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Views: Support for Human Rights in the Arab World, a Shifting and Inconsistent Picture

Michele Dunne

Since 2011, human rights defenders and organizations in the Arab world that were built over approximately three decades have come under increasing attack inside their countries and many have been forced to curtail their work or to go into exile. This has happened amid a chaotic regional environment in which governments of Arab countries have been scrambling to retain or regain control while their citizens have been demanding accountability.

The international community's engagement on human rights in the Arab world, never particularly strong or consistent, has also changed significantly since 2011. That engagement has been affected by what has happened in the region itself, by political and economic developments inside Europe and the United States, and by developments on a global level. A sense that the Arab revolutions failed, fear of migration and terrorism emanating from the region, and the temptation to make profits on regional conflicts have all corroded the willingness of Western leaders to engage on these issues.

Regional, local, and global developments lead to isolationist approach

First, the revolutions and uprisings that started in the Arab countries in late 2010 generated mixed reactions in the United States and Europe. Government officials as well as foreign affairs experts differed sharply among themselves as to whether the revolutions were an exciting new beginning for Arab citizens or a disaster for security. Moreover, officials and observers in the West were subject to strongly contradictory influences from the region: inspiring young activists and civil society leaders calling for change versus government officials from certain countries—notably Saudi Arabia, the UAE, and Israel—warning of the danger of chaos and of the ascent of political Islam.

Unfortunately, the latter narrative eventually prevailed. After the failure of most of the revolutions and the outbreak of war in several Arab countries by 2013, the common perception in the West was that the uprisings were a disaster.

Second, this period of upheaval in the Arab world coincided with a difficult financial and economic crisis in the United States and Europe that shook confidence in democratic political and market economic systems. This followed difficult experiences in the military campaigns in Iraq

and Afghanistan that make citizens turn against military interventions, perhaps rightfully so, but in any case what these economic and military problems led to was a renewed wave of isolationism.

Neo-isolationism was evident in the United States as early as the 2008 presidential campaign, when Senator Barack Obama competed and won on a much more isolationist program than his competitor Senator John McCain. When President Obama entered office, he made clear that there were two issues regarding the Middle East—Israel/Palestine and Iran—that he would prioritize. He was completely unprepared for the 2011 Arab revolutions and failed to show leadership in reacting to them. Europe tried to make a more credible response in the form of economic assistance, but the unwillingness to take on Arab leaders committing human rights abuses was apparent from the British parliament's April 2013 vote not to enforce the red line against the use of chemical weapons (in which it was joined by the US Congress shortly thereafter).

Whether the conflict in Syria might have turned out differently had those allied with the rebellion acted more forcefully in 2012 and 2013 cannot be known. But it is clear that Obama's calculation that the Syrian war could be contained was incorrect, and it was Europe that paid the price in terms of the arrival of some one million Syrian refugees. After a NATO-led intervention helped overthrow Libyan leader Qadhafi but failed to help build a new armed force, Libya became a transit point for African refugees and migrants, who began streaming across the Mediterranean by the thousands. All in all, the numbers are not that large; Turkey, Lebanon, and Jordan each took in more Syrian refugees than all of Europe combined. But increased migration was accompanied at the same time by an uptick in terrorist attacks in Europe, most of them small but frightening to the public, as well as the phenomenon of Europeans joining the Islamic State in Syria and Iraq.

The United States was not directly affected by the increased flow of refugees from the Middle East and Africa, but anti-migration sentiment also developed there due to the increased flow of people fleeing violence and instability in Latin America. Anti-migration sentiment—along with economic dislocations related to globalization—contributed to the electoral victory of Donald J. Trump in November 2016, who came into office with a strongly nationalist and mercantilist foreign policy. Several terrorist attacks in 2015 and 2016 connected to ISIS sympathizers paved the way for the incoming Trump administration's January 2018 executive order banning refugees and migrants from Syria, Libya, Yemen, Iraq, Iran, Somalia, and Iran. After legal battles going all the way to the Supreme Court, as of June 2018 the modified list bans issuing visas to people from Iran, Libya, Syria, Somalia, and Yemen as well as North Korea and Venezuela (only government officials). Student visas are allowed and there are other exceptions granted, but the main story is that many fewer visas are being granted to people from the five predominantly Muslim countries listed than before the ban.

To broaden this picture to the global level, it is worth noting that some of the trends afoot in Europe and the United States are connected to much larger phenomena, notably a worldwide reaction against the economic inequities fueled by globalization and a greater assertiveness by the global south—whether by governments of developing countries seeking a larger role in world governance or by citizens of those countries voting with their feet to leave poverty, violence, and instability.¹

This new drift away from globalism and towards nationalism is not merely knee-jerk populism embraced by those far from the political elite. In the United States, for example, major intellectuals within the conservative elite are debating whether this trend is salutary or dangerous. Nadia Schadlow, a fellow at the conservative Hudson Institute who was deputy national security advisor under Trump, noted in a September 2018 newspaper column:

Globalization has not fulfilled the promise its advocates had hoped for and has, in many respects, exacerbated income inequality, contributed to severe immigration crises across the West and has been unable to moderate the behavior of states like Iran. Recognizing these facts, the administration has opened a conversation on sovereignty and the degree to which individual states pursuing their national interests are best suited to solve persistent problems.²

Meanwhile another major conservative intellectual, Robert Kagan, agrees with Schadlow that there is a profound desire among Americans to drop the mantle of global leadership carried since World War II in favor of foreign policy “normalcy.” But unlike Schadlow, Kagan warns that Americans probably will not like the results of such a course:

The problem is that we have lived inside the bubble of the liberal world order for so long that we have forgotten what the world ‘as it is’ really looks like. The critics who insist that the last quarter century of American foreign policy has been a disaster evidently have short memories...Even if the last twenty-five to thirty years have seen their share of failures, they have been characterized by great-power peace, a rising global GDP, and widespread democracy. A true realist would recognize that however problematic the last twenty-five years have been, on our current trajectory we are likely to see much worse.³

Nor is isolationist/anti-globalist thought confined to the political right; in the United States it exists in the far left as well.

Darker views translate into even less consistent human rights policies

A sense that the Arab revolutions of 2011 failed, growing fears about migration and terrorism, and an overall sense of uncertainty about the global order have led decision makers and citizens alike in Europe and the United States to view the region as a source of threats to a greater degree than they did in the past. Previous ideas that the region also contained bright opportunities—for peace between Israelis and Palestinians, for example, or for greater freedom based on youth-led revolutions against despotic leaders—have faded, giving way to policies motivated more by fear than by hope. This darker world view has led to changes in how Europe and the United States

treat human rights issues in the Arab region, changes that in some ways seem dramatic but in others are only partial and uneven.

In Europe, the aftermath of the Arab uprisings and the wave of refugees coming from Syria and through Libya have resulted in a far less consistent policy towards human rights. To be sure, policy was never completely consistent and there were always different views among European Union member states; generally the Nordic states and the UK tended to be more willing to be assertive in human rights discussions whereas the Mediterranean neighbors were less inclined to be critical of Arab governments—with France and Germany taking various stances depending on the issue and other factors. As Richard Youngs has pointed out, differences widened among member states as they read the potential of the Arab uprisings in different ways beginning in 2011⁴—and subsequently sharpened with the dual crises of terrorism and migration that followed.

Perhaps the most striking manifestation of changed policies in Europe has been the arrangements reached with the strongly authoritarian governments of Turkey (March 2016) and Egypt (2015), as well as an arrangement for Libya (February 2017), an “externalization” of the migration issue that has led to reports of sharply increased rights violations.⁵ In addition to causing violations by keeping migrants back, EU member states have appeared reluctant to raise other human rights violations with Arab governments whose help is wanted with migrants. Italy, for example, has tread increasingly softly in pressing for justice for its citizen Giulio Regeni, a Ph.D. student brutally tortured to death in 2015, apparently by Egyptian police.⁶

Decisions whether to pursue specific or general human rights problems in the region also seem to have been increasingly affected by competition among European states as well as between them and others—especially the United States but also Russia—for commercial deals, especially in the energy and arms sectors. The Italian firm Eni has had a major stake in developing Egypt’s offshore gas reserves, a factor that significantly complicated efforts to pursue the Regeni investigation.⁷

Arms sales have shot up sharply amidst the wars following the Arab uprising, an opportunity that the United States, Europe, and Russia have not failed to exploit. From 2012-2017, the Middle East imported nearly one-third of all weapons sold in the world, a significant increase over the previous period. Saudi Arabia, Egypt, and the United Arab Emirates were three of the top four arms importing states, and their top suppliers were the United States, UK, and France.⁸ Leaders including U.S. President Trump and French President Emile Macron are quite open in citing large arms deals with such countries as important political achievements due to their ability to create or preserve manufacturing jobs for constituents. All three of the top importing countries stand accused of using imported weapons and technology to commit major rights violations: Saudi Arabia and UAE in Yemen as well as domestically, Egypt primarily at home but also in Libya.

Turning to the United States, there has been a significant shift in human rights policy under Trump, who has taken to praising authoritarian leaders—even Kim Jong Un of North Korea—in a way that seemed unthinkable previously. Trump has also failed to support other democratic allies in their human rights advocacy, for example taking a studied neutral stance when Saudi Arabia expelled the Canadian ambassador in August 2018 after the embassy called for the release of Saudi women’s rights activists.

But in truth the shift began happening much earlier, at least since the inauguration of President Barack Obama in January 2009. Human rights advocacy as part of foreign policy was uneven under Obama—generally observed in rhetoric and multilateral diplomacy to some degree, but often absent or ineffective in terms of bilateral diplomacy. In short, Obama saluted human rights principles but generally accorded them a low priority (lower, for example, than that accorded by his predecessor George W. Bush) as compared to other issues such as his desire for a nuclear accommodation with Iran.

Trump, on the other hand, has generally raised human rights publicly only in relation to avowed enemies such as Iran and Venezuela, but in some cases has pursued behind-the-scenes diplomacy with a vigor similar to that or even greater than that of Obama—for example in demanding the release of American citizens imprisoned for political reasons in Egypt. Trump and Obama have so far been similar in their reluctance to sacrifice arms sales or military relations in order to defend human rights; both chose to support Saudi Arabia and UAE in their costly military intervention in Yemen, and both resumed military assistance to Egypt and suspending it for short periods due to human rights and democracy concerns. In terms of support for human rights, both of them advocated on behalf of U.S. citizens suffering abuses but did not go far beyond that.

Legislatures keep the flame alive

While top leaders in the United States and Europe have generally not shown much interest in human rights in the Arab world recently, that is by no means the whole picture. Legislators have tended to be more principled and consistent in making human rights part of foreign policy, particularly in the U.S. Senate and the EU Parliament. This is the case especially regarding countries that are significant recipients of economic aid or arms, for example Saudi Arabia and Egypt.

Civilian deaths and other human rights abuses associated with the Saudi/UAE military campaign in Yemen have become a particular focus of legislators' concerns, and in some cases have forced governments to stop selling arms. This was particularly the case after an August 2018 report by the United Nations High Commissioner for Human Rights concluded that “Individuals in the [Yemeni] Government and the coalition, including Saudi Arabia and the United Arab Emirates, have committed acts that may amount to war crimes.”⁹ Spain cancelled a sale of laser-guided bombs to Saudi Arabia in September 2018 and Germany at least temporarily halted arms sales to the Kingdom several months before that. Norway and Finland blocked sales to the UAE.¹⁰ Opposition members of the British parliament questioned arms sales to Saudi Arabia during a September 2018 debate, and a bipartisan effort in the U.S. Congress forced Secretary of State Mike Pompeo to certify publicly that “Saudi Arabia and United Arab Emirates are undertaking demonstrable actions to reduce the risk of harm to civilians” in order to continue arms sales¹¹—but more pressure is expected on that front.

U.S. security assistance to Egypt has similarly come under pressure from the legislative branch, with the Congress attaching human rights and democracy conditions to the assistance annually

since 2012. For fiscal year 2018 (the most recent year for which there is legislation), the amount of assistance so condition has been increased from \$195 million to \$300 million out of a total \$1.3 billion. The execution of this policy has been a complicated affair, as indicated above, with both the Obama and Trump administrations equivocating—at times agreeing to withhold the assistance, but then ultimately waiving the conditions under a “national security” provision and delivering the assistance.

Conclusion

The current trend in the executive branches of governments in the United States and Europe is to pay less attention than before to human rights issues in the Arab countries, and to be even less consistent than before in taking actions. This situation did not develop overnight, but rather over the course of nearly a decade, and is unlikely to disappear quickly, as it is connected to local, regional, and global trends.

For human rights defenders in the Arab world, this weak and inconsistent interest from Western leaders is problematic, but all is not lost because citizens in democratic countries and their elected representatives are still engaged. And in a rapidly shifting political environment, it is entirely possible that in some countries new leaders will be elected within a few years who will take a significantly different course.

What this means is that Arab human rights defenders should work with partners in other countries to ensure that parliamentarians, candidates for high office, staffs, and other members of the politically-aware public are well-briefed on their issues. It is also essential to establish and maintain respectful relations with executive branch contacts who might well choose to take action on specific human rights issues at specific times—for example, those related to citizens of the country concerned.

About the Author

Michele Dunne is Middle East Program Director, Carnegie Endowment for International Peace.

¹ Inge Kaul, *The Rise of the Global South*, UN Development Program, 2013
http://hdr.undp.org/sites/default/files/hdro_1308_kaul.pdf

² Nadia Schadlow, “It’s time to accept that not every nation wants to be friends,” *New York Post*, September 15, 2018, <https://www.hudson.org/research/14556-it-s-time-to-accept-that-not-every-nation-wants-to-be-friends>.

³ Robert Kagan, *The Jungle Grows Back: American and Our Imperiled World*, New York, Alfred A. Knopf, 2018, p. 105.

⁴ Richard Youngs, “20 Years of the Euro-Mediterranean Partnership,” *Mediterranean Politics*, May 2015, accessed at <https://carnegieeurope.eu/2015/05/18/20-years-of-euro-mediterranean-partnership-pub-60337>

⁵ See Human Rights Watch, "Towards an Effective and Principled EU Migration Policy," June 18, 2018, <https://www.hrw.org/news/2018/06/18/towards-effective-and-principled-eu-migration-policy>.

⁶ Declan Walsh, "Why was an Italian graduate student tortured and murdered in Egypt?," *The New York Times Magazine*, August 15, 2017, <https://www.nytimes.com/2017/08/15/magazine/giulio-regeni-italian-graduate-student-tortured-murdered-egypt.html>.

⁷ Associated Press International, "Egypt thanks Eni for gas efforts despite Regeni affair," January 31, 2018, <https://www.apnews.com/563469375c574cce9f157555273dfc74>.

⁸ See Stockholm International Peace Research Institute analysis <https://www.sipri.org/commentary/blog/2017/state-major-arms-transfers-8-graphics>

⁹ United Nations Human Rights, Office of the High Commissioner, "Yemen: United Nations experts point to possible war crimes by parties to the conflict," August 28, 2018, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23479>.

¹⁰ Dominic Dudley, "Why more and more countries are blocking arms sales to Saudi Arabia and the UAE," *Forbes*, September 7, 2018, <https://www.forbes.com/sites/dominicdudley/2018/09/07/why-more-and-more-countries-are-blocking-arms-sales-to-saudi-arabia-and-the-uae/#24a58d4c580a>.

¹¹ Secretary of State Michael R. Pompeo, "Certification to Congress on Actions of Saudi Arabia and UAE in Yemen Under the NDAA," U.S. Department of State, September 12, 2018, <https://www.state.gov/secretary/remarks/2018/09/285861.htm>.