B. Jensen, researcher at the Danish Institute for Human Rights
Cambridge University Press, 2017

This book reinterprets global human rights in the post -1945 era by documenting the pivotal role of the South. In contrast with contemporary historians of human rights who focused largely on the 1940s and 1950s, giving priority to Western institutions, the author, Steven L.B. Jensen, asserts that human rights flourished in the 1960s.

He presents a revolutionary perspective as he puts race and religion on the axis of these developments. Jensen concentrates on a group of countries that led the march of human rights, specifically, Jamaica, Liberia, Ghana and the Philippines. These countries transformed the standards upon which the international community relies today. The above-mentioned countries laid the cornerstones of what was called the human rights revolution during the 1970s when Western activists and states began embracing the principles of human rights.

The history of human rights is the history of all ages. Therefore, this book reinterprets the concept of human rights astonishingly as the author explains the way by which some third world countries "*ignited the human rights revolution*". They have changed international standards and Western policies and challenged the Communist bloc and made the question of human rights a pivotal issue in international politics.



The Islamic Law of War: Justifications and Regulations

By: Ahmed Al-Dawoody, legal adviser (Islamic Law and Jurisprudence) at the International Committee of the Red Cross (ICRC)
Palgrave Series in Islamic Theology, Law, and History, 2011


Dr. Al-Dawoody's book entitled "The Islamic Law of War: Justifications and Regulations" presents a cumulative and progressive set of original studies that substantially raise the bar for rigorous scholarship in the field of Islamic Studies. By relying on original sources and challenging common scholarly stereotypes and inherited wisdoms, the volumes of the series attest to the exacting and demanding methodological and pedagogical standards necessary for contemporary studies of Islam.


These volumes are chosen not only for their disciplined methodology, exhaustive research, or academic authoritativeness, but for their ability to make critical interventions in the process of understanding the world of Islam as it was, is, and is likely to become. They make central and pivotal contributions to

understanding the experience of the many realities that shaped the ways that Muslims understand, represent, and practise their religion, and ultimately, to understanding the worlds that Muslims helped to shape, and in turn, the worlds that helped shaped Muslims.



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