Arab Human Development Report 2004: 
"Towards Freedom in the Arab World"

LAUNCH CEREMONY

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The Royal Cultural Centre
Amman-Jordan
Your Excellency Deputy Prime Minister and Minister of State for Prime Ministry Affairs and Government Performance, Dr. Marwan Muasher
Your Highness Prince Turki bin Talal
Your Excellency Dr. Abdulkarim El-Eryani
Your Excellency Dr. Ahmed Kamal Aboumagd
Your Excellencies, distinguished guests
My colleagues, the members of the Arab Human Development Report Team
Ladies and Gentlemen

It gives me great pleasure to be with you today to launch the third Arab Human Development Report. I would like, at the outset, to express my profound gratitude and deepest appreciation to his Majesty King Abdullah II for his patronage of our meeting here in Amman – the Arab capital that has embraced forthright opinions and unswerving advice for the second consecutive year. I am particularly pleased to be joined in this launch ceremony by His Excellency Dr. Marwan Muasher, for there can be no greater gratification than to launch a Report on Freedoms with an official who has become a pioneering symbol of reform in our Arab world.

It would not be fair to begin discussion of the Report without acknowledging the queries regarding passed deadlines. It had been our custom to bring out the Report on time, in the fall of each year. We could not, however, uphold this commitment as we absorbed the disappointment of delay to avoid that of unfulfilled objectives. We insisted on assuming full responsibility in compiling and writing the Report – it would have been improper to preach people’s empowerment through freedom while abandoning it in our own speech and writings. This determination resulted in a Report limited only by the ceiling of possible knowledge and constrained by the condition of available information.

Ladies and Gentlemen:

The Report assessed the state of freedoms in Arab countries and found them deficient in some cases and grossly deficient in others. In general, Arabs enjoy greater personal and economic freedoms, than political freedoms. The freedoms of opinion, expression and organization, in particular, suffer from repression in most Arab countries, to varying degrees. The “voice” of the press is either repressed or bought out. Seven Arab countries forbid the formation of political parties, with one even raising the slogan “Partisanship is Treason”. The freedom to form parties is violated where it is allowed through refusal of establishment or dissolution. A citizen’s right to life is violated, sometimes by the authorities and other times by extremist groups. The guarantees of fair trial are also discarded as citizens are referred to the jurisdiction of military or exceptional courts. The pretexts of external threats and anti-terrorism are used to declare states
of emergency that have become permanent in some Arab countries, distorting the guarantees of individuals' rights and freedoms while absolving the executive power of constitutional and legal restraints, however inadequate they may be.

When emergencies rule and laws negate constitutional effectiveness while authority becomes mesmerized by the temptations of continuity, there is little room then for people to express their opposition and only a shrunken space where they can voice their concerns. Expression of opinion then becomes a risk only few will take, and participation in a non-loyalist party or association or demonstration becomes a gamble and a choice most would decline. When fear and apathy are combined in any society, its creativity is frozen and the violation of rights becomes entrenched in all its parts.

While the lack of freedom extends to all people, some are doubly afflicted; minorities are doubly persecuted and women are doubly marginalized. In addition to what all citizens suffer, those who belong to a cultural or ethnic group in some Arab countries suffer additional violations, sometimes flagrant but at other times covert. These are most exposed when such groups become, whether legally or by common practice, a lower class in entitlement to rights and citizenship.

**Ladies and Gentlemen:**

In addition to what the Arab citizen suffers in his own country, his freedoms and his rights are violated in a global environment that incarcerates freedom and violates the principle human rights, especially those of Arabs and Muslims. For what was taken for granted legally and constitutionally before 11 September is now commonly violated - the right not to be tortured, not to languish in jails without due process and not to be arrested for eternity, these are no longer absolute principles to be respected. And the international law that protects prisoners of war from torture and humiliation, or the wounded from further injuries, is no longer a guide for some.

One tenth of the Arabs live directly under foreign occupation, with the consequent burden on human development in the region as a whole. Occupation, by definition, is the forceful confiscation of freedoms. In Palestine, it violates the citizen's right to life through murder and assassination while public rights and freedoms are violated through arbitrary arrests, house demolitions and destruction of property. In Iraq, the failure of the occupation forces to honor their commitments according to the Fourth Geneva Convention has led to chaos and a lack of security with resulting murders, kidnappings and rapes as outrageous daily practice.
However, the Arab arena has experienced some relief with the rising calls for reform emanating from political and civil forces in several Arab countries. Some Arab countries have undertaken measures some of which are promising although falling short of the real essence of required reform. Arab leaders approved a programme of "development and modernization" at the Tunis Summit, advocating deepening democracy and an expanded popular participation. Women participated in legislative elections in Oman and were appointed to high executive office in several Arab countries. In Algeria, a Presidential election was held based on multi-party competition; national Human Rights' Councils were established in Egypt and Qatar; in Morocco a new Family Code protecting women's rights was adopted; and Jordan initiated a national administrative and political reform agenda. Since the end of the period covered by the Report, several important events have taken place including the elections in Iraq and Palestine, the municipal elections in the Kingdom of Saudi Arabia and the announcement of major reforms in Egypt's presidential elections.

Ladies and Gentlemen:

This is the state of freedoms and governance in the Arab region, so what has been the outcome and what were the causes? These are several, but culture is not one of them as some would claim. Despotism is not an Eastern characteristic and freedom is not the prerogative of the West. The Arabs, according to international surveys, have the greatest thirst for freedom and are the most appreciative of democracy out of all peoples of the world. The main reason for the failure of democratic transformation lies in the convergence of legal, social, political and economic structures that undermined freedom and weakened the political powers capable of defending it.

The first of these is the status of freedom in the constitutional and legal structure. The Report distinguishes between two types of Arab constitutions: the first violates freedoms through provisions that are in conflict with international human rights’ principles, such as those that replace equality in citizenship with confessionalism or those that limit authority to those of a certain ideological affiliation. The second type of constitutions are adorned with general phraseology that underscores the freedom of thought, belief and opinion, the freedom to form associations and assemble peacefully, and progressive principles of the independence of the judiciary. However, in some of these constitutions there are loopholes that allow the executive power to sideline freedoms or supersede them; constitutions that sanction freedom of opinion and peaceful assembly contain other texts that curtail freedoms on security grounds. They also refer to ordinary legislation to regulate freedoms and rights, with the result that the legislator constrains, even confiscates, the legal right under the pretext of organizing it – and thus what is constitutionally stated is obstructed by laws.
The second is the status of freedoms in the institutional structure, whether public or private, political, social or economic. An examiner of the state of this institutional structure would be astonished by the distance separating it from the concepts of freedom and democracy. Its essential characteristic rests on the curtailment of real public participation whether popular, loyal or opposition party, social or economic association. In such an institutional context, self-defense mechanisms are an extension of this state - in the absence of democracy, the dictatorship of opinion and decision-making abounds; if the public loses confidence in its formulation or methodology, then repression and bribery are the alternative; and if its legitimacy is called into question, then the escape lies in the invention of some illusionary rationale to regain it. With only some exceptions, this is shared by those in power as well as those opposing it. And such institutions that are haunted by restraining opinions and curtailing freedoms can only produce ghosts and illusions.

Third is the state of social architecture which revolves around clannism - these enrench patterns of subjugation and cannot condone creativity outside of submission. Such systems nurture these traits through offerings, maintain them through protection and put loyalty ahead of performance. The clannisms that undermine the concept of citizenship are more rampant in the absence of the rights’ protective institutional structures, especially when the judiciary is ineffective and the executive authority delays the implementation of its verdicts. The citizen has then little recourse but to seek narrow loyalties and allegiances to safeguard his security and protection.

Fourth is the rentier mode of production that dominates economic life in the Arab world, a mode with diversified sources. These are to be found in the oil sector as well as with other natural resources and also external aid. The common denominator here strengthens oppressive rule and frustrates the expansion of the scope of freedoms. These revenues wean the political authorities off their public, in fact enhancing the public’s dependence on them as the source of services and fiefdoms and gifts. The citizen is thus co-opted in all waves of life and his ability to question authority or its performance heavily shackled.

In addition to all the above, freedom has suffered as a result of the perceived threat to some of the interests of global powers from democracy and freedoms in the Arab world. This has resulted in these powers’ turning a blind eye to violations of human rights in the region as long as the concerned states do not pose a threat to these vested interests.

Ladies and Gentlemen:
The third Human Development Report analyzed the state of freedoms in the Arab world describing its existence and retardation, the reasons for its prevalence and diminution, and the means of empowering people with it. Despite the level of commitment behind this research effort and the sophistication of its methods, it remains an endeavor that people differ in describing and argue about the rationality of its analysis and vary in estimating the suitability of its recommendations. This is a core element of the freedom we advocate disseminating and integrating.

We may find only a few who differ with our diagnostic of and our explanation for the state of freedom in our region and the prerequisites for breaking out of it. But there may be those who object to the timing for discussing it, those who are worried about the state of freedoms in their countries but are also concerned about the danger of domination over their countries. These people see in the call for reform in the Arab region a cause for suspicion in the intentions of all those demanding reform. They overlook the possibility that some of the external calls for reform are means to other objectives, and so achieving these other objectives becomes a trade-off to bury reform.

It should be clear to such people that the convergence of others against any nation is a result of its own weakness; for a society cannot be in control when its people are alienated from its systems and laws, and distanced from its institutions. This is the image of a body politic deprived of its immunity, crippled by inaction. This is a society easier to violate from the outside and its resistance to dictat is weaker, as is its solidarity in the face of challenge. If we wish to protect our nations from intervention we must strengthen these nations through internal solidarity which is unattainable without equality of opportunity for all, in the eyes of the law and where the authorities are under the rule of law and bound by it.

Ladies and Gentlemen:

The protection of freedom requires a system of good governance that represents the public at large and is accountable to it, where the law protects freedom and an honest, independent judiciary nurtures it. The Arab region may be the most impervious to the foundations, givens and values conducive to freedom and good governance. Reform of the political architecture is most urgent, as any further postponement provides further temptation for intervention and fans the fires of internal conflict. The continuation of the current status quo of internal repression and external intervention may lead some to violence and enhanced societal conflict with disastrous consequences – what the authors term “the impending disaster” scenario. It can be averted through the peaceful alternation of power and an historic negotiation process adopted by all reform elements in power.
and outside it. The required reform process requires the consolidation of the legal and institutional structures that enhance freedom as well as the reform of the political structures, in addition to governance reform at the regional level. And although the areas and details of desired reforms are extensive, the critical first step is to unleash the three key freedoms - of opinion, expression and organization. Once these freedoms are ingrained they lead the way to institutional, legal, political and economic reforms. Perhaps most crucial is to end the states of emergency where they exist and all forms of discrimination between citizens, in addition to securing the independence and integrity of the judiciary.

While no two individuals would differ over the direction of reform, the real issue is whether we have the real political and societal will to embrace it; I believe that our options here are very few; either to maintain a situation that only begets under development, leads to impotence and deepens disparities in the distribution of power and resources, the consequences of which have grim forebodings at all levels – or if wisdom is to prevail, the will of reform and development takes root and we embark on the road of true “izdihar” in line with a strategy that seeks, at its core, the empowerment of the rule of law and justice in our societies. This is the alternative that that will guarantee societal alignment with protection from extremism, and nurturing until it reaches the desired outcomes.

Ladies and Gentlemen:

When the Report team examined the state of freedom in our region, it retained two considerations: a complete commitment to the truth and a total bias in favor of its people. The team’s preoccupation was to contribute to the serious dialogue burning in the hearts and minds of millions of Arabs about the means of reform. The team therefore deserves all the thanks for such creative efforts, without pretence at perfection. Our ultimate aim is that this Report will be judged by its core content; looking at ourselves in the mirror of nations has burdened our chests, inflamed anger in our hearts and strengthened our resolve to change. We no longer have a wide space to relax and take our time in attaining the most noble and greatest of tasks. We have no protection from the arrows of criticism other than confidence in the need for renaissance and this confidence spouts from the great history of this nation. This is a nation that has produced ingeniously, excelled in its tasks and taken the lead to carry forward a heavy legacy that burdens both hearts and minds. This nation now needs to rise for itself and for the future of its sons and daughters. The renaissance that we seek will remain outside our reach unless we pull together and unify all the elements that have almost lost hope, to dictate the reform that we desire. It is most appropriate that this change should take place at our own hands and in accordance with our best interests, not at the mercy of the swords of others.