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TO SECURITY: THE OSCE EXPERIENCE AND ITS RELEVANCE FOR THE  
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Session 3: The Human Dimension

Democratic institutions and civil society

**Dialogue through professional and social networks - the need for concrete action**

by

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**1. Introduction**

I am very pleased to be here and appreciate the opportunity given to me to share some observations on the important topic of democratic institutions and civil society. Since the seminar takes place in Jordan, my comments will primarily focus on the situation and challenges facing us in the Middle Eastern part of the Mediterranean region. I also wish to thank the OSCE for sponsoring this important series of Mediterranean seminars.

But perhaps first a few words about the background for my comments. Beginning of this year I returned from 3 ½ years in the Palestinian Occupied Territories where I was tasked with the Danish Government's assistance to the Palestinian Authority within the area of good governance, human rights and democratisation. Notwithstanding that the situation in the Occupied Territories is highly unusual, I think that some of the more general lessons learnt in that particular context may have wider application.

Having lived in the Arab world for some time I have come to appreciate the warmth of people in the region and have, in stead of focussing on the differences that may divide us, come to see the many things that unite us. Thus, it came to me as a minor revelation of our common cultural bonds in the past when I in the West Bank saw the olive and olive tree patterns and ornaments on clothes and pottery – precisely the same artistic expressions you might find in Southern France in Provence or elsewhere along the shores of the Mediterranean.

**2. Talking shops**

As part of my preparation for our seminar I read through the minutes of some of the earlier seminars, including the 1998 OSCE Mediterranean Seminar on the Human

Dimension of Security, Promoting Democracy and the Rule of Law, *Malta 19-20 October 1998* and the 1999 OSCE Mediterranean Seminar on Implementation of Human Dimension Commitments, *Jordan 6-7 December 1999*.

It is difficult to hold back some measure of disappointment when reading through the account of the discussions at the two seminars. It is as if time has stood still and it seems that very little progress, if any, has been made since the convening of the seminars. And I cannot help wondering whether we are meeting once more at this seminar to celebrate that we are meeting, and that some future observer, who will be reading the minutes of our seminar, will once more come to the same conclusion. I hope not!

Admittedly, the situation in the region has been influenced by many developments, some, if not most, of them negative, some of them external, over the past few years. Let me just mention a few, all well-known to all of us: the constant worsening of the intractable Israeli-Palestinian conflict, the September 11 2001 attacks, the ensuing war on terrorism and the war in Iraq.

However, despite these developments it should have been possible to make further advances in the political developments of most of the countries in the region enabling more and more people to participate in the governing of their countries through free and fair democratic processes. In some cases, this has been the case, but in most cases it is very difficult to detect real progress. This is not only my own personal assessment, but also the assessment of the team who wrote the ground-breaking *Arab Development Report 2002* which argues forcefully for the critical need for far-reaching change.<sup>1</sup>

### **3. Diagnosis of the situation on the ground**

Let me say a few words about the human rights situation. Most of it, I am sure, will be well-known to you although you may disagree with some of the observations. Allow me to quote a few key passages from *Chapter 7 of the Report* that deals with good governance:

“Recent years have seen changes in how some Arab governments function. Political systems have begun to open up in ways that have seemed to herald a significant revival or introduction of democratic practices. These encouraging steps have taken various forms, whether through increased political participation and alteration of power within the governance institutions or through an increasingly active civil society working to enlarge the public space and defend basic freedoms. Reforms introduced in the 1980s and 1990s in countries from Morocco ... to Bahrain ... have permitted more participation, elections have been organized more frequently, several human rights conventions have been ratified, more freedom has been offered to the press, freedom of association has gained some ground and the tight grip on civil society has been relaxed. On closer observation, however, the picture is more complex. The process remains heavily regulated and partial; it has not been opened up to all citizens. Persisting inequities in the region—reflecting

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<sup>1</sup> See United Nations Development Programme, *Arab Human Development Report 2002*, see [www.undp.org/](http://www.undp.org/). Since this is one of the few reports written by an Arab team it is of particular interest.

poverty, illiteracy, the urban/ rural divide and gender inequality —continue to exclude many from public discourse. As a result, the process of political liberalization has by-passed too many people.”

However, the Report goes on, many restrictions and constraints, “have had adverse effects on people’s perceptions and actions, reflected in low turnout rates during national and local elections and in an aversion to participating in the activities of political parties. Voting rates in elections have been under 50 per cent in three countries that allow competitive legislative elections (Egypt, Jordan and Lebanon). In two other countries (Morocco and Yemen), the trend has been downward in recent elections. More recently, Egypt did, however, achieve a breakthrough when, for the first time, elections were conducted under the supervision of the judiciary, a move that restored some measure of public confidence in the electoral process. Disputes between governments and the opposition about fundamental arrangements for political participation, especially laws organizing parties and elections, have contributed to these generally low turnout rates. Electoral laws in Jordan and Lebanon were criticized by opposition parties and led the latter to boycott elections in the two countries.”

The Report concludes that “State institutions are the essential guarantors of fair, transparent and responsive public service. In the Arab world, the keys to institutional reform lie in improving political representation, civil-service capacity and the rule of law”.

In May of this year, the EU Commission in May 2003<sup>2</sup> pointed out that

“...generally speaking, the implementation of Human Rights standards in the region falls short of compliance with international norms. Promotion of democracy and Human Rights is complicated by the fact that religious extremism has emerged as a powerful political alternative. A tension between internal security concerns and the promotion and protection of Human Rights can result in negative consequences in human rights terms, particularly apparent under the umbrella of the "war on terror" in the wake of September 11th 2001. Freedoms of expression and association are frequently curtailed, mainly by resorting to emergency legislation. Human Rights defenders and NGO's practicing advocacy in the human rights field face legal and administrative constraints, and are frequently marginalized and sometimes repressed.”

The EU Commission summarizes the situation as follows:

“– Deficits in governance hamper the development of democratic values, and the promotion and protection of Human Rights;

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<sup>2</sup> See *COM(2003) 294 final*, Communication from the Commission to the Council and the European Parliament: Reinvigorating EU actions on Human Rights and democratization with Mediterranean partners Strategic guidelines, Brussels, 21.05.2003.

- Marginalisation of women undermines political representation and hamper economic and social development;
- Implementation of international Human Rights conventions is poor;
- Legal and judicial systems lack sufficient independence;
- NGOs working in the civil and political spheres are weak, severely circumscribed in their action and cut off from international networking;
- Education, though relatively better funded than in many other developing countries, is unevenly dispensed, does not serve to overcome traditional discriminatory patterns and is ill adapted to the requirements of the modern economy;
- Authoritarianism and poor economic and social performance favour political marginalisation and provide fuel for radical movements and violence;
- Some political interpretations of Islam exploit cultural differences to question the universality of Human Rights.”

Beyond the immediate issues of human rights and good governance other very important issues are also at stake. I am thinking of the structural social and economic changes taking place all over the world which will have and already have had an impact on basic social structures of our societies. Especially in societies like the Arab and Muslim societies where *the family and the clan* still play a very important role social (e.g. with regard to caring for old family members), economic (e.g. as a preferred basic unit for private commercial enterprises) and political (e.g. clan allegiance may be more important than superficial political affiliations) role, the pressures will be felt intensely. It is a painful process, but may also turned into a process of liberation (e.g. with regard to gender equality). And when we, as Europeans, think about the loneliness encountered in our old peoples’ homes I guess we all start to rethink the role of families in our own societies. Moreover, it is no secret that the demands for transparency, accountability, equitable taxation and merit-based performance will present serious challenges to the family and clan networks in so far as they have an impact on the integrity of the political system, impartiality of the public administration and the independence of the judiciary. This development is and will be met with resistance from traditional family and clan based power structures that stand to loose from this development.

The lack of freedom and independence of the press and media in most of the countries in the Middle East means that rumours are one of the most important means of communication. Mass media are seen as instruments of control in stead of means of reliable information and critical discourse. This trend has to some extent been reversed by the growth of Arab satellite TV channels, such as Al Jazeera, and the Internet, but much more needs to be done.

Together we have to turn these problems and obstacles into challenges and opportunities.

#### **4. Role of the OSCE**

What is the added value of the OSCE or an OSCE-style sponsored process in a Middle East context? It seems that the existing regional regimes, such as the Arab League and the Euro-Mediterranean process (i.e. the so-called “Barcelona Process”) restrict themselves,

in either geographic or ethnic/religious terms, which may lead to the exclusion of some states in the region. Thus, the Barcelona Process was inspired by the OSCE process but only encompasses a limited number of states. Thus, there seems to be a need for a broader forum for discussion and cooperation, which, at present, does not exist in the Middle East. The advantage of an OSCE-sponsored and/or inspired process may be that the present membership of the OSCE encompasses all the members of the Quartet (EU, Russia, UN and US) and other important external stakeholders.

However, if any initiative is to succeed, it is of paramount importance that the process be designed, driven and inspired by local champions of change, i.e. states that are willing to promote a dynamic development for the betterment of their people and include individual and groups truly representative of their populations. If the process is – or is seen to be – driven from the outside and/or driven by indigenous minorities without some minimal measure of democratic legitimacy it will inevitably lose credibility, impact and relevance.

Our own experiences in Europe, and, I believe, elsewhere in the world, teach us that, sooner or later, any regional process aiming at enhancing regional security and cooperation cannot just exist on a government-to-government level without people to breathe life into provisions or mechanisms and to encourage and facilitate political reform. Thus, a human dimension is an indispensable pre-requisite for a successful outcome.

## **5. Civic society**

When we look at the development of our societies in Europe and appreciate where we are today and how we came there, I think we have to conclude that real and genuine social change can primarily come from within. From and by our own populations. The history of Europe is a bloody one, filled with wars, upheavals and revolutions. A fact I was once reminded about by an Indian civil servant, when, in the last century, we discussed human rights in India. In stead of answering our critical questions he said: where in this century (i.e. the 20<sup>th</sup> century) were 80 million people killed, in Europe or in India? I think I got his point. And to some extent, I guess, the same point can be made with regard to the Arab and Muslim world vis-à-vis my part of the world. We, as Europeans, have a long history of constant interference in and with the Middle East. We have to keep that in mind when assessing our image and credibility in the region.

I am not necessarily saying that European-like revolutions are needed in the Arab and Muslim world and I realize that, as a European, we have only qualified legitimacy, but I am saying that highly needed social change in the Arab and Muslim world can only come about as a consequence of a determined push by the peoples of that region. The Arab Development Report puts this well by stating that “there can be no real prospects for reforming the system of governance, or for truly liberating human capabilities, in the absence of comprehensive political representation in effective legislatures based on free, honest, efficient and regular elections. If the people's preferences are to be properly

expressed and their interests properly protected, governance must become truly representative and fully accountable.”

We, as Europeans, can help, but we should always remember that the choices made by the populations in the Arab and Muslim world will not necessarily be identical to the choices made by us. And that is how it should be, even though globalization are forcing us all to adapt quickly to new and increasingly common standards in all walks of life.

In the *Arab Development Report 2002* some crucial observations regarding the status and role of civil associations and NGOs are made:

“Recent decades have witnessed a revival and renewal of Arab civil associations in terms of goals and objectives, modes of action, and financing. These positive changes reflect many associations’ new approaches to their mission—involving less emphasis on traditional forms of assistance and more on mobilizing citizens in favour of important causes and proposing solutions for dealing with them. A case in point is that of civil associations seeking to promote the status of Arab women. However, Arab civil associations face many difficulties. These include external, mainly bureaucratic and state constraints; but they also include problems inherent in the organizations themselves, such as lack of internal democracy, dwindling voluntary work, the absence of a social base, and financial dependence on overseas partners.”

## **6. Role of NGOs**

We should not harbour any romanticism when we discuss the role of NGOs. NGOs are products of the societies they exist in, but are also needed to create dynamic change in those same societies. This is a dilemma that we have to tackle whenever we engage ourselves in the social reality of the region.

My own experience teaches me, as it is put in *the Report*, that “...Arab civic associations can also suffer from a number of dysfunctional internal characteristics. Some lack internal democracy, reflected in limited rotation of leadership, weak participation of women and youth in leading positions, and personalization of power and its concentration in the hands of a single individual, usually the historical head or founder of the association. As a result, leadership changes take place in an atmosphere of conflict that often leads to splits. Another internal constraint is a lack of transparency in decision-making and the fact that the rare internal debates often take place in a climate of tension since Arab NGOs have not yet found the institutional techniques for settling differences of opinion over issues.”

Thus, many NGOs do not necessarily command a lot of respect among ordinary members of the populations in the region. However, certain important exceptions apply, and it would not be wise of us to deny that reality. I am talking about the many religious associations, part of an ancient social security system still operating, providing needed services to the poor and destitute. Again, I prefer to let the *Arab Development Report* put us in the picture:

“Unlike other developing regions, the Arab world has an ancient civil tradition, based mainly on the waqf system. Since the end of the nineteenth century, this has taken the form of cultural associations and charities whose main activities were education and the provision of health care, together with social, religious and some political matters. These groupings, which were frustrated and even eliminated by some authoritarian states in the 1950s and 1960s, have revived their activities in recent years, more or less encouraged by public authorities needing their assistance in times of difficulty”.

“Civil associations active in social assistance tend to be more successful than others in maintaining financial independence because they enjoy relative credibility and legitimacy in society. Their missions are clear and their social impact is palpable because they satisfy immediate and sensitive needs of the population. Those that have a religious background can also obtain donations from the private sector in the form of zakat or sadaqa...They can also achieve a degree of self-financing by providing certain services for a fee. Finally, their activities accord with traditional Arab, Muslim and Christian norms of civic action, which associate such action with welfare and charity work.”

I think we need to pay attention to the above observations which I fully share and which concur to a large extent with my own and many of my colleagues' experiences. Thus, we need to engage ourselves in a dialogue with the religious organisations, some of them associated with different political forces, whether we want it or not. Ignoring the reality can only lead to misguided actions on our part.

## **7. Incentives**

Since we, as outsiders and donors, are not always dealing with governments truly representative of their populations and since we will be pushing for reform, which in the end, let us be frank about it, will affect existing power structures, resistance will be forthcoming. One might even say that if resistance is not encountered, we are probably not affecting anything.

However, we are not seeking resistance. And we should take care not to alienate or make it impossible for those champions of change who are to be found in all power structures and bureaucracies. We are seeking dialogue, cooperation, and not least, genuine local ownership of reform – otherwise it will never be real and sustainable reform. We should respect outcomes of genuine democratic processes bearing in mind that a modern definition of democracy consists of two elements: majority rule and minority rights. Not everything the majority decides can be enforced.

Thus, we should provide incentives. Economic incentives and other forms of assistance. But, again, we need to be frank with each other. All parties have to commit themselves to a transparent and responsible process – otherwise we will never move forward. I think the EU and other donors are already providing sizeable funds for reform, but we need I think a much better overview of what is already being done and we need to discuss whether it is coherent and rational – and I am not sure that we always are.

We, as Europeans, also need to be consistent with the conditionalities we have set up with our partners. Thus, it is striking that – despite the many human rights problems in the Middle East – that human rights clauses in EU association agreements are never enforced. What impression does that create of us, the Europeans, in the eyes of the Arab public? Are we in the business of double standards?

## **8. Some practical suggestions**

We are faced with a fascinating challenge: how to improve the understanding and cooperation between our peoples across a multitude of real or perceived divides, religious, economic, ethnic, you name them. And how to do it in an equitable and evenhanded manner through dialogue between equals?

My stay in the region has been a humbling one and I do not think we should start with grand designs – they are not going to work. And it is going to be a long-term exercise. There is no quick fix. Remember that the CSCE/OSCE process has lasted almost 30 years by now. And we cannot pretend that the situation in Europe anno 1975 or 2003 is identical to the situation in the Middle East – it is not.

i) First of all, the growing Muslim minority in Europe should be allowed to play its role in fostering contacts between the two sides of the Mediterranean. It is no secret that an astounding number of prejudices exist on both sides, and not least among citizens in the European countries. Sometimes it is as if we are still paying the price for religious hatred and wars fought many centuries ago. We have to overcome that, and I see only one way of doing that, and that is to intensify contacts on all levels and to increase the quality of information flowing to audiences on all sides of the Mediterranean. Perhaps we should contemplate making funds available on a much larger scale than today to promote quality productions, TV programmes, etc., exploring our cultures, our differences and common trends.<sup>3</sup> We should ensure that such programming is aired widely in all of our countries. In this context, we, as Europeans, should start to see our immigrant Muslim communities as a resource in stead of us, through benign neglect or collective stigmatizing, perhaps thereby contributing to the marginalization of such communities.

ii) As a *conditio sine qua non*, we need one or more champions of change in the region – countries that can act as catalysts and are seen to be neutral. I excuse for my ignorance with regard to initiatives that may already take place. Could the OSCE sponsor a specialized series of workshops, championed by a group of states in the region. Could one or more countries, e.g. Turkey, Lebanon, Jordan, Morocco or Qatar, take the lead and organize a structured dialogue on key issues? Perhaps an Eastern European country with

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<sup>3</sup> For a description of the differences in media reporting see Marina Ottaway: *Promoting Democracy in the Middle East: The Problem of U.S. Credibility*, Carnegie Endowment, Democracy and Rule of Law Project, Global Policy Program, Working Paper, Number 35, Washington, D.C., March 2003. See also [www.ceip.org](http://www.ceip.org).

its recent history in mind, might be a co-organizer, e.g. Bulgaria or Slovenia. Could we involve the team behind the Arab development Report in the planning?

iii) The activities should be open to all states in the Middle East, including the Gulf states, and Iran.

iv) In stead of having a moveable feast from Vienna to Aqaba – or other places – we need to anchor activities in the region already now. We need to have activities on-going in between and perhaps leading up to the annual seminars. May I suggest that we organize 3 open or semi-open seminars over the coming year devoted to human dimension issues, e.g. a seminar at a university in Istanbul or Ankara, a seminar at the American University in Beirut and a seminar at a university in Cairo. The seminars might deal with topics such as: “social security and globalization”; “Islam and democracy”; “Islam and culture”; “the role of religious organizations in civic society”; “rule of law and shari’a”.

v) We should discuss whether a Mechanism might be workable in the region, not necessarily restricted to the human dimension, but also dealing with security issues.

vi) We should discuss how we organize regular exchanges between our Ombudsmen/national Human Rights Commissioners,<sup>4</sup> our Auditors General, our media organizations, and perhaps most importantly our universities (e.g. regular conferences between political science institutes, theological institutions, etc., - here experiences from the ASEAN might be relevant).

vii) Perhaps some European countries might be persuaded to provide some seed money and OSCE could provide advice.

## **9. Concluding remarks and questions**

It seems that it is highly important to engage groups with social legitimacy in the dialogue, and if that means engaging religious groups, we need to engage them. Otherwise, we may be contributing to the marginalization of these groups and we all know the potential consequences of such a move.

We should take care not to define democracy, in formal or real terms, so as to only include the groups we like and to exclude the difficult groups. So that we only allow into the club members who are identical to us.

Would it one day be possible to see a workshop organized by the OSCE, the Egyptian Government and Egyptian civil society organizations discussing the interesting dialogue

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<sup>4</sup> A few years ago, Denmark, in cooperation with Norway and Jordan, funded a conference in Amman, sponsored by the Parliamentary Ombudsmen of Denmark and Norway, for Arab ombudsmen and human rights commissioners and other citizens' complaints mechanisms, including the Palestinian Independent Commission for Citizens' Rights (PICCR). The participants in the conference expressed a keen interest in continuing this exchange of views through continued cooperation.

that has been going on between the Egyptian Government and the Muslim Brotherhood over the past years?<sup>5</sup>

And would it one day be possible for the OSCE and Turkey to arrange a workshop devoted to experiences and lessons learnt from the dialogue between the Turkish Islamic parties, other political parties and the Turkish defense forces? Turkey has made great progress in recent years, despite many obstacles and difficulties and I am sure we can all learn from their experiences.

We know it is not going to be easy – just think of recent European experiences such as the difficult peace process in Northern Ireland. But we need to succeed, for the sake of all of us and the future in our part of the world. And by our part of the world, I also include Europe, because Europe also needs stability and peace in the Southern Mediterranean region in order to promote commerce, deal in a rational and humane way with the immigration, migration and asylum issues, and to open up our common history and make it a living reality for the good of all of us.

We need to be willing to tackle the thorny and tricky issues otherwise we will not succeed in having a real dialogue and we will not be successful in ensuring the vital contribution of the human dimension to regional security and cooperation. In fact, it is probably fair to say, that without this contribution there will not be regional security and stability.

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<sup>5</sup> See Mustapha Kamel Al-Sayyid: *The Other Face of the Islamist Movement*, Carnegie Endowment, Democracy and Rule of Law Project, Global Policy Program, Working Paper, Number 33, Washington, D.C., January 2003. See also [www.ceip.org](http://www.ceip.org).