CONCEPT NOTE

Human rights approach to conflict situations in the Arab region

– INTERNATIONAL CONFERENCE –

Objectives

Promote a human rights-based approach to situations of armed conflict

Participants

International, regional and national governmental and non-governmental (UN including peace keeping mission, humanitarian and policy making actors, and national human rights institutions)

Venue

Doha- Qatar

Dates

20-21 February 2017 (TBC)

1. BACKGROUND

During the events that began in 2011, the collective actions of the people of North Africa and the Middle East reaffirmed the importance and universality of human rights. Since the Arab Spring, the aspiration to realize civil, political, cultural, social and economic rights throughout the region has remained strong. However, a number of simultaneous and overlapping armed conflicts have shaken the regions status quo, exacerbated internal and regional divisions and profoundly worsened the overall level of violence. In the face of such dramatic developments, it is timely and important for regional bodies, governmental and nongovernmental bodies and conflicting parties, to come together around basic human rights norms and develop a regional approach to prevention and management of conflict situations.

Many of the large-scale Arab Spring protests were motivated by the marginalization and absence of economic, social and cultural rights as well as civil and political rights. The first step therefore in preventing future crises from degenerating into armed conflict and violence lies in addressing the fundamental triggers, namely the real or perceived absence of human rights and prospect of a dignified life. Establishing and improving platforms for dialogue between groups within societies, and between these groups and their governments is an important part of this process. At the same time, it is important to develop early warning mechanisms that may help governments and other stakeholders, including regional and international organizations, identify symptoms of long-standing discontent, while enabling a platform for dialogue.

In a conflict situation, international human rights law and international humanitarian law share the goal of preserving the dignity and humanity of all. The Security Council, the General Assembly, the Commission on Human Rights and, more recently, the Human Rights Council have clearly stated that in armed conflict, parties to the conflict have legally binding obligations concerning the rights of persons affected by the conflict. International human rights law protects people at all times, whether during peacetime or conflict, while international humanitarian law operates during periods of armed conflict and provides specific protection to civilians and persons no longer participating directly in hostilities and active participants in the conflict. Indeed, as has been recognized by international and regional courts, as well as by United Nations organs, treaty bodies and human rights special procedures, both
bodies of law apply to situations of armed conflict and provide complementary and mutually reinforcing protection.

2. ROLE OF OHCHR

OHCHR is mandated to promote and protect the enjoyment and full realization, by all people, of all human rights as embodied in the Charter of the United Nations and in various international human rights law instruments. OHCHR’s mandate is established by General Assembly resolution 48/141.

The Vienna Declaration and Programme of Action adopted at the 1993 World Conference on Human Rights, and the 2005 World Summit Outcome document acknowledge human rights as one of the three pillars of the United Nations, along with development and peace and security. OHCHR has developed a set of tools to address challenges in maintaining peace and security, emphasizing the essential role of human rights. In this context, OHCHR has established human rights components in peace missions and works to ensure the integration of human rights into the overall work of peacekeeping operations.

Over the past five years, OHCHR co-organising annual large-scale conferences in cooperation with the Qatari National Human Rights Committee on issues pertinent to the work of OHCHR and relevant to the current situation in the Arab countries. The theme of the 2015 conference was human rights and security challenges in the Arab region, with an overall objective of discussing the relationship between maintaining security and respect for human rights while considering the basic responsibilities of the states. The 2016 conference provided the opportunity to discuss the role of OHCHR in the Arab region. Participants made a number of recommendations addressed to OHCHR and other UN agencies, governments, national human rights organizations and civil society. The upcoming 2017 conference will focus on the human rights approach to addressing conflict situations in the Arab region.

3. OBJECTIVES OF THE CONFERENCE

The first aspect of the conference will examine the role of human rights in preventing conflict and how it can act as a tool for early warning. Secondly, the conference will focus on the fact that international human rights apply at all times, including during armed conflict and in other situations of violence and insecurity. The third and final aspect of the conference will aim to address measures based on human rights norms that governments, national human rights institutions and other stakeholders can engage in the aftermath of conflict to prevent recurrence, including peace agreements, and to promote peacekeeping activities. Other related issues such as preventing violent extremism and countering terrorism while protecting human rights will also examined through sharing good practices.

The objectives of the conference are:

- Identify human rights-based early warning mechanisms; promote platforms for dialogue with a view to preventing crisis situations from degenerating into armed conflicts, and provide the means for addressing human rights concerns that may trigger resentment and hostility in the Arab region;
• Identify and develop civilian mechanisms to manage conflicts with a view to ensuring protection of human rights during times of conflict in the Arab region;
• Develop comprehensive and inclusive human rights-based post-conflict strategies for the region with a view to protecting peace, promoting accountability, justice and truth, delivering reparations, and undertaking necessary institutional reforms in order to address the human rights concerns that lie at the heart of crisis, insecurity and violence; and
• Map good practices and emerging initiatives in the area of cooperation between national, regional and international stakeholders, including governments, NHRI, international human rights mechanisms, peacekeeping missions and civil society.

4. METHODOLOGY

The two-day conference will be divided into two segments, the first dedicated to in-depth discussion through the presentation of research papers regarding the root causes of the current conflicts in the Arab region from a human rights perspective. This will include an inter-active dialogue on the integration of human rights strategies and policies in the United Nations global strategies on violent extremism, countering terrorism, peace operations, and the linkages between violations of economic, social and cultural rights and violence, social unrest and conflict. The second segment will be composed of four technical working groups on the integration of human rights tools and mechanisms in: 1) conflict prevention processes; 2) collective coordinated efforts of the United Nations, national human rights institutions and civil society in addressing conflict situations; 3) in the analysis of the effects of conflicts on human rights; and 4) the impact of the fulfilment of peace agreements, human rights-based institutional reforms and other guarantees of non-recurrence on the recurrence of instability, violence and conflict.

Participants
The conference will be organised by the Qatari National Human Rights Committee and OHCHR, sponsored by the General Secretary of the Council of Arab Ministries of Interior, the League of Arab States, and the Arab Network for National Human Rights Institutions, and co-sponsored by the Gulf Cooperation Council, the Arab Maghreb Union and, Humanitarian Dialogue.

The conference will be attended by 200 participants from government officials, United Nations (including peace-keeping missions), international organizations, regional inter-governmental and non-governmental organizations, national human rights institutions, and policy researchers.

Format
The two-day conference will consist of two opening sessions, three main panels and four workshops. Each panel and workshop will have a moderator and a rapporteur. A report will be presented at the end of the conference to deliberate over the issues discussed and summarize good practices and initiatives from relevant stakeholders in the Arab region.