

Royal Palace
Amman, Jordan

20 August 2007

Many thanks for your letter of 28th June, 2007 in which you advise that the Preparatory Committee for the Durban Review Conference will hold its first organisational session in Geneva from 27th-31st August, 2007. Thank you for inviting my input for the Conference and for reviewing these issues overall. I enclose a brief paper addressing what I see as the most important issues that we currently face, particularly in the Middle East-North Africa (MENA) region.

As you are only too aware, in the MENA region, it is crucial in terms of 'carrying capacity' that we depoliticize the issue of human displacement. Patrick Cockburn says in an article published on 30th July this year that, "Two thousand Iraqis are fleeing their homes every day. It is the greatest mass exodus of people ever in the Middle East and dwarfs anything seen in Europe since the Second World War". The growing overuse of limited natural resources for human demands is driving the world into ecological disasters and humankind into political and social conflicts. Whilst the globe's 'carrying' or 'recovery' capacity has already been exceeded, the population in the Middle East-North Africa region is expected to double within a span of less than two generations from now. Detailed information about the demography of the region is desperately needed.

I mentioned at the recent Global Compact Leaders Summit that surely we should be asking those countries that are aspiring new members of the Security Council, such as India and Brazil, that if and when they do become members, what challenges will they bring with them. One wonders if it is just membership that they seek or will they look seriously at a change in the emphasis of the world order?

Perhaps before next year's sixtieth anniversary of the Declaration of Human Rights, we can attempt to use the leverage of international communities which are concerned for the safety of this region, to commence doing some specific ground work to identify priorities in what I call the 'radius of crisis', a radius of only eighty miles in diameter.

I would be delighted to meet you some time soon to perhaps expand upon these thoughts. In the meantime, I do hope they will be useful for the Review Conference.

I also look forward to a visit to Canada next year around the end of March/beginning of April.

My warmest greetings.

(Signed)
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Follow up to the Durban Declaration and Programme of Action

Possible Objectives for the Durban Review Conference 2009

Preparatory Committee First Organizational Session in Geneva 27 – 31 August 2007

"All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood"

- Article 1. Universal Declaration of Human rights

I. Middle East

1. The Palestinians, those under occupation and those within the Diaspora, have and continue to endure profound suffering. Monologue calling for the need for dialogue and empty promises have done nothing to achieve peace and security in this troubled region. The first proposed objective for the Durban Review Conference, should be to identify concrete practical steps to advance the objective for peace and security. If, in this regard, we are talking about a series of Confidence Building Measures (CBMs), the attainment of peace must include recovery capacity measures, in addition to the necessary consultations on the carrying capacity (human, economic and natural resources). These two variables remain key in changing the mindset of the Palestinians in the OPT and neighbouring countries, in bridging the human dignity deficit, and in empowering the silenced majority; thereby, reducing the scope for their radicalisation and conflict of extremes.

2. The right of self-determination is long overdue. The term imprescriptable rights, as used in the Congress of Vienna was followed by the Wilsonian call for the right of self-determination. Today, the inalienable rights of the Palestinian people and the people of the region (Iraqis, Sudanese), must be inclusive and cannot be overlooked. If democracy is a process, it must inclusively enable the people to exercise

their economic and social rights in a bottom-up manner, equally sharing in the societal pyramid.¹

3. Contrary to arguments hindering self-determination and obstructing the creation of a Palestinian state along 1947 UN General Assembly defined borders, Henry Siegman rebuts any such notion. He clearly articulates the legal principles which enshrine, not only the right to exist as a sovereign state but moreover, the parameters of its borders. "United Nations General Assembly Partition Resolution 181 of 1947, which established the Jewish state's international legitimacy, also recognised the remaining Palestinian territory outside equally legitimate patrimony of Palestine's Arab population on which they were entitled to established their own state, and it mapped the borders of that territory with great precision. Resolution 181's affirmation of the right of Palestine's Arab population to national self-determination was based on normative law and the democratic principles that grant statehood to the majority population. (At that time, Arabs constituted two-thirds of the population in Palestine). This right does not evaporate because of delays in its implementation." ²

4. Unilateral action counter to international legal principles, has sought to undermine international law. The international community has a responsibility to ensure that the principles within international law are upheld. In light of the 60th anniversary of the Universal Declaration of Human Rights, special attention should be given to the inherent rights held therein. In particular to Palestine, and *recalling*, the Preambular, Articles 13, 15, and 17.

Now, therefore, THE GENERAL ASSEMBLY proclaims

This Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping the Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

¹ See C.K. Prahalad of the University of Michigan, "The Fortune at the Bottom of the Pyramid," Wharton School Publishing, 2006.

² Henry Siegman, "The Great Middle East Peace Process Scam," London Review of Books, Vol.29 No.16, 16th August 2007.

Article 13.

(1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 15.

(1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 17.

(1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

5. Movement restrictions, land confiscation, terror and vandalism of Palestinian property, lack of identity, the inability to return to ones home, are to name but a few violations of international law carried out against the Palestinians. For example, since the end of 2005, the number of physical obstacles in the West Bank increased by 44% to 547 inclusive (*Article 13(1)*); 39% of private Palestinian land has been confiscated for the building of settlements (*Article 17*).³

6. Restricted mobility and trade, and disrupted economic activity, means that the OPT are suffering from an ever-deteriorating impoverished economy. With 46% of Palestinians being food insecure, a silent genocide is taking place.⁴

7. Can paragraph 158 of the Programme of Action applying to the African people, apply equally to the Palestinian cause? (*"Recognises that these historical injustices have undeniably contributed to the poverty, underdevelopment, marginalisation, social exclusion, economic disparities, instability and insecurity that affect many people in different parts of the world, in particular in developing countries. The Conference recognises the need to develop programmes for the social and economic development of these societies and the Diaspora, within the framework of*

³ Report of Peace Now's Settlement Watch Project, "Breaking the Law in the West Bank – One Violation Leads to Another: Israeli Settlement Building on Private Palestinian Land" October 2006.

⁴ World Food Programme and the Food and Agriculture Organization, Report "Economic Suffocation" 2006

a new partnership based on the spirit of solidarity and mutual respect, in the following areas:

- Debt relief;*
- Poverty eradication;*
- Building or strengthening democratic institutions;*
- Promotion of foreign direct investment;*
- Market access;*
- Intensifying efforts to meet the internationally agreed targets for official development assistance transfers to developing countries;*
- New information and communication technologies bridging the digital divide;*
- Agriculture and food security;*
- Transfer of technology;*
- Transparent and accountable governance;*
- Infrastructure development;*
- Human resource development, including capacity-building;*
- Education, training and cultural development;*
- Mutual legal assistance in the repatriation of illegally obtained and illegally transferred (stashed) funds, in accordance with national and international instruments;*
- Illicit traffic in small arms and light weapons;*
- Restitution of art objects, historical artifacts and documents to their countries of origin, in accordance with bilateral agreements or international instruments;*
- Trafficking in persons, particularly women and children;*
- Facilitation of welcomed return and resettlement of the descendants of enslaved Africans (to be replaced with displaced Palestinians)."*

If we are to discuss the elimination of discrimination, the historical and current intolerance towards those in the Middle East and North Africa (MENA) region must be reflected and addressed. The question, however, is will these indices accurately reflect the violations of all the states in the region?

II. Migration and Refugees

1. The anthropology of Peace Building remains central to overcoming deeply-ingrained community hatred and suspicion. Towards this end, a humanitarian outreach in a holistic approach, which recognises the pain and suffering of the other and acknowledges fully our different histories and cultures, should be applied.

2. Reactive measures will not build sustainable frameworks. What is lacking are discernable measures for crisis avoidance, rather than crisis management which focuses only on the notion of containment. Moreover, in terms of MENA, concepts which seek to establish sustainable peace following the war, do not exist. The Marshall Plan was a concept in 1941, prior to the end of WWII. The Plan was successful in empowering the disenfranchised and dispossessed, having invited the beneficiaries (including Germany) to adopt the criteria of peace building and wealth sharing, (an issue so hotly contested in Sudan and Iraq today). Unfortunately, a similar concept was not envisioned after the 1991 Gulf war, prior to the 2003 invasion into Iraq. Such a concept could have won the human peace after '*winning the war.*'

3. The MENA region is in desperate need of *amenagement des territories*. Any discussions towards this end, must include the realisation of supra-national regional bodies, that will help implement measures which deal with peace-building mechanisms, in much the same way that the OSCE and the Regional Stability Charter has accomplished for the Balkans. A Regional Stability Charter, Social Charter, a Community of Water and Energy would facilitate the shifting of the region from decades of confrontation into an era of inter- and intra-regional cooperation. There is a desperate need for a Community of Water and Energy for the Great African Rift Valley (GARV)⁵, to focus on the creation of an integrated system of sustainable energy and water production and distribution, to enhance stability and restore justice to development.

4. Does global warming preclude human warning? Humanity today is overwhelming the carrying capacity of our world and its resources. In Dennis Meadows' '*Thirty Years Update of Limits to Growth*⁶', the Club of Rome Report, he told us that humanity today is burdening the carrying capacity of Mother Earth, by the factor of 1.2 and 85% of consumption and depletion of natural capital is caused by the 'rich minority' of 20% of the world population. In the MENA region alone, the population is projected to grow from over 415 million in 2006 to at least 833 million by

⁵ Follows the course of the tectonic divide that stretches from eastern Africa to Asia Minor, passing through the Red Sea, the Dead Sea and ending in south western Anatolia. In addition to the riparian states of the Nile and the countries of the Horn of Africa, Israel, Jordan, Kenya, Lebanon, Saudi Arabia, Syria, Sudan, Tanzania, Turkey and Uganda make up the GARV.

⁶ *Limits to Growth: The 30 Year Update*, published by Chelsea Green www.chelseagreen.com, 2002.

2050.⁷ The demand for water already exceeds supply in over half of the region's countries. It is thus naïve to think that the 34 million people currently in the MENA region who lack access to safe drinking water will not suffer feelings of exclusion, resentment and frustration.

5. It is estimated that over 50% of the world's refugees are Muslim.⁸ Iraq is currently the second biggest generator of refugees since 1948. Measures need to be devised to address protracted refugee conflicts. Besides being a human tragedy, large, disaffected and alienated populations – the silenced majority – provide the ideal niche for extremists to posit their ideologies. There is a need to revisit notions of ethical equality, ethical modernity and modern ethics. It is crucial that we depoliticise the issue of human displacement. Detailed information about the demography of the region is now desperately required to counteract the political and social conflicts related to the carrying and recovery capacity of the region. Can we attempt to use the leverage of international communities concerned for the safety of this region?

III. Cultural Affinity

1. It must be recognised that economic worth and cultural identity (human worth) are not mutually exclusive. When certain groups are excluded from the political process, when people are denied their economic livelihoods or their rights to cultural expression, then alternative markets emerge such as political extremism or violent hatred under the name of religion. Sadly, when the response is mirrored by more repression, restrictions and assaults on human dignity, this only adds momentum to a downward spiral. Genuine inclusiveness is, therefore, absolutely necessary when speaking of the political or economic process.

2. There is a need to address today's challenges, which have not been taken into account by the globalisation process. Due to the democratic deficit in international governance, the side effects of globalisation have not been tempered, rather they have often curtailed the ability of national governments to shape the market economy. If globalisation is about the governance of resources, then the question is, what is the cultural content of globalisation? Walter D. Mignolo says, "Let's assume that globalisation is a set of designs to manage the world, while

⁷ Karoui, Hichem. "Demographics of Africa and the Middle East Continue to Explode" United Press International; 12th April 2006

⁸ As cited by UNHCR; 4th February 2007.

cosmopolitanism is a set of projects toward planetary conviviality”⁹. (This takes us back again to the education process, teaching by analogy, crisis avoidance leading to a law of peace).

3. There is an urgent need to address the young, their hopelessness, their apathy and their ideology. The reality is; that 50 million are born each year unregistered without national identity; that within the next decade over half of the region’s population will be under the age of 18. In terms of education, ethical values must be taught across the board and not simply as a composite. Moreover, they need to be assimilated as part of the ongoing attempts to find universally shared values and common objectives to world cultures and religions, that reinforce the mutual respect of all human beings.

4. With more than 90% of the expected population increase between 1980 and 2025¹⁰ to be concentrated in the developing countries, the prospect of future population growth will inevitably coincide with changing age structures heavily weighted towards the young in these developing countries. For example, it is estimated that by 2020, 100 million new jobs will need to be created in the MENA region alone.¹¹ The education systems need to be geared to gainful employment and the job markets adjusted to meet the new challenges they face. Evidence shows that when the young feel included and responsible towards socio-economic development, they strive for the sustainability of peace as well as international understanding.

5. There is a correlation between the respect for ethical values and human dignity. A child cannot learn to respect the 'other' when he/she has no self worth. Value is the belief in the equal worth of all, as well as in the feeling of mutual responsibility and accountability to each other.

6. Improved education can also be linked to civil society participation. Civil society enables the individual to contribute to the society which shapes the policies and culture that connect the individual and the government. If civil society is strengthened, from the bottom up approach, education will in turn become stronger.

⁹ Walter D. Mignolo, *The Many Faces of Cosmo-Polis: Border Thinking and Critical Cosmopolitanism*, presented in Amman, Jordan at the XVtj Conference of the Académie de la Latinité entitled The ‘Universal’ in Human Rights: A Precondition for a Dialogue of Cultures, 14-17 April, 2007.

¹⁰ Source: United Nations.

¹¹ Source: World Bank Report: "Unlocking the Employment Potential in the Middle East and North Africa: Toward a New Social Contract" September, 19, 2003.

7. The symptoms of poverty, illiteracy and disease are widespread amongst large sectors of the population in the Muslim World. In order to reduce the human dignity deficit and provide equity between the current haves and have-nots, the rich and the poor, an International Foundation for Zakat,¹² would ensure that the pillars of Zakat are met.

8. The Zakat Fund represents a monetary mechanism to assist the poor and the marginalised. It is an obligation on those Muslims of a certain wealth to give back to their communities. It, therefore, should not be construed as a religious monetary system. The proceeds of Zakat would facilitate Muslim countries in achieving their social and economic development plans. It should be noted here that, if Zakat were to be collected according to the scales authorised by law, enormous funds could be raised. Those funds could then be transferred from areas where they are not needed to meet the needs of the destitute and the poor in other parts of the world. Therefore, the Zakat would additionally be instrumental in helping the international community towards achieving the Millennium Development Goals.

9. Investment in human security is so damagingly overlooked. Corporate investment or Foreign Direct Investment (FDI) on its own should not be the principal factor in equating sustainable development.¹³ It can, in fact, be an inhibiting mechanism. Paul Volcker when speaking of a Middle East Development Bank, highlights the importance of asymmetry, which continues among the world's consumers. C. K. Prahalad concurs that "four billion poor can be the engine of the next round of global trade and prosperity."¹⁴ According to Jim Wolfensohn¹⁵ there are three tiers in humanity, those that have made it (within the realm of the Golden Curtain¹⁶), the aspirants, and the hopefuls. 1.7 billion consumers are favoured by this Golden Curtain;¹⁷ but what is being done to protect those in the lesser tiers? What we seek is not a level-playing field. What we seek, is a levelling of the playing field, by paying immediate attention to the needs of the poor.

¹² Muslim Jurisprudence recognises Zakat as one of the five pillars (*Arkan*) of Islam. The other four include Al-Hajj (pilgrimage), shahada (profession of the unity of God and the prophethood of Muhammad), the salat (prayer), and the sawm (Ramadan fast).

¹³ Ha-Joon Chang, "Bad Samaritans: Rich Nations, Poor Polices and the Threat to the Developing World," Random House (2007).

¹⁴ C.K. Prahalad of the University of Michigan, "The Fortune at the Bottom of the Pyramid," Wharton School Publishing, 2006.

¹⁵ Former Head of the World Bank.

¹⁶ Cristovam Buarque, "The Golden Curtain: The Shocks of the End of the Twentieth Century and a Dream for the Twenty-First."

¹⁷ Ibid.

10. To develop a communication strategy, using tools and mechanisms that enable understanding and comprehension: an international non-denominational media peace corps (*attached*) would provide such a suitable vessel. There is a large scope for such an independent non-political body, that provides on the ground reporting free from the distortion that comes from editors' mediation.

IV. International Humanitarian Issues

1. The United Nations has invited many independent commissions to work on subjects such as the environment, technology, and labour. The Brandt Commission, which discussed an International Labour Compensatory Facility, and the Brundtland Commission, which looked at environmental issues, are just two examples among many. Sadly, what has become apparent, is that in spite of the work undertaken by many of these commissions, little changes and developments have been made to advance human welfare. Is there a way to communicate the valuable messages and to enhance the networking between these commissions, in order to improve the human condition?¹⁸

2. International humanitarian law is directed essentially to humanising war. International instruments need to be developed in a manner that enables this body of law to evolve towards a Law of Peace. It is important to highlight the role of the Independent Commission on International Humanitarian Issues towards this end, and to urge the General Assembly to adopt an Action Plan for a New International Humanitarian Order, which will govern the conduct of alliances in furthering the preservation of sustainable peace.¹⁹ Until such time, the current state of World Order, which seeks to maintain the balance of power, will continue to exacerbate the human dignity deficit.

3. In championing peace, the implementation of a World Peace Index,²⁰ will be able to identify the most peaceful nations and track the

¹⁸ Hans Kung's and Helmut Schmidt's paper "Universal Declaration of Human Responsibilities" (proposed by the Interaction Council, September 1997) discusses this issue in more detail.

¹⁹ In 1981, HRH addressed the 36th Session of the United Nations General Assembly and proposed the establishment of a New International Humanitarian Order based on the law of peace approach. Two years later, HRH founded and co-chaired with the late HH Prince Sadruddin Aga Khan, the Independent Commission on International Humanitarian Issues (ICIHI), whose final report I presented in 1987 to the secretary general at the 42nd General Assembly.

²⁰ Steve Killelea, Project Founder of the World Peace Index. "Concept Overview," Steve Killelea and Velocity Systems Pty Ltd. The World Peace Index has received the support of 19 organisations and 28 individuals.

drivers that have contributed to their 'peace' achievements. Such an empirical study will greatly enhance our global advance for sustainable peace.

4. Principles of international law are the bedrock of international society, derogation from which erodes our basic principles of equity before the law, fairness and respect for human dignity. The world's governments have a responsibility to act with integrity and to comply with that which they have endorsed. Governments which pay lip service to humanitarian ideals, produce nothing but cynicism and resentment among their own and other peoples. Selectivity is becoming an inhabiting factor for preventive and curative measures by the international community. It is imperative that a culture of compliance²¹ in accordance with international legal principles is fostered.

²¹ The United Nations Office for Coordination of Humanitarian Affairs (OCHA) and the Independent Bureau for Humanitarian Issues (IBHI); Project Proposal Relating to Problems of Implementation and Compliance in the Field of International Humanitarian and Human Rights Law (June 2000).



The Concept of an International Non-denominational Media Peace Corps

In the same way that the U.S Peace Corps carries out many fantastic services around the world, there is large scope for an international, non-denominational media peace corps, independent from the political agenda of any one state. Such a body would be manned by young people, who would report on events from the ground with the expressed intention of providing coverage free from the distortion that comes from editors' mediation.

There are already several excellent channels that screen wonderful programs on wildlife, why not have similar programs devoted to the celebration of humanity? The Partners in Humanity scheme is working towards such a goal, where people of all faiths, nationalities, races and opinions can report on important and interesting subjects which are all too often deemed of secondary importance by the large, multinational broadcasting corporations.