Human Rights' Handbook for Arab Parliamentarians

January 2020
Human Rights' Handbook
For Arab Parliamentarians

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January 2020
Foreword

The issuance of the "Human Rights' Handbook for Arab Parliamentarians" comes in the context of the role and responsibility of the Arab Parliament towards the Arab peoples to promote values and principles of human rights in the Arab world.

The power of parliaments depends on developing the skills and capabilities of their members in exercising their constitutional powers, effecting positive change in the legislative system of their states, and assuming their responsibilities in protecting and defending human rights.

This Handbook aims to be supportive to the work of parliamentarians in exercising their legislative and oversight role, as parliamentarians play an important and effective role in taking all measures to promote human rights and freedoms in cooperation and collaboration with Governments, NGOs, international entities and institutions of the international community.

This handbook contains seven axes which include concepts, mechanisms and measures required to ensure the promotion and respect for the rights and freedoms, and means to strengthen the capabilities and skills of Arab parliamentarians in the field of human rights.

The seven axes include: introduction to human rights; the constitutional and legal framework regulating human rights in the Arab world; the Arab States obligations
towards human rights; international and Arab human rights instruments and the obligations of the Arab states; the role of the national Arab parliaments to protect and promote human rights; parliamentarians tools for following-up human rights issues; and the official parliamentary structures to follow up human rights issues.

The Arab Parliament is looking forward to that this Handbook will be one of the mechanisms for supporting the work of Arab parliamentarians in the exercise of their legislative and oversight mandate in the field of human rights, and to take effective parliamentary measures to ensure the protection of these rights in the Arab world.

Our sincere appreciation to the Arab Parliament's Committee on Legislative and Legal Affairs and Human Rights for its efforts in preparing this handbook; and particular thanks to Hon. M.P. Dalal Jasim Al-Zayed for conducting the legal review.

Dr. Mishal Bin Fahm Al-Sulami
President Of The Arab Parliament
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I- Introduction To Human Rights

1- Motives Of Parliamentary Interest To Human Rights Issues

With the increased interest over time to human rights issues at the national, regional and international levels, these issues became of double importance to parliamentarians in particular and to their priorities due to a number of considerations, the most important of which are:

- Human rights issues occupies a considerable place on the platform of political discourse in the media to meet the concerns of public opinion, peoples rely heavily on the role of parliamentarians in addressing and defending these issues from being their representatives.

- Plurality of organizations concerned with the protection of human rights, whether NGOs, human rights committees, study or research centers at the national and international levels; leads parliaments to have a great
responsibility to protect and defend human rights against any violations committed.

- Actuality of human rights in the Arab Countries, as one of the main indicators that parliamentarians rely on when discussing and evaluating public policies and government positions in international forums.
- The role parliamentarians must play in addressing the exploitation of human rights issues as a pretext for international interference in the internal affairs of the state for humanitarian considerations and criticizing countries for their procedures and policies towards human rights.

### 2-The General Principles Governing Human Rights

There are general principles governing human rights that have evolved over the past decades, and are agreed upon among states:

- **Internal National Issue:** According to the Vienna Convention on the Law of Treaties, the consent of a State to be bound by a treaty is expressed by parliamentary ratification, which includes conventions on human rights.

- **Absolute Rights:** These rights must be recognized for every human being and in all circumstances; these rights should be restricted only in the case of necessity and with the condition of not leading to a serious violation of rights.
- **Interdependent And Indivisible Rights**: Human rights are intrinsically connected and cannot be viewed in isolation from each other. The enjoyment of one right depends on the enjoyment of many other rights and no one right is more important than the rest.

- **Inalienable Rights**: They should not be taken away, except in specific situations and according to due process.

- **Equality And Non-Discrimination**: The right to equality and the principle of non-discrimination, explicitly set out in international and Arab human rights treaties, are therefore central to human rights.

- **Cannot Be Waived**: Human rights are inherent to all human beings, and their enjoyment is not conditional on anything in terms of the rule, these rights cannot be given away by or taken away.

- **Constantly Evolving**: Human rights are related to the human being, who is in continuous development process,
which necessitates the development and expansion of rights and their contents.

### 3- Classification Of Human Rights

Human rights can be classified in a number of different ways, in terms of importance, of beneficiaries, of topics (two generations), as follows:

#### Classification Of Human Rights In terms Of Importance

<table>
<thead>
<tr>
<th>Fundamental Rights</th>
<th>Non-Fundamental Rights</th>
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<tbody>
<tr>
<td>A set of rights that have been recognized by a high degree of protection from encroachment, such as the right to life.</td>
<td>A set of rights related to social welfare, prosperity and dignity of human being, such as freedom of opinion and expression, freedom of ownership, freedom of association.</td>
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#### Classification Of Human Rights In terms Of beneficiaries

<table>
<thead>
<tr>
<th>Individual Rights</th>
<th>Collective Rights</th>
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<tbody>
<tr>
<td>A set of rights enjoyed by the individual against unlawful or arbitrary interference by the state, these rights are entitled to the individual himself, such as the right to life, freedom from torture and degrading treatment, freedom of thought, the right to education, the right to work.</td>
<td>A set of rights related to a group of individuals such as the right of peoples to self-determination, the right to development, the right of peoples freely to use and exploit their natural wealth and resources, the right to a healthy environment, the right to information, the rights of national or ethnic minorities, the rights of indigenous peoples.</td>
</tr>
</tbody>
</table>
Classification Of Human Rights In terms Of Topics

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<tr>
<th><strong>Civil Rights</strong></th>
<th>A set of rights established by the law, designed to protect and empower individuals from unfair treatment, described as original rights or rights inherent to the personality.</th>
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<tr>
<td><strong>Political Rights</strong></td>
<td>A set of rights to political participation given to citizen by the constitution; these rights give the citizen power to participate directly or indirectly in civil society and administration, such as the right to political participation, the right to vote, the right to stand as a candidate in an election, the right to hold public offices.</td>
</tr>
<tr>
<td><strong>Economic, Social And Cultural Rights</strong></td>
<td>A set of rights that allows individuals to obtain or require basic service from the official state institutions. These rights are the Second-generation of human rights related to equality and began to be recognized by governments after World War II; They guarantee different members of the citizenry equal conditions and treatment.</td>
</tr>
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### Examples Of Human Rights:

#### In The Area Of Civil And Political Rights:
- Right to life
- Freedom from torture and cruel, inhuman or degrading treatment or punishment
- Freedom from slavery, servitude and forced labour
- Right to liberty and security of person
- Right of detained persons to be treated with humanity
- Freedom of movement
- Right to a fair trial
- Prohibition of retroactive criminal laws
- Right to privacy
- Freedom of thought, conscience and religion
- Freedom of opinion and expression
- Freedom of assembly
- Freedom of association
- Right to marry and found a family
- Right to take part in the conduct of public affairs
- Right to equality before the law and non-discrimination

#### In The Area Of Collective Rights:
- Right to self-determination
- Right to development
- Right to free use of wealth and natural resources
- Right to a healthy environment
- Right to Information
- Rights of national and ethnic minorities
- Rights of indigenous peoples.

#### In The Area Of Economic, Social And Cultural Rights:
- Right to work
- Right to social security
- Protection of the family
- Right to an adequate standard of living
- Right to health
- Right to education
- Right to gender equality
- Right to form and join trade unions
- Right to strike
- Right to protect child and adolescent
4- Human Rights And State Sovereignty

In the past, when human rights were still regarded as a country’s internal affair, other States and the international community were prevented from interfering, even in the most serious cases of human rights violations, such as genocide. Today, human rights promotion and protection are considered a legitimate concern and responsibility of the international community. However, discrepancies between universal legal obligations and State sovereignty can be resolved only on a case-by-case basis, in accordance with the principle of proportionality, a principle according to which any action taken by an authority pursuant to the concept of universality must not go beyond what is necessary to achieve compliance with human rights. Yet, the cultural specificity of peoples must be recognized, with the commitment to common international standards to define violations such as torture, arbitrary detention, unfair trial…etc.

"The promotion and protection of all human rights and fundamental freedoms must be considered as a priority objective of the United Nations in accordance with its purposes and principles, in particular the purpose of international cooperation. In the framework of these purposes and principles, the promotion and protection of all human rights is a legitimate concern of the international community"

In fact, the emphasis on the principle of State sovereignty in the protection of human rights is recently of great importance, notably in light of attempts by some countries and international human rights organizations to politicize some human rights issues and taken as a pretext to interfere in the internal affairs of other States claiming the confrontation of human rights violations.

5- Democracy, Human Rights And Parliaments

In the past decade, the interrelationship between democracy and human rights was studied extensively. Democracy is no longer considered as a mere set of procedural rules for the exercise of political power, but also, along with human rights, as a way of preserving and promoting the dignity of the person. Democracy is premised on the idea that all citizens are equally entitled to have a say in decisions affecting their lives. This right to participation in the conduct of public affairs is enshrined in article 21 of the Universal Declaration of Human Rights and article 25 of the

As an ideal, democracy aims essentially to preserve and promote the dignity and fundamental rights of the individual, to achieve social justice, foster the economic and social development of the community, strengthen the cohesion of society and enhance national tranquillity, as well as to create a climate that is favourable for international peace. As a form of government, democracy is the best way of achieving these objectives; it is also the only political system that has the capacity for self-correction.

Inter-Parliamentary Union, Universal Declaration on Democracy, Cairo, 1997, paragraph 3.
International Covenant on Civil and Political Rights. However, for citizens to effectively exercise that right, they must first enjoy other rights such as freedom of expression, assembly and association, and basic economic and social rights.

Parliaments are therefore a key institution in a democracy, as the body competent to legislate and to keep the policies and actions of the executive branch under constant scrutiny; parliament also plays a key role in the promotion and protection of human rights; furthermore, parliaments establish the legal framework that guarantees the independence of the judiciary and therefore the rule of law, a cornerstone of democracy and human rights protection. For all these reasons, parliaments are crucial to democracy and human rights.
II- The Constitutional And Legal Framework Regulating Human Rights In The Arab World

There are many sources of human rights based on a global system that came within comprehensive legal rules under which a number of human cultures, religions and civilizations. The historical context of human rights has remote origins and developed with contributions from different schools of thought, especially those based on different religions, philosophies and political events.

References of human rights in the Arab world are based on the following sources:

- Sharia (Islamic Law).
- National Constitutions and Legislations.
- International and Regional Conventions, Declarations and Treaties.
- Arab Conventions, Declarations and Treaties.

The celestial religions have placed the intellectual and theoretical foundations of human rights and fundamental freedoms, considering that the enjoyment of these rights by the human being is the real gate to his qualification for populating the universe.
1-Sharia (Islamic Law)

The message of Islam was very evident regarding the respect for human rights, as it called for the necessity of liberating people from all forms of slavery, servitude and forced labour and called for the principles of justice and equality before the law and the prohibition of discrimination.

Sharia focused on human rights through three aspects as follows:

- Recognizing a set of essential rights and freedoms for the person as individual.
- Defining what a person should enjoy from his relation with the state.
- Guaranteeing special protection for some individuals and groups based on some special considerations including the rights of Non-Muslims, and the rights of some individuals in the event of exceptional circumstances as wars and armed conflicts.

Pillars And Foundations Of Human Rights In Islam

Human rights in Islam are binding rights by virtue of their divine origin. Almighty God stated them in his noble Book and the pure prophetic Sunnah. Islam has
surrounded these rights with sufficient guarantees to protect them from violations or attacks, and cannot be waived. The sanctity of these rights are based on two fundamental elements:

- Human being is a venerable creature of Almighty God, created in the best evaluation, he has been granted knowledge and wisdom, and reason which privileged him to other creatures,
- Human being was created to be the vicar of God on earth to populate it, and cannot be persecuted, oppressed, deprived of his freedom or treated in a way that distinguishes him on the basis of color, prejudice, race or nationalism. And in order for it to accomplish its mission, it is necessary to have a system of rights proportionate to the inherent dignity of the human person.

2-Arab Constitutions

Without a doubt, the primary responsibility for human rights promotion and protection rests with governments as human rights are the sum of individual and collective rights laid down in

The constitution, as a legal and constitutional document, has become the first or direct source of the rights and freedoms of individuals, not only in terms of the definition of these rights and freedoms, but also in terms of control which guarantees the exercise and the enjoyment of rights, and establishing a balance between them. This may have prompted constitutional legislators in countries in general to include in national constitutions explicit provisions on these rights and freedoms, under various names, such as "fundamental rights", "intangible rights", "civil and political rights "," public rights and freedoms ", "Economic, social and cultural rights".
State constitutions and domestic laws despite the increasing effects of international law and its related principles.

All Arab Constitutions have stipulated the protection of public freedoms and human rights, based on their commitment to international human rights covenants. Arab Constitutions include the protection of civil, political, economic, social and cultural rights, and principles of equality before the law for public rights and duties, and the ensuring of basic rights and freedoms. There are differences between Arab constitutions with regard to human rights, from the specificity of each country in terms of political regime, demographics, economic and cultural status; however all Arab constitutions comprise general and comprehensive rights.

3-International And Regional Conventions, Declarations And Treaties

International agreements and conventions on human rights have witnessed a great development since the League of Nations adopted the mandate system for the residents of the non-self-governing territories, and the protection of workers within the International Labor Organization, and the protection of minorities with foreign privileges, and the principle of humanitarian intervention and diplomatic protection.
With the establishment of the United Nations, which Charter articulated a commitment to uphold human rights of citizens and outlined a broad set of principles relating to achieving higher standards of living, addressing economic, social, health, and related problems, and universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion; followed by the 1948 Universal Declaration of Human Rights, and the 1966 International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights; providing the basis for subsequent international human rights instruments.

In addition to the Rules of International Humanitarian Law which limit the effects of war and armed conflicts, whether of an international or a non-international character, on human rights and fundamental freedoms, and which protect certain particularly vulnerable groups of persons.
International human rights instruments can be divided as follows:

- **Major International Instruments In Human Rights:**
  - Charter of the United Nations.
  - International Covenant on Civil and Political Rights, 1966.

International Instruments Prior To The Establishment Of The United Nations Such As:

- The 1926 Slavery Convention, amended on 1955.
- The 1930 Forced Labour Convention; amended on 1957 to Abolition of Forced Labour Convention, declared by the International Labour Organization.

International Instruments Following The Establishment Of The United Nations Such As:

- The Refugee Convention, 1951, and its protocol.
- The Basic Principles for the Treatment of Prisoners, adopted by the UN General Assembly on 1990.

- **International Instruments On Specific Topics:**
  - The 1949 Geneva Conventions.
  - The Declaration on the Elimination of All Forms of Racial Discrimination, 1963.
  - The Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, 1984.

- **The United Nations Set Of Principles And Rules:**
  - Safeguards guaranteeing protection of the rights of those facing the death penalty, 1984.
• Declaration on the Protection of All Persons from Enforced Disappearance, 1992.
III- Arab States Obligations Towards Human Rights

As international law currently stands, States are the primary duty-bearers of human rights obligations. In principle, however, human rights can be violated by any person or group, and in fact, human rights abuses committed due to globalization by non-State actors are on the increase (such as guerrilla of organized crimes, terrorist groups, intergovernmental organizations and NGOs). International and regional human rights treaties impose three obligations on States: the duty to respect; the duty to protect; and the duty to fulfil.

While the balance between these obligations may vary according to the rights involved, they apply to all civil, political, economic, social and cultural rights. Moreover, States have a duty to provide a remedy at the domestic level for human rights violations.
The Obligation To Respect
All States are obliged to refrain from interfering in the enjoyment of rights by individuals and groups. It prohibits Governments actions that may undermine the enjoyment of rights.

The Obligation To Protect
States are required to protect individuals and groups against human rights abuses.

The Obligation To Fulfil
States are required to take positive measures and procedures to ensure that the fundamental human rights can be realized.

The Concept Of Progressive Realization
The principle of progressive realization applies to the positive State obligations to fulfil and to protect human rights, in particular economic, social and cultural rights. The human right to health, for example, does not guarantee the right of everyone to be healthy. However, it does oblige States, in accordance with their respective economic capabilities, to establish and maintain a public health system that can in principle guarantee access to certain basic health services for all.

The Right To An Effective National/Domestic Remedy
The very notion of rights entails, in addition to a substantive claim, the availability of recourse to a
national judicial or administrative authority or other, in the event that a right is violated. Every person who claims that his rights have not been respected, protected or fulfilled must be able to seek an effective remedy before competent and independent domestic body with the power to order reparations and to have its decisions enforced.

**Examples Of State Obligations To Respect, Protect And Fulfil**

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<tr>
<th>Respect</th>
<th>Protect</th>
<th>Fulfil</th>
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<tr>
<td><strong>The Right To Life</strong></td>
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<tr>
<td>The police do not intentionally kill a suspect to prevent him from escaping if he commits a minor crime such as theft.</td>
<td>Individual attack on other people with life threatening (murder attempt) constitute a crime that requires appropriate penalties under the national criminal law, and the public prosecutor has a duty to investigate this crime to bring the perpetrators to justice.</td>
<td>Authorities shall take legislative and regulatory measures to gradually reduce child mortality and other types of deaths that can combat its root causes.</td>
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<tr>
<td><strong>The Right To Vote</strong></td>
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<tr>
<td>Authorities do not interfere in the elections' voting process, and respect the election results.</td>
<td>Authorities organize the voting by universal suffrage with secret ballot to prevent influencing voters or exploiting influence.</td>
<td>Authorities organize free and fair elections to ensure that the largest number of citizens can vote.</td>
</tr>
</tbody>
</table>
## The Right To Health

| Authorities do not restrict the right to public health (through compulsory sterilization or medical experiments, etc). | Prohibit and prevent the transfer of human organs, except under legal regulation. | The presence of a sufficient number of hospitals and public health care facilities to provide health services on an equal basis for all. |
IV- International And Arab Human Rights Instruments And The Obligations Of The Arab States

1-International Instruments For The Protection Of Human Rights

Inter-governmental and non-governmental organizations play a significant role in the field of protecting and disseminating human rights and fundamental freedoms at the international level, and at the forefront of these organizations the United Nations and its specialized Agencies.

The foundation of the United Nations at the San Francisco Conference of 1945 by signing its Charter in which Article 1 declares "promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion" as one of the purposes of the Organization.

The Economic and Social Council was established as stipulated in Article 68 of the UN Charter "The Economic and Social Council shall set up commissions in economic and social fields and for the promotion of

Therefore, the United Nations General Assembly has stressed the need to fill young people with a spirit of peace, justice, freedom, understanding and mutual respect in order to "promote equal rights for all human beings and all nations."

This was confirmed by the Vienna Declaration adopted by the United Nations International Conference on Human Rights in 1993.
human rights, and such other commissions as may be required for the performance of its functions"; which in turn established committees for human rights, and the United Nations issued several international documents in this field.

The international community affirmed the holistic concept of human rights at the World Conference on Human Rights, held in Vienna in 1993.

A. The United Nations Foundations For The Protection Of Human Rights:

The UN system foundations for the protection of human rights include the Charter of the United Nations, the Universal Declaration of Human Rights and other legal documentations issued by the UN normally refer to the UN documents on human rights, such as:

**The Charter Of The United Nations**

The Charter of the United Nations (1945) contains the distinct instruction of member states to promote the respect of and the realization of human rights for everyone.

The preamble of the Charter of the UN stipulates: "reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small"; and "promote social progress and better standards of life in larger freedom".
The UN granted a significant importance to human rights in its objectives as follow:

- Chapter 1 on Purposes and Principles of the United Nations stipulated in Article 1/2: "To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples".

- And added in Article 1/3: "To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion".

- Chapter IX on International Economic and Social Cooperation, stipulated in Article 55/C "Universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion"; and added in Article 56: " All Members pledge themselves to take joint and separate action in co-operation with the Organization for the achievement of the purposes set forth in Article 55".

- Articles 73 and 76 included commitments on promoting and encouraging respect for human rights.
The International Charter Of Human Rights:
The UN Bill of Human Rights consists of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

The Universal Declaration Of Human Rights:
Adopted by the United Nations General Assembly Resolution 217 on 10 December 1948; of the then 58 members of the United Nations, 48 voted in favor, none against, eight abstained, and two did not vote. The Declaration consists of 30 articles included many of the fundamental rights and freedoms necessary for the human being whether related to his person or his presence in the society in which he lives.
It has also served as the foundation for a growing number of national laws, international laws, and treaties, as well as for a growing number of regional, sub national and national institutions protecting and promoting human rights.
- **The International Covenant On Civil And Political Rights:**

  Adopted by the United Nations General Assembly Resolution 2200A (XXI) on 16 December 1966, and in force from 23 March 1976. There are two Optional Protocols to the Covenant, the First Optional Protocol establishes an individual complaints mechanism allowing individuals to complain to the Human Rights Committee about violations of the Covenant; the Second Optional Protocol abolishes the death penalty (1989).

- **The International Covenant On Economic, Social And Cultural Rights:**

  Adopted by the United Nations General Assembly Resolution 2200A (XXI) on 16 December 1966 and came in force from 3 January 1976. It commits its parties to work toward the granting of economic, social, and cultural rights.

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**Legal Documentations Issued By the United Nations**

The UN adopted several international documents and codes of conduct in the field of the protection of human rights and fundamental freedoms, as follow:

- **Declarations:**

  The Declaration is an unilateral official document, not a treaty, so it does not directly create legal obligations for countries; it has become binding as a part of customary international law. However, it is an expression of the
fundamental values which are shared by all members of the international community. And it has had a profound influence on the development of international human rights law. Such as the Universal Declaration on Human Rights of 1948 and the Declaration on the Right to Development of 1986.

- **International Treaties:**
  Important instrument of international relations regulating matters between states and other subjects of international law; Treaties constitute the ideal tool for achieving international legal development; the most important of which are the Convention on the Prevention and Punishment of the Crime of Genocide of 1948 and the International Convention on the Elimination of All Forms of Racial Discrimination of 1965.

- **Codes Of Conduct Or Principles:**
  A set of guiding principles with general international character dealing with addressing some issues of concern to the international community, the most important of which the UN Code of Conduct for Law Enforcement Officials of 1979, and the

**Resolutions:**
The United Nations issues several resolutions dealing with international issues in all fields, including human rights, among which: UN General Assembly A/RES/48/91 titled "Third Decade to Combat Racism and Racial Discrimination" of 1993, and UN General Assembly Resolutions on Indigenous Peoples.

**Models Of Texts To Human Rights Relevant Laws:**
Laws issued within Countries regarding the protection and respect of a specific human right. The most important of these texts were proposed by the UN High Commissioner for Human Rights and the United Nations Center for Human Rights to establish an independent national Committee on the Elimination of Racial Discrimination and to formulate Basic Principles for the Treatment of Prisoners.

**B. The Institutional Framework Of The United Nations System For The Protection Of Human Rights (Relevant Organs):**
The organs of international organizations play an important role in achieving the objectives of these organizations, it is well established that the will of every person under international law is created and expressed by a specific organ or a number of organs, and the international organization does not exercise direct
jurisdiction, it is rather exercised in its name by a body (for example, the assembly or the council) or a person (for example, the secretary general).
Regarding human rights, there are many concerned bodies within the framework of the United Nations as follow:

### The General Assembly
The General Assembly is the general organ of the UN and it has general powers, it is the highest UN law-making body which has ensured the adoption of a set of human rights conventions, declarations, principles, rules and other instruments, also discusses at every session the factual human rights situation in many States, and adopts corresponding resolutions; under the Chapter IV of the Charter of the UN in which Article 10 stipulates that "The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter"; and Article 13 includes that the General Assembly shall initiate studies and make recommendations for the purpose of assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.
The Security Council

The Security Council acts under Chapter V of the Charter of the UN Article 24 on the functions and powers of the Security Council which includes that the UN Members confer on the Security Council primary responsibility for the maintenance of international peace and security. The Security Council issued many resolutions including human rights issues, notably resolution (237) of 1967 which stipulated that essential and inalienable human rights should be respected even during the vicissitudes of war, and resolution (941) of 1994 which emphasized that the practice of ethnic cleansing constitutes a clear violation of international humanitarian law.

The International Court Of Justice

The International Court of Justice established under Chapter XIV of the Charter of the UN, in which Article 92 stipulated that it is the principal judicial organ of the United Nations. According to Article 34 of the Statute of the Court "only states may be parties in cases before the Court"; in practice, the Court addressed many human rights issues in its rulings and advisory opinions.

The Economic And Social Council

The Economic and Social Council established under Chapter X of the Charter of the United Nations, in which Article 62 stipulated that the Council "may make recommendations for the purpose of promoting respect
for, and observance of, human rights and fundamental freedoms for all”.

The Economic and Social Council established various subsidiary bodies; in the field of human rights three bodies were established as follow:

- Commission On Human Rights:
  Established by the Economic and Social Council Resolution 9 of 1946, mandated to examine, monitor and publicly report either on human rights situations in specific countries or territories or on major phenomena of human rights violations worldwide; The main themes addressed by the Commission are: the right to self-determination, racism, the right to development, the question of the violation of human rights and fundamental freedoms in any part of the world, the questions of torture and detention, disappearances and summary executions, the independence of the judiciary, impunity and religious intolerance, the human rights of women, children, migrant workers, minorities and displaced persons, indigenous issues, the promotion and protection of human rights.
  The Commission issued various numbers of resolutions on human rights, notably resolution 1996/14 on "Adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights" and resolution 1997/8 on "the right to food".
• **Commission On The Status Of Women:**
  Established by the Economic and Social Council on 1946, as the UN organ promoting gender equality and the empowerment of women.

• **Sub-Commission On The Promotion And Protection Of Human Rights:**
  Established by the Economic and Social Council on 1947, mandated on prevention of discrimination and protection of minorities.

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**Trusteeship Council**

The International Trusteeship System under Chapter XII of the Charter of the United Nations stipulated in Article 76/C on the basic objectives of the trusteeship system "to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and to encourage recognition of the interdependence of the peoples of the world".

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**Human Rights Council**

The Human Rights Council is an intergovernmental body representing a subsidiary organ of the General Assembly, based in Geneva, it was established by the UN General Assembly resolution 60/251 on 15 March 2006, in replacement of the Commission on Human Rights (which was affiliated to the Economic and Social Council since 1946 than it was abolished after concluding its work at the 62nd session on 16 June 2006).
Thus, The Human Rights Council is considered "the international governmental and political organ of the United Nations responsible for monitoring the human rights situation in the United Nations member states during peace and armed conflict".

Many conditions must be fulfilled by a country to become a member of the UN Human Rights Council, among which that the member states have clearly contributed to the promotion of human rights as well as fulfill their obligations to promote human rights and to cooperate with special human rights procedures.

A. The Most Important International Legal Mechanisms For The Work Of The United Nations And Its Specialized Agencies:
There are several international legal mechanisms to promote respect for human rights, the most important of which are:

- The Submission Of The Periodic Reports:
All UN human rights treaties or conventions request State parties to submit periodic reports on their implementation of their obligations to ensure respect for human rights.
- **Inter-State Complaints:**
  Some international treaties contain provisions allowing a State Party to claim that another State Party is not fulfilling its obligations, as stated in Article 41 of the International Covenant on Civil and Political Rights of 1966.

- **Individual Complaints Against State:**
  Some international treaties contain provisions allowing receiving and considering communications from individuals subject to its jurisdiction who claim to be victims of a violation by that State Party, as stated in Article 1 of the Optional Protocol to the International Covenant on Civil and Political Rights.

- **The Office Of The High Commissioner For Human Rights:**
  Established in 1993 at the World Conference of Human Rights in Vienna, as the principal UN mechanism to promote and protect human rights for all.

**B. The Human Rights Treaty Bodies:**
The human rights treaty bodies are committees of independent experts that monitor implementation of the
core international human rights treaties. Each State party to a treaty has an obligation to take steps to ensure that everyone in the State can enjoy the rights set out in the treaty.

There are ten human rights treaty bodies composed of independent experts of recognized competence in human rights, who are nominated and elected for fixed renewable terms of four years by State parties. The treaty bodies perform a number of functions in accordance with the provisions of the treaties that established them. These include consideration of State parties' periodic reports, consideration of individual complaints, conduct country inquiries and they also adopt general comments interpreting treaty provisions and organize thematic discussions related to the treaties.

The treaty bodies meet in Geneva, Switzerland. All the treaty bodies receive support from the Human Rights Treaties Division of OHCHR in Geneva, as follow:

<table>
<thead>
<tr>
<th>The Treaty Body</th>
<th>The Agreement Monitoring Its Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Human Rights Committee</td>
<td>Monitors implementation of the International Covenant on Civil and Political Rights (1966) and its optional protocols.</td>
</tr>
<tr>
<td>---</td>
<td>------------------------------------------------------------</td>
</tr>
<tr>
<td>5</td>
<td>Committee against Torture</td>
</tr>
<tr>
<td>7</td>
<td>Committee on Migrant Workers</td>
</tr>
<tr>
<td>10</td>
<td>The Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment</td>
</tr>
</tbody>
</table>
There are several Arab mechanisms for the protection of Human Rights at the National and Regional levels as follows:

A. Mechanisms For The Protection Of Human Rights At The Regional Level:
In light of the reform of the League of Arab States General Secretariat on 2001 and the keenness to develop the Joint Arab Action to meet with the emerging issues on the Arab and International arenas, many vital files have been treated including the issue of human rights with the aim to promote, respect and protect human rights at the Regional level including the rights of women, children, refugees and displaced persons. Therefore the League of Arab States introduced new mechanisms to promote respect and protection of human rights as follows:

- **The Arab Permanent Committee On Human Rights:**
  Established in 1968 as a technical committee, it consists of one representative from each Member State who serves as a political representative. The Permanent Committee considers during its meetings the topics referred by the League Council, Secretary General or member States, the recommendations produced by these meetings are then included in the reports of the Council of Ministers of Foreign Affairs.
The Permanent Committee has played a major role in the issuance of a number of Inter-Arab Conventions on human rights, notably the Arab Charter on Human Rights adopted by the Council of LAS on 2004; A first version of the Charter was created on 1994, the updated (2004) version of the Charter came into force in 16 March 2008 after seven of the members of LAS had ratified it. Since then, the celebration of the Arab Day for Human Rights falls on 16 March of each year.

**The Arab Permanent Committee On Human Rights**

- Composed of the Arab member states of the League of Arab States.
- The League Council has the right to appoint the president of the committee for a period of two years, renewable.
- The Committee conducts its work and meetings at the headquarters of the League of Arab States.
- The Committee allows Arab non-governmental organizations to attend its meetings as an observer, and the presence of these organizations allows the committee to examine the opinions, concerns and aspirations of the Arab people.
- The Committee has a major role, through the various recommendations it has issued, in order to spread the dissemination of human rights concepts and their teaching in the Arab countries, and to work to create subdivisions for them.
- The Committee undertakes the study of Arab agreements which may have extensions in the field of human rights in order to express its opinion on the extent of their compatibility with human rights standards and principles, and to coordinate Arab positions on human rights issues in regional conferences and forums, and to encourage the spread of a culture of human rights in the Arab world.
The Arab Human Rights Committee (Charter Committee):
The Arab Charter on Human Rights (ACHR) which entered into force in March 2008, established under its Article (45) the Arab Human Rights Committee to oversee States’ implementation of the ACHR, States parties undertake to submit reports on the measures they have taken to give effect to the rights and freedoms recognized in the ACHR and on the progress made towards their enjoyment; The Committee will issue final comments and recommendations which will be included in the annual report to the League of Arab States Council.

Charter Committee:
- An Arab mechanism for examining the reports of state parties on the measures they have taken to implement the rights and freedoms set out in the charter.
- Consider seriously the parallel reports on the situation of human rights in the Arab countries presented for example by civil society organizations.
- Each State party to the Charter must submit its first report to the Committee within one year of the entry into force of the Charter, and then it must submit periodic reports every three years.
- The Committee may request additional information from state parties relevant to the implementation of the Charter.
- Take advantage of the committee's oversight role, which consists of studying the reports that the Arab States are required to submit to it in order to demonstrate the extent of their commitment to implementing the provisions of the Charter and the extent of their progress in enjoyment of the rights and freedoms set out therein.
The Arab Parliament Committee On Legislative And Legal Affairs And Human Rights:
Considered by the League of Arab States as one of the concerned mechanisms on human rights in the framework of the Joint Arab Action from ensuring the integration of roles between Official and Parliamentary Diplomacy besides encouraging Arab States to ratify Inter-Arab Agreements on human rights.

B. Agreements And Plans For The Protection Of Human Rights At The Arab Level, Besides The Arab Charter On Human Rights:
- The Arab Convention on Regulating Status of Refugees in the Arab Countries adopted by the Arab States in 1994.
- The Arab Court of Human Rights as a primary judicial body of the League of Arab States dedicated to the protection and promotion of human rights in the region: Upon the proposal of Bahrain to create an Arab Court of Human Rights which was approved by the Arab Summit of 2013 in Doha, and was adopted in principle by the Arab Summit of March 2014 in Kuwait which appointed a high-level committee of legal experts to draft its Statute and submit it to the Arab Council at the Ministerial Level which approved it on 2014 as well as approving the request of Bahrain to host the Headquarters in Manama;
As stipulated in its Statute, the Court shall enter into force after seven of the Member States have ratified it, however, only Kingdom of Saudi Arabia submitted its ratification on 2016.

- At the International level, the League of Arab States cooperates with several international entities in the field of human rights such as the UN Commission on Human Rights, the UN Commission for Refugees, the UN Development Program and the European Union; this cooperation takes many forms including organizing seminars and workshops for capacity building of government institutions, national organizations and NGOs working in the field of human rights.

C. Mechanisms For The Protection Of Human Rights At The National Level:

- There are multiple National mechanisms for the protection of human rights which revolve around seven forms: the Judiciary, Government structures, National institutions and committees, the Board of Grievances (Ombudsman), Parliamentary committees, NGOs and media. The functions of these national mechanisms revolve around: guarantee the enjoyment of human rights and freedoms, promote the principles and values of human rights within the society, protect the legal rights of individuals and groups, equity and ensure prosecution to defend legal rights and freedoms.

- Arab constitutions and regulations include provisions on the independence of the judiciary.

- There are almost no Arab State free from governmental or official human rights institutions, only it varies in
forms, status and mandates, at its height comes a specific Ministry for human rights.

- The Parliamentary Committees on Human Rights represent one of the important national mechanisms for the protection of human rights.
- National Independent Human Rights Institutions are considered one of the national mechanisms to promote human rights, it combines governmental bodies and NGOs which gives it an important role in enhancing the respect of human rights as from its nature as a state institution has the tools of dialogue and negotiation with governments to resolve the obstacles of implementation of human rights.
- From other side, the independence of the governing bodies gives it the opportunity to be presented in the society and to communicate with other NGOs concerned with human rights and support its demands to promote the respect to human rights.
- National Human Rights Institutions are summarized in extending the culture of human rights within the society; compliance of national legislation with international human rights norms and standards; receiving and investigating complaints submitted by citizens and bringing justice to individuals; conduct a fact-finding mission for prisons inspections and other detention centers; providing advisory opinions to the government and parliament; and making recommendations to the government on legislation or procedures related to the promotion and respect of human rights and issuing annual periodic reports.
- The Arab Network for National Human Rights Institutions (ANNHRI) a regional network of Arab
national institutions for the protection and promotion of human rights, its membership is open to any national institution in any country member of the Arab League.

- The Arab Permanent Committee on Human Rights can grant certain observer status during its meetings to National NGOs and Institutions working in the field of human rights, reaching up to the date 23 NGOs from 12 Arab States, in the framework of engaging the NGOs in the Joint Arab Action System.

**D. The Arab Court Of Human Rights:**

When calls and initiatives have been launched to reform the system of the League of Arab States, including the human rights system, whether it is the League of Arab States itself or some of the States parties to the Charter or the civil society organizations, one of these initiatives was a proposal to create a regional Arab judicial body to examine complaints related to human rights. The Arab Court of Human Rights was established with the aim of resolving disputes related to human rights in the Arab region.

**Mechanisms of the Arab Court Of Human Rights:**

- The Court jurisdiction of all claims arising from the application and interpretation of the Arab Charter on Human Rights or any Arab agreement and other conflicts in this area and adjudicate any dispute raised about jurisdiction over lawsuits or motions or cases being dealt with, and it does not work retroactively cases before its work.

- The jurisdiction of the court is complementary to the national judiciary and does not replace it; the court may not accept the case in the event that the methods of litigation in the state complained of have not been exhausted according to its national judicial system, also if the case was filed in the same subject before another regional human rights court, and also if it the lawsuit was filed 6 months after the prosecutor was informed of the ruling.

- The court may cooperate with the parties to reach a friendly solution, whereas the ruling issued by the court will be enforceable only for countries that have accepted the jurisdiction of the court.

- The competence of the Arab Court to consider complaints of persons referred to it by the Committee after it cannot be resolved and settled.
to human rights violations; Therefrom the establishment of the Arab Court of Human Rights by the League of Arab States on 24 October 2011. The project of the Court was launched on 15 January 2012 upon the proposal of Bahrain to create an Arab Court of Human Rights which was submitted to the Arab League 137th Council at the Ministerial level, than approved by the Arab Summit of 26 March 2013 in Doha; and was adopted in principle by the Arab Summit of March 2014 in Kuwait which appointed a high-level committee of legal experts to draft its Statute and submit it to the Arab Council at the Ministerial Level which approved it on 2014 as well as approving the request of Bahrain to host the Headquarters in Manama; As stipulated in its Statute, the Court shall enter into force after seven of the Member States have ratified it, however, only Kingdom of Saudi Arabia submitted its ratification.
V- The Role Of The National Arab Parliaments To Protect And Promote Human Rights

Parliaments are essential actors assuming a significant responsibility in protecting, promoting and implementing human rights through their parliamentary activity in legislating, adopting the budget and overseeing the executive branch. As the institution which represents the people and through which they participate in the management of public affairs, parliament a guardian of human rights representing a bridge between the people and the government. Therefore, the role of Parliament is one of the primary mechanisms for protecting human rights as it plays an advanced role over the other domestic or international mechanisms through its position as a constitutional institution.

According to the constitutional powers granted to a member parliament to represent citizens, to express and protect their rights, and to work to develop the necessary guarantees for human rights, the parliamentarian performs these mandates through:

- Take the necessary legislative measures to respond to the aspirations of citizens and to the requirements of the state’s obligations towards its citizens.
- Readiness for voluntary cooperation and support with the executive authority with regard to issues and priorities of human rights in Arab countries.
- Suggest the necessary legislation to activate the application of international and regional conventions on human rights, except for the articles that are reserved.

Constants of Arab Parliamentarians working on human rights issues:
1. **Legislation**: Parliaments legislate the legal framework for human rights at the national level, ratify international treaties and conventions, and ensure that the standards stipulated in these treaties are applied and embodied in national law.

2. **Ratify Laws and Treaties**: Parliaments discuss the bill of laws submitted by the President of the State and the international treaties before ratification, which represents an opportunity for MPs to follow up and monitor the executive activities. MPs can address the government with all inquiries and requests for clarifications related to the subject before them.

3. **Adopting The Budget**: In approving the national budget, thereby setting national priorities, the parliament must ensure that sufficient funds are provided for human rights implementation, then monitoring government spending.

4. **Overseeing The Executive Branch**: Through their oversight function, subjecting the policies and acts of the executive to constant scrutiny, parliaments can and must ensure that laws are actually implemented by the administration and any other bodies concerned.

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**Arab Parliamentary Priorities in Human Rights Issues:**

- Protection of the family, including childhood protection, empowerment of youth, support for the advancement of women, people with special needs, guaranteeing the rights of the elderly and minorities.
- Guarantee the direct implementation of civil, political, economic, social and cultural rights, which have been established in our Islamic law and called for in the Universal Declaration of Human Rights.
- Commitment to provide legal, judicial and administrative guarantees to promote and protect human rights.
- Contribute to improving the quality and type of life for citizens.
- Mechanisms for implementing equality before the law, equal opportunities for citizens and gender balance.
5. **Written and Oral Questions** on human rights to the executive branch as ministers, civil servants and other executive officials.

6. **Public Parliamentary Activity**: The role of parliaments in developing public policies related to security, health, public transportation, education, or agriculture, will affect every person's enjoyment of human rights.

7. **Mobilizing Public Opinion**: Parliaments can contribute enormously to raise public awareness of human rights in their countries and mobilizing public opinion on related issues.

8. **Engage In A Dialogue With Governments**: in order to secure respect for human rights.

9. **Collaboration Of The Majority Of Parliaments With Many Unofficial Institutions and Bodies** that are distinguished by their ability to express their views and aspirations of citizens with greater freedom and independence, and these groups have proven that they may become highly influential actors in promoting human rights issues.
VI- Parliamentarians Tools For Following-Up Human Rights Issues

Parliamentarians enjoy opportunities to discuss human rights issues whether internally or externally, through domestic institutions, regional and international organizations, as follows:

1- **At The National Level:**
   - Regardless of the membership of their respective committees, Parliamentarians have a number of parliamentary measures at their disposal to monitor and promote human rights, as well as their capability to take various initiatives in the field of human rights out of Parliament. Parliamentarians make use of parliamentary oversight tools, in particular oral and written questions addressed to the executive power as prime minister, ministers, or other government officials; although the procedures differ from one parliament to another, addressing questions is the best mean that a Parliamentarian can use to hold the executive branch accountable, as well as interrogations addressed to the government to explain a policy in a specific area.
   - Parliamentarians can form informal groups to follow up human rights issues; in addition, parliamentarians can organize campaign to highlight some human rights issues.

**Parliamentary advice:**
- Pay due attention to spreading the culture and education of human rights among young people and youth, as they are the future of the Arab nation.
as many members of the Brazilian House of Representatives did when they created a parliamentary front to combat slavery.

- Parliamentarians - as members of political parties - are responsible for ensuring that their parties are aware of the human rights obligations.

- Parliamentarians are the leaders of opinion, their words and actions affect the culture of human rights in their countries, and they can help in promoting human rights through press conferences, interviews, media, organizing seminars, workshops, and other public activities; besides supporting NGOs working in the field of human rights.

- Parliamentarians can request the Constitutional Court to study the compatibility of a draft law or law with the provisions of the constitution if they notice that the adopted law by the majority violates constitutionally guarantees for human rights.

2-At The Regional And International Levels (Role Of Parliamentary Diplomacy):
Parliamentary diplomacy has become one of the important tools that parliamentarians rely on in carrying out their roles, including the protection of human rights and confronting violations of human rights.

At the International Level: Parliamentarians can benefit from the parliamentary diplomacy to protect and defend human rights through many mechanisms, including:

- **International Parliamentary Institutions**: primarily embodied by the Inter-Parliamentary Union as the main
international parliamentary organization, which in its importance and universality is parallel to the United Nations at the parliamentary level. Among the IPU standing committees, the Committee on Democracy and Human Rights and the Committee to Promote Respect for the International Humanitarian Law.

- The IPU occasionally dispatches parliamentary missions on field visits for specific purposes related to human rights violations in a country; the mission prepares a report on these cases and submits it to the IPU Executive Committee to take appropriate decisions.

- **International Parliamentary Conferences**: primarily embodied by the IPU's World Conference of Speakers of Parliament (WCSP) during which many issues related to human rights at the international level are discussed; The Fifth WCSP will be held in August 2020 in Vienna.

- The joint IPU – UN Annual Parliamentary Hearings, in which many issues related to human rights are discussed.

**And At The Regional Level:** Parliamentarians can benefit from the parliamentary diplomacy to defend human rights issues, notably since all regional parliamentary organizations, assemblies and unions, include among their permanent committees a committee on human rights issues defending violations of human rights in the region that represents their geographical framework and the issuance of many resolutions, recommendations and declarations aimed at consolidating the culture of respect for human rights.
VII- The Official Parliamentary Structures To Follow Up Human Rights Issues

The basic features of the powers and organisation of Parliament are identified in National Constitutions, almost invariably giving parliaments exclusive competence to organize their work and proceedings as they deem appropriate. The relevant rules of procedure are laid down in the standing orders, the main source of law when it comes to the parliamentary committee system.

Parliamentary human rights committees are one of the important mechanisms for the protection and promotion of human rights, they are normally entrusted with the examination of bills and delegated legislation from a human rights angle, oversee the action of the executive branch and keep the executive’s policies and actions under constant scrutiny, receive complaints about practices related to human rights and find appropriate solutions, forming fact-

Examples and practical applications:

- Parliaments with specialized human rights committees: Egypt, Angola, Argentina, Austria, Azerbaijan, Belgium, Bolivia, Brazil, Burundi, Lebanon and Yemen.
- The Parliaments of Moldova and Croatia address the issues related to national minorities, while the Human Rights committee in Slovakia is responsible for the rights of women and minorities, in Hungary it is responsible of minorities and religious affairs, in Greece it is responsible of gender equality, and in the German Bundestag it is responsible of humanitarian assistance.
finding committees in their areas of competence and conducting hearings on some topics. Parliamentary committees on human rights are characterized with specific features whether in terms of the mechanism of their establishment or in terms of their mandate, as follow:

**1-In Terms Of Mechanism For The Establishment Of Committees**

Parliaments that have created human rights committees have adopted a range of approaches:

- Few parliaments have established standing committees dealing exclusively with human rights. Other parliaments have included human rights inter alia in the mandate of existing standing committees; for example, Belarus has a standing committee for human rights, national relations and mass media; Benin has a committee on law, administration and human rights; the
Canadian House of Commons has a committee on justice and human rights; Cameroon has a committee on constitutional affairs, human rights and liberties, justice, legislation and administration; Chile has a committee on human rights, nationality and citizenship; Thailand has a committee on justice and human rights; and Zambia has a committee on legal affairs, governance, human rights and gender.

Some National Arab Parliaments have established permanent parliamentary committees concerned with issues related to human rights, some of which carry this title exclusively, while others are concerned with other issues besides human rights issues, as follows:

**Arab Experiences In The Establishment Of Parliamentary Committees On Human Rights**

<table>
<thead>
<tr>
<th>State</th>
<th>Parliament</th>
<th>Permanent Committee on Human Rights</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jordan</td>
<td>Senate</td>
<td>Committee for liberties and civil rights</td>
</tr>
<tr>
<td></td>
<td>House of Representatives</td>
<td>Committee on public freedoms and human rights</td>
</tr>
<tr>
<td>Tunisia</td>
<td>Assembly of the Representatives of the People</td>
<td>Committee on rights, freedoms and foreign relations</td>
</tr>
<tr>
<td>Algeria</td>
<td>The People's National Assembly</td>
<td>Committee on legal and administrative affairs and freedoms</td>
</tr>
<tr>
<td></td>
<td>The Council of the Nation</td>
<td>Committee on legal and administrative affairs and human rights</td>
</tr>
<tr>
<td>Kingdom Of Saudi Arabia</td>
<td>Shura Council</td>
<td>Human rights and regulatory bodies</td>
</tr>
<tr>
<td>Country</td>
<td>Legislature</td>
<td>Human Rights Committee</td>
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</tr>
<tr>
<td>Sudan</td>
<td>National Assembly</td>
<td>Committee on human rights and public duties</td>
</tr>
<tr>
<td></td>
<td>Council of States</td>
<td>Committee on political affairs, external communication and human rights</td>
</tr>
<tr>
<td>Syria</td>
<td>The People's Council</td>
<td>Committee on public freedoms and human rights</td>
</tr>
<tr>
<td>Iraq</td>
<td>House of Representatives</td>
<td>Committee on human rights</td>
</tr>
<tr>
<td>Lebanon</td>
<td>House of Representatives</td>
<td>Committee on human rights</td>
</tr>
<tr>
<td>Libya</td>
<td>House of Representatives</td>
<td>Committee on public freedoms and human rights; and Committee on women and children</td>
</tr>
<tr>
<td>Egypt</td>
<td>House of Representatives</td>
<td>Committee on human rights</td>
</tr>
<tr>
<td>Morocco</td>
<td>House of Representatives</td>
<td>Committee of justice, legislation and human rights</td>
</tr>
<tr>
<td></td>
<td>House of Councillors</td>
<td>Committee of justice, legislation and human rights</td>
</tr>
<tr>
<td>Yemen</td>
<td>House of Representatives</td>
<td>Committee on public freedoms and human rights</td>
</tr>
</tbody>
</table>

Sometimes in a number of national Arab parliaments, human right does not appear in the title of a committee even though it has a clear human rights mandate. There may be more than one parliamentary committee with a specific human rights mandate.

- Any standing committee may establish subcommittees to study specific human rights issues; for example, the
subcommittee on human rights of the committee on justice of the Parliament of Mongolia; in the Irish Parliament, the subcommittee on human rights was set up in 2002 by the foreign affairs committee to discuss the human rights situation at home and abroad and to liaise with lobby groups; the subcommittee of justice and prison affairs of the committee for constitutional affairs, rights, freedoms and guarantees of the Portuguese Parliament regularly visits prisons and institutions for young offenders.

- Non-Permanent Committees as a mechanism in some parliaments to address a particular human rights problem and propose solutions, such committee ends with the completion of the performance of the task entrusted to it.

2-In Terms Of Mandate Of Committees

- In cases where permanent committees are established that are exclusively concerned with human rights issues, these committees often specialize in their work directly and permanently on human rights issues, including national legislation, relevant international human rights instruments, international humanitarian law, international human rights law, complaints submitted by citizens and bodies with regard to human rights, and other issues within the jurisdiction of ministries and concerned bodies.
- On-site visits are among the most important means by which a human rights committee can study human rights issues and ensure government compliance with human
rights norms; it allows them to visit prisons and detention centers, verify the living conditions of refugees, asylum seekers, displaced persons, and disadvantaged groups in their society, visit schools and orphanages, and check working conditions in factories.

- If a committee that has been charged with examining whether legislation is in compliance with certain human rights standards finds a bill lacking, it may recommend that the House not allow the legislation; for example, the Australian Senate committee on the scrutiny of bills, prepares an Alert Digest that is usually tabled weekly when the Senate is sitting, adverse comments on any bill are also formally drawn to the attention of the Minister responsible who is invited to respond within a certain timeframe.

- Sometimes human rights committees are empowered to appoint or dismiss public officers and

Examples and practical applications:

- Australian Senate’s two Standing Committees on Regulations and Ordinances and on the Scrutiny of Bills, which both safeguard personal liberties.
- Slovenia's parliament has the following committees with an explicit, though not exclusive, human rights mandate: the Committee for Supervision of the Work of the Security and Intelligence Service; the Petitions Committee; the Committee on Health, Labour, the Family, Social Policy and the Disabled which monitors respect for economic and social rights; and the Committee on Home Affairs which is mandated with coordinating issues related to the exercise of human rights among all other committees.
- The Human Rights Committee of the Parliament of Ecuador provides technical assistance to the National Congress in all human rights related matters.
participate in impeachment proceedings, as the committee on human rights of the Azerbaijan Parliament.

- Another important function of parliamentary human rights committees is encouraging human rights education, as the Committee for human rights and complaints of the Cambodian Senate which is tasked with encouraging human rights education for citizens and promoting the public dissemination of human rights through the media. Human rights committees may also conduct studies and research for the purpose of public dissemination, as is the case of the human rights committees of Belgium.

- Human rights committees may also be entrusted with financial tasks, such as approving funding for certain human rights related issues, monitoring the efficiency of implementation, and advising on funding for and financial review of human rights institutions, as the experience of the Hungarian Parliament.

3-In Terms Of Relationship Of Parliamentary Human Rights Committees With Other Human Rights Actors

Parliamentary human rights committees often interact with other human rights bodies whether at the national, regional or international level in a manner that serves their competencies in the field of the protection of human rights.

- **At the National Level:** In most parliaments, there is regular interaction between committees, whether in the area of exchanging experiences and information or
holding joint sessions between several committees to
discuss a specific issue related to human rights.

- Parliamentary human rights bodies normally enjoy a
fairly close relationship with executive human rights
bodies, such as human rights ministries or departments
within ministries; regular meetings with government
agencies may also be organized. However, in some
countries, the principle of separation of powers and the
necessity of safeguarding independence prohibits human
rights committees from entering into any relationship
with government or executive offices apart from hearings
and other parliamentary oversight mechanisms, this is the
case for the human rights committees of the Philippine
Parliament as well as the South African joint monitoring
committees on the improvement of quality of life and
status of children, youth and disabled persons, and on the
improvement of quality of life and status of women.

Parliaments and their human rights committees normally
foster a close relationship with the Ombudsman which
frequently extends beyond formal contacts as the
ombudsman is usually appointed by parliament; their
reports are normally examined by the human rights
committees prior to their submission to the House
plenary and Executive; in Ghana, the commission on
human rights and administrative justice and the serious
fraud office submit an annual report for discussion to the
committee on constitutional, legal and parliamentary
affairs before it is debated in the plenary.
The majority of parliamentary human rights committees enjoy good relations with NGOs, which can be instrumental to achieving concrete results. Committees may consult with NGOs as witnesses, seek to engage in dialogue and obtain information and cooperate with them on a permanent basis; for example, NGOs participate regularly in sittings of the committee on human rights and religions of the Bulgarian Parliament, they may also take the floor and distribute information.

**At The Regional Level:** In order to strengthen cooperation with national parliaments in the field of human rights, the committee on civil liberties, justice and home affairs of the European Parliament has been organizing since 2001 an annual hearing of National Parliament Representatives with an interest in the European Union Charter of Fundamental Rights. Along this line, meetings can be organized by the Arab Parliament's Committee on legislative and legal affairs and Human Rights, on the Arab Charter on Human Rights.

In Latin America, cooperation between national parliaments and their human rights committees and regional parliamentary organizations exists mainly through the Latin American Inter Parliamentary Committee on Human Rights and the Human Rights Committee of the Latin American Parliament.
Along this line, the Arab Parliament organized meetings of the counterpart committees during its plenary session held in Khartoum on October 2017.

- **At The International Level:** The number of parliaments and human rights committees that take an interest in UN human rights activities is increasing; more MPs, often members of human rights committees, are attending meetings of the UN Commission on Human Rights; some parliaments regularly send delegations to attend part of the session. Human rights committees are also taking an increasing interest in how their Governments vote at Commission meetings; for example, the human rights subcommittee of the Irish Parliament asked the Minister of Justice why Ireland, contrary to usual practice, had not supported the resolution on the human rights of persons with disabilities that was tabled at the 59th session of the UN Commission on Human Rights.

- The technical assistance that the United Nations and its agencies provide to parliaments enables closer cooperation between UN human rights monitoring bodies and parliamentary human rights committees.