



# Democratic Change in the Arab Region

State Policy and the Dynamics of Civil Society

Discussion Seminar, 2-3 April 2011, Brussels

Ramzi Blel (Tunisia)



Euro-Mediterranean Foundation of Support to Human Rights Defenders

المؤسسة الأورو-متوسطية لدعم المدافعين عن حقوق الإنسان

Fondation euro-méditerranéenne de soutien aux défenseurs des droits de l'Homme





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*The contents of this document are the sole responsibility of the Euro-Mediterranean Foundation of Support to Human Rights Defenders (EMHRF) and can under no circumstances be regarded as reflecting the position of the European Commission and the other financial partners mentioned above.*



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## Foreword

The Euro-Mediterranean Foundation of Support to Human Rights Defenders (EMHRF) aims at promoting and strengthening the work of human rights defenders in the Southern Mediterranean region. It does so by providing tangible financial assistance in the timeframes and with the flexibility needed to allow human rights defenders to pursue their testimony, advocacy and debate activities, as well as their actions in promoting and defending all human rights (civil, political, economic, social and cultural) in the region.

In particular, the EMHRF aims at supporting human rights defenders in difficulty or at risk in two ways: the first is through an emergency-response mechanism, and the second is through assistance and capacity building of innovative and sensitive projects carried out by small organisations or groups of defenders. Funds are aimed specifically at organisations and individuals who do not have the capacities to approach major donors or whose mandates fall outside the usual categories of beneficiaries.

Beside the provision of emergency and strategic financial assistance to human rights defenders, a key aim for the action of the EMHRF is to ensure sustainability and a long-term perspective for the activities of its grantees. To this effect, the EMHRF strives to assist human rights defenders to better engage with other human rights stakeholders at the national, regional and international level and cooperates with other human rights stakeholders to address the plight of human rights defenders.

On April 2-3, 2011, the Board<sup>i</sup> of the EMHRF convened a seminar entitled the *Democratic Change in the Arab Region: State Policy and the Dynamics of Civil Society*. The seminar brought together more than 60 actors enjoying a high status and playing an important role in the Arab region, including those who have made gains on the ground in the struggle for rights and freedoms, and who seek to innovate with regard to the goals and forms of these interventions.

Initially, when preparations began, the purpose of this seminar was to seek a clearer understanding of all the factors that impeded democratic change in the region by analysing the driving forces behind the actions of different actors: Arab governments, the international community, the donor community and local actors, in particular the groups and individuals who are committed to promoting democracy and defending human rights, etc.

This seminar took place at a time when the region was and is still convulsed on a daily basis by far-reaching events.

Some of the changes that have occurred are very promising and have the potential to lead to a major transition towards democracy. They are also a manifestation of the potential for action and mobilisation in societies that were far too long assumed to be apathetic and resigned. Other situations show that some regimes are capable and willing to resist reforms.

In spite of the uncertainty and fluidity of the environment created by these events, this seminar aimed at fostering an early exchange of views among different actors and attempting to identify fundamental trends in the region while taking recent events and their meaning into account.

<sup>1</sup> **President:** Driss El Yazami, President of the National Human Rights Council (CNDH) in Morocco, Former Secretary General of the International Federation of Human Rights Leagues (FIDH), Member of the board of directors and advisory council of the National Centre for the History of Immigration in France and the Casa Árabe in Spain, Morocco. **Vice-President:** Christine M. Merkel, Head, Division for Culture, Memory of the World, German Commission for UNESCO, Germany. **Treasurer:** Eskil Trolle, Lawyer, Partner Bech-Bruun, Denmark. **Khémaïs Chammari**, Ambassador of Tunisia to the UNESCO, Former member of the Tunisian Parliament, Nuremberg Human Rights Prize Winner, Tunisia. **Bahey El Din Hassan**, Director of the Cairo Institute for Human Rights Studies (CIHRS), Egypt. **Kamel Jendoubi**, President of the Euro-Mediterranean Human Rights Network (EMHRN), President of the Comité pour le Respect des Libertés et des Droits de l'Homme en Tunisie (CRLDHT), France. **Hanny Megally**, Vice-President, Programs, International Centre for Transitional Justice (ICTJ), Member of the Board of Directors of the Arab Human Rights Fund (AHRF), Egypt. **Lynn Welchman**, Professor, of the Law with particular reference to the Middle East and north Africa, School of Oriental and African Studies (SOAS), Member of the Board at the International Centre for the Legal Protection of Human Rights, Member of the Founding Editorial Board, *Muslim World Journal of Human Rights*, United Kingdom. **Leila Rhiwi**, Programme Management Specialist, United Nations Entity for Gender Equality and the Empowerment of Women (UN WOMEN), Morocco.

## Executive Summary

This report provides an overview of the major ideas and contributions made during the seminar of the EMHRF, entitled, “Democratic Change in the Arab Region: State Policy and the Dynamics of Civil Society,” which took place in Brussels on April 2-3, 2011.

The seminar was among the first of its kind to be organized in the wake of the momentous uprisings in the Middle East and North Africa. It provided the space for a preliminary exchange and reflection between key academics, civil society actors, donors and government representatives who work in or on the region, and who, particularly, are involved in the promotion of democracy and protection of human rights. The discussions focused on four major axes: the logics of local state actors, of international actors, of civil society and non governmental actors, and of the donor community.

The logics of local state actors focused on the dynamics between these actors (the army, the business elite, and the old regime, among others) and the way in which these dynamics are constructive or destructive to democracy and democratic transition. The uprisings in the Middle East have been both the consequence and cause of the emergence of a new Arab individual and citizen – bringing onto the political scene a new actor which has until now been ignored. While this is in itself revolutionary, it is not yet clear the extent to which countries in the region will experience actual democratic transition and, in the formulation of future policies and strategies, one should be cautious of the possibilities for democratic reversals and obstacles. Where democratic reform is possible, special attention should be placed on creating a democratic structure that will empower citizens and protect their political, economic and social rights.

The discussion on the logics of international actors focused on the policies of the United States (US) and the European Union (EU), despite the importance of other actors, such as China and Russia. Both the United States and the EU bear an important duty in this new era of Middle East politics – both need to move away from their prioritization of security and stability in the Arab region and towards policies that reflect a commitment to human rights and democratic values. The international community will have to accept the inevitable instability that accompanies any democratic transition and be willing to compromise short term stability for a long term one rooted in democracy rather than authoritarianism. In this era of transition for the Arab region – even in countries that have not experienced full regime change – international actors will have an

important role in supporting the reforms and transitions taking place, without *imposing* democracy. Finally, along with a shift in priorities, the US and the EU should understand that in the long run the promotion of universal values and of their geo-strategic interests are not mutually exclusive.

The logics of civil society actors and non governmental actors focused on the role of Islamists, non-governmental organisations (NGOs), and the media in Arab societies today. The discussions placed the current uprisings in a historical context of a revival of civil society activism that has occurred over the past decade in Tunisia, Egypt, and several other countries of the region. NGOs – though they have been undeniably weakened over the years – have played an important role in fostering the space for protests. Islamist actors, for their part, have demonstrated a far more complex identity than that which has been ascribed to them in the West. Not only have they demonstrated an increased willingness to collaborate with secularists over the past years, but they also decided to support the protests without co-opting the non-religious discourse of protesters. While the Islamist agenda is unclear – and their democratic aspirations always in doubt – it is evident that the identity of Islamists is shifting and becoming ever more complex. The media, for its part, is an important agent in the Arab world – not only has state-media come to the forefront as a government tool to mitigate protests, but the recent uprisings have underlined the potentially powerful roles of Facebook and Twitter, as well as the central role of Al Jazeera and other independent media in spreading news about the protests and increasing the interest of citizens throughout the region. An important question that must be addressed is the impact of the revolutions and reforms on the role of non-governmental actors. While some actors will choose to enter politics, others will reformulate their mandate – in all cases, civil society must continue to be reinforced and supported in this era of drastic change.

Finally, the discussion on the logics of the donor community focused on the changing role of donors in an era of Arab transformation. Major state donors such as the US and the EU have an important obligation to re-assess their goals and re-consider the incoherence of their funding strategies, where they have simultaneously funded oppressive authoritarian governments and civil society actors. Conditionality needs to be reinforced to ensure the respect of fundamental rights. For all donors more generally, there is a need to re-assess funding strategies and ensure that the funds are not only spent, but spent in an effective manner to encourage real and sustainable change in the region. The explicit needs and demands of defenders need to be taken into account by funders when making decisions, and greater communication with those receiving funds is necessary.

It is difficult to predict the result of the protests. Egypt and Tunisia are faced with the task of rebuilding their political structure while addressing economic and

social demands of their populations. Libya and Syria, and to an extent Yemen and Bahrain, will be faced with the challenge of rebuilding their societies following long periods of state violence. Other countries, such as Morocco, Algeria, and Jordan, have so far responded to protests through limited, yet still important, political reforms. In all cases – though in some more than in others – there is a need to consolidate efforts and invest in the national projects of reconstruction and transformation, and this on many different issues: that of gender equality; the generational transformation of Arab societies; constitutional reforms; institutional reforms, particularly in the field of justice; the social aspirations and rights of Arab populations; the intersection of history, memory, and transition in the settlement of past violations; and the management of pluralism and diversity. Actors working on the region have the responsibility to contribute to these national projects, to support them, and to create the necessary space for reflection and cross-national exchanges amongst key groups and individuals. The EMHRF is one such actor, and its role in the Arab region will evolve in light of recent developments and the recommendations made during the seminar.

## **Khémaïs Chammari, EMHRF Board member, Ambassador, Permanent Representative of Tunisia to the UNESCO**

The Arab region has been convulsed since the beginning of 2011 by an unprecedented wave of popular protests. A fundamental geo-strategic change is taking place, and several well-established theories of the past have now been put into question. The revolutionary winds that have today shaken the Arab world, from Morocco to Bahrain, can be equated to the *Khamasseen* – strong winds of sand which yearly occur in the Egyptian Sahara and spread all the way to Palestine and beyond. Like a sandstorm, the events are reshaping the landscape without allowing us to distinguish today between what will be eroded and what will come to light. The Tunisian people and other peoples in the region have shown, however, that the Arab-Islamic world is not condemned to the simple alternative of secular tyrannies or Islamic totalitarianism.

At its latest Board meeting, the Foundation made four preliminary observations regarding the Foundation's mission and the fundamental tendencies of this Arab Spring:

1. The Foundation benefits from a solid basis of trust and credibility in the region, especially in Tunisia, where in recent years its actions have played a crucial role in enabling major NGOs and human rights defenders to survive and pursue their activities. Thus it seems very likely that despite the growing attention of governments and foreign donors on Tunisia, the Foundation will continue to enjoy the trust of defenders seeking its assistance and support in the future.
2. A significant number of new initiatives are being set up in Tunisia, not only in the capital but also in more remote areas. The same trend will most probably develop in Egypt and other countries of the region, if it has not started already. Several organisations are attempting to establish a list of these new initiatives, but it is difficult – indeed, it may be premature – to assess their quality. A qualitative approach focused on the local level is therefore needed to support and leverage these initiatives carried out by local actors.

3. A substantial level of funding will most probably be made available, in indiscriminate fashion, to the countries concerned as a means of supporting their transition to democracy. While this influx must be welcomed, there is a risk that it will take time to be directed to the intended targets and that it will have a destabilising impact on civil society organisations. The Foundation must therefore be able to respond in the most suitable manner possible – time and local focus are of the essence here – to new, emerging needs in order to support the organisational and strategic development of the work of the actors in the region.
4. The work of major human rights NGOs in the region, whether in Tunisia or in Egypt, has been stretched to the limit by years of repression. As a result, these organisations have neither the physical and human resources needed to operate their own programmes, nor the organisational resources needed to manage the new funding that will be made available to them. Support in the form of capacity building and strategic advice will therefore be essential.

In view of the foregoing, the Foundation will provide active support to defenders in those countries through an exploratory strategic mission. The main purpose of the exploratory mission would be to assess the quality of the new initiatives launched in the region and to provide strategic assistance at the local level to support the organisational and strategic development of the work of defenders in the region. The Foundation would continue to provide assistance on an emergency basis in those countries where conditions are particularly difficult and to support the organisational capabilities of defenders and their ability to launch innovative, sensitive projects in the region. This new mechanism, however, will give the Foundation a more flexible tool in responding to the fundamental transformations taking place in the region and providing the most effective support possible to defenders in their efforts to promote genuine and lasting reforms.

In conclusion, it is important to mention that this seminar is dedicated to Mohamed El-Sayed Said, key Egyptian human rights defender and colleague, who passed away almost two years ago. In this period where extraordinary transformations are taking place in the Arab world, and at the occasion of this seminar, the Board of the Euro-Mediterranean Foundation of Support to Human Rights Defenders wishes to honour the pioneering vision and precious contributions of Mohamed El-Sayed Said. Dr. Said's intellectual and human contributions will continue to illuminate the path of all those striving for freedom and justice and everyone who aspires to see human rights flourish in Arab societies as they do in other societies around the world.

It is important to also honour others who have served as vigilantes of liberty and whose work has inspired us over the years. Let us remember those who should have been present to live this important and exciting, though difficult, moment for the Arab world – Ahmed Othmani, Driss Benzekri, Hamida Ben Sadia, and Mahmoud Khalili, among others.

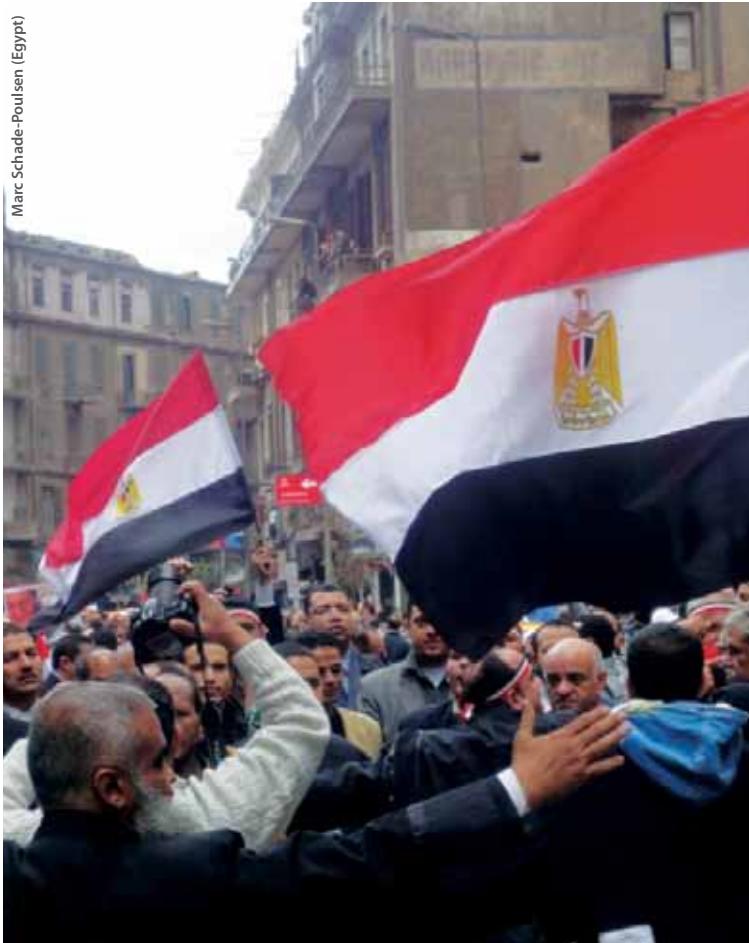
Let us also not forget friends who are currently unable to travel and have been targets of particularly violent state repression and intimidation due to their political activism – Nabeel Rajab and Abdulhadi Al-Khawaja in Bahrain as well as Mazen Darwish and Razan Zeitouneh in Syria. Our thoughts are with them during this difficult time.





## Chapter 1: The Logics of Local State Actors

Marc Schade-Poulsen (Egypt)



The logics of local state actors were addressed by Prof. Lynn Welchman, EMHRF Board member and Professor at the School of Oriental and African Studies (United Kingdom) as moderator, Mr. Nizar Saghieh, Lawyer and Research (Lebanon) as commentator, and by a panel composed of the following discussants: Dr. Eberhard Kienle, Research Professor at the National centre for scientific research (France) and Mr. Neil Hicks, International Policy Advisor at Human Rights First (United States).

## **1.1 The Arab Regimes after the fall of Ben Ali and Mubarak: Challenged but not yet Defeated**

Eberhard Kienle

CNRS Paris / Institut d'études politiques  
(PACTE), Grenoble

Over the last few months large scale popular uprisings have led to the overthrow of two Arab presidents who not long ago seemed to be firmly in place, destined to leave office not before they would leave this world. In both cases the departure of the incumbents and some of their close associates including family members, have entailed other substantial changes affecting the sociology of ruling groups and coalitions, the institutional aspects of the exercise of power, the workings of the broader state apparatus including the bureaucracy, the judiciary and the 'security' services, and the relations between the rulers and the ruled. Events in Tunisia and Egypt also strongly impacted on other Arab countries, as well as the American state of Wisconsin, where trade unionists demonstrating against curbs on collective bargaining rights in the public sector continued to refer to the courage, legitimacy and perseverance of protestors in Egyptian. By now more or less important demonstrations have taken place in almost every Arab country demanding decent living standards, political reforms such as meaningful mechanisms of political participation and respect for human rights, and in some cases the departure of the current rulers. At the time of writing Bahrain is still on the

edge while Libya has descended into a civil war of sorts.

However, even in Tunisia and Egypt change has been gradual and indeed continues to unfold in ways whose outcomes remain unpredictable. In both cases also caveats (may) still apply to the extent and irreversible nature of change, however important it has been measured by local standards and the recent history of the two countries. In Tunisia and in Egypt events have been facilitated by the armed forces which in various ways were part and parcel, if not pillars, of the *anciens régimes*. Likewise civilians identified with the old order played important, if transitory, roles in the early days of the transition to a yet uncertain new political order. Thus components of the old regimes were or continue to be able to influence the course of events and protect part of what they and the ousted rulers stood for. Below the visible surface of governments populated by ministers, prime ministers and presidents continuity may be yet stronger. The bureaucracies and partly the judiciaries continue to be run by individuals once appointed by Ben Ali or Mubarak. At the same time, the predominant crony capitalist arrangements (or 'political capitalism' in academically more neutral Weberian terms) ensure that entrepreneurs close to the former rulers continue to own major assets and play an influential role in the economies. In the other Arab countries rulers, regimes and state agencies under their control have so far managed to defend the status quo. Depending on the strength

of protests and oppositional forces they have, by and large, been on the defensive and in some cases, they have been so severely. At least verbally they have agreed to concessions of various types and scope. However, so far they have all managed to hang on against all odds, or even turn the tables on the opposition, as happened in Libya.

The present contribution is intended to shed some light on (i) the reasons of the unrest and why it plays out in different ways in different countries, (ii) the significance of these events for the exercise of power, the nature of the political regime and system and the workings of the broader state apparatus in the case of Egypt, which albeit not representative for other countries illustrates a number of difficulties of and dangers for the yet unfinished 'Arab revolutions', and (iii) the reality and promise of changes that are taking place in other Arab countries where no rulers have been toppled (yet).

### **Similar Grievances, Different Outcomes**

Much of the debate on the recent upheavals has centred on the contagious effects that events in one Arab country have had on other Arab countries. No doubt, initial unrest in Tunisia spread more easily to other Arab countries thanks to a common language and the perception of a shared history or rather predicament. Whether the fact of Egyptians waving Tunisian flags on Tahrir Square indicates that decades after the

heydays of Arab nationalism in the 1950s and 60s something is left of the cross border solidarities that however precariously united the various Arab states in an 'Arab world' remains to be seen. So far the protests have not been expressed in the terms of a common nationalism that transcends individual states. Nor have they been much expressed in religious terms, as precisely demonstrate the religious services and prayers held on Tahrir Square side by side by Christians and Muslims. Rather the language has been that of the universal values of human rights, democratic government and human dignity conceived in terms of positive and negative liberties.

Though facilitated and precipitated by a common language and predicament, the 'domino effect' of country after country experiencing its own 'revolution' has been largely premised on some important similarities between these countries in terms of economic change and political stagnation or worse. The ingredients for unrest have been omnipresent throughout the region for quite some time as the ruling regimes were less and less able to meet the expectations and, indeed, demands of their populations. For more than two decades, globalization and related economic reforms and liberalization tended to increase the income and wealth of some constituencies while marginalizing, impoverishing or reducing to lasting poverty others. Crony capitalists, internationally competitive entrepreneurs and members of liberal professions,

together with their key staff, were among the relatively few winners of the various degrees of deregulation, market and private sector growth. Public sector workers and civil servants, as well as employers and employees in the non competitive parts of the private sector, were among the losers. Lack of freedom of expression and effective avenues of political participation incarnated by government dependent media, censorship, rigged or simply absent elections, and the repression of strikes left the losers with little hope to make their voices heard. Simultaneously discontent was prevalent among many of the winners whose upward mobility remained ultimately blocked by crony capitalists with privileged access to credit and markets, and authoritarian regimes monopolizing politics.

However, the differential strength and impact of unrest in the various countries also reflects a number of economic, social and political differences between them. Although almost all countries are governed by authoritarian regimes, they differ as to the degree, forms and social basis of their authoritarianism. They also differ in terms of income and wealth, ranging from low to high income countries. Finally they differ in terms of social structure, some being far more deeply divided than others into 'communities' based on religious, linguistic, 'tribal' and other ascriptive ties. Protests may have started and intensified in Tunisia and Egypt because the absence of oil revenues entailed endemic economic difficulties typical of most low surplus

producing countries in the global south; these difficulties were further aggravated in the period of economic downturn that began with rising food prices and continued with the effects of the global financial crisis. Tunisia may have taken the lead because it restricted the freedom of speech and political participation more severely than Egypt even as its population was more familiar with living conditions in the global north and, thanks to higher education standards and income levels, disposed of greater resources to mobilize. In a sense Tunisia may have been the cradle of change because of its relative development – an aspect that could confirm the partial validity of modernization theories. In spite of its service role for the hydrocarbon economies in the Gulf and associated indirect rentier character, Bahrain may have been affected because deep societal cleavages, at least in subjective and relative terms, marginalized a large part of the population. Similar internal cleavages between its Eastern and Western parts may have precipitated events in Libya. No doubt more research will have to be conducted to fully understand developments that have unfolded and led to major changes in no more than a few months. However, different conditions clearly had an impact on the intensity, form and effects of contestation.

### **Egypt: A Glass Half Empty or Half Full?**

The preceding paragraphs show that conditions differ widely from country to country and that none of

them sums up the changes that have happened so far. Nonetheless it seems useful to assess such changes and their impact in at least one specific case. My choice has fallen on the country which I am most familiar with – Egypt. The departure of Hosni Mubarak has entailed the departure of his wife and sons, all of whom played an important political role under the *ancien régime*. It also led to the demise of a group of prominent business people close to Gamal Mubarak who had great influence in the regime party, the National Democratic Party (NDP), and in the Nazif government that fell victim to the uprising a few days before Mubarak himself stood down. Some of those fallen from grace are now investigated for corruption and other charges as illustrated by the fate of the ‘tycoons’ Ahmad Ezz and Ibrahim Kamal. The various academics who threw their lot in with Gamal Mubarak and his business cohort may at least be able to return to their university positions, provided they are not tainted by corruption charges. Close associates of Hosni Mubarak who had risen from the ranks of the armed forces (such as the first transition Prime Minister Ahmad Shafiq) or other parts of the state apparatus fared no better. With these individuals entire networks and categories of people became sidelined, at least temporarily; as a consequence, highly visible business people are largely absent from the government under the second transition prime minister, Essam Sharaf, and from the new leadership of the battered NDP. At the institutional level the constitution was

suspended to be amended first and possibly replaced by a new one later in the process. The office of president of the republic is vacant, and the vice president appointed by Mubarak in his very last days has also disappeared. The highest authority in the land is the Higher Military Committee which has not been anticipated by the suspended constitution and indeed is an entirely new body, even though it recalls similar arrangements after Gamal Abd al-Nasser and the Free Officers took power in 1952. At the same time other parts of the state apparatus are undergoing considerable change. The police are in disarray and about to be restructured while the judiciary attempts to reclaim some of its lost independence. The relations between the rulers and the ruled (or ‘state’ and ‘society’) have also profoundly changed as illustrated by the fact that hundreds of thousands of people took to the streets to ask Mubarak to leave, that they continue to do so when they are unhappy with the pace of change, and that some of them even attacked and searched the headquarters of the much hated state security services. No less importantly, legislation is being put in place to limit some of the sweeping powers of the president, for instance by regulating the state of emergency, and to ensure that from a formal point of view elections will be free and fair. Similar changes at the various levels could be listed for Tunisia where change may have been more important yet.

Though far reaching, these changes need to be seen in the light of a number

of consequential continuities which call for a cautious assessment of the allegedly 'revolutionary' character of the recent events. To start with, not all representatives of the old order have left or been removed. For instance the chief prosecutor who investigates the disgraced ministers and regime representatives is the very same who not long ago obediently prosecuted whoever the Mubarak regime wanted to silence. The chairman of the Higher Military Council, Field Marshal Tantawi, was appointed by Mubarak and has been his long serving and loyal minister of defence. Even though the protestors in Tahrir Square and elsewhere in the country permanently, and not without success, talked up the unity of the army and the people, all other military leaders have also been appointed by the former president and never before wavered in their support. One of the pillars of the old regime, the armed forces have now come to represent the transition regime and marginalized all other groups that had been associated with the old regimes such as the police, the NDP and the state owned media. However, devoid of any democratic credentials the armed forces need not turn out to be the spontaneous defenders and guarantors of democracy, as they are still seen by many Egyptians. By definition generally non democratic in its own internal workings an army need not actively oppose democratization but nor need it actively promote it, except if – temporarily - forced by internal or external pressure. The army runs its own economic concerns and defends its own interest; the officers

seek to defend their entitlements to status and benefits, and beyond that defend a certain statist, nationalist and partly developmentalist conception of the state and Egypt's role in the region and the wider world. It dropped its fellow officer Mubarak only when protests in the country and foreign reactions led it to think that its interests could be better defended without the president. Recent trials of protestors in military courts and the heavy sentences they received illustrate some limits to the redefinition of the relations between the new rulers and those who continue to be ruled.

In spite of important changes at all levels the old regime has not entirely disappeared. It is a matter of judgement whether the glass is half empty or half full. Possibly the initial trends towards greater political participation and respect for human rights will continue, possibly constituencies identified with the old regime will regroup, or possibly at some stage the process of change will simply stall because the military wants to reduce oppositional forces to junior partners in some sort of democratic face lift for the old order. While the military may not want to govern the country it may want to remain a state within the state and negotiate important concessions concerning its status, internal workings, promotion procedures, budget and independence from democratically elected rulers. It may aim at a position within the state that resembles that which its Turkish counterpart occupied until recently; that which the Chilean military had

carved out for itself after the country's return to democracy; or that still held, though more discretely, by the officers in Brazil.

In another area continuity has been so far no less important. The leaders of the protests, the opposition at large, and the representatives of the transitory regimes are largely male. This is not surprising in the case of the Higher Military Committee, as in Egypt the military career is not open to women. However, even the new government under Essam Sharaf includes no more than a single female minister. Women were well represented on Tahrir Square, but less so in the coordinating committees of the protestors that have emerged by now and negotiate with the military. Attempts to broaden political participation and strengthen the respect for human rights still seem to have little effect on gender imbalances.

### **Future Change is likely to Reflect the Internal Balance of Power**

For the moment the key question remains whether the balance of power between survivors of the old and advocates of a new order has shifted sufficiently in favour of the latter to ensure the transition to democracy, or at least to a power sharing arrangement that they can live with. As a matter of course, a successful transition to democracy depends on more than a new constitution, however elaborate, detailed, participatory and respectful of human rights it might be. Most importantly, a democratic

constitution needs to enshrine the principle of the separation of powers in order to establish checks and balances that alone guarantee the survival of democracy. At the very least the executive, the legislature and the judiciary need to be mutually independent to an extent that they are able to prevent abuses of power by any one of these powers. Other counter powers may be added, either in the form of the vertical separation of powers characteristic of federal regimes or in the form of various agencies or authorities which, while created and staffed by the three major constitutional powers (preferably through procedures that favour no single one such power), enjoy considerable independence. For instance public radio and television may be administrated by a body whose members are selected by the constitutional powers for periods longer than the electoral cycle. Major government agencies may be run by directors appointed by the government but not revocable before the end of their fixed term of office that should last several years. Most importantly of course, the judiciary, administrative tribunals and the court of auditors need to be insulated from interference from the other powers.

However, such constitutional and legal devices need to be backed up by the permanent competition for influence of strong political forces that neither conspire to erode the separation of constitutional powers supposed to regulate their competition, nor question each others' legitimacy and

thus maintain a basic consensus about the boundaries and membership of the polity. In Egypt the demand by many in the opposition to prolong the period of transition up to a year needs to be seen precisely in this light. At present basically only two political forces, the Muslim Brothers and the remnants of the NDP, are strong enough to participate in such a competition. Still, the NDP has been weakened by the popular upheaval while the Muslim Brothers face a revolt from within by younger and less doctrinaire members; with reference to the protests that brought down Mubarak they recently called for their own 'day of anger' which the leaders of the organization perhaps only temporarily managed to avoid. At any rate, other parties and groups are worse off; they need more time to grow, organize and establish their credibility in the eyes of the voters. The same applies to potential candidates for president. These parties and candidates may be representative of large parts of the population but they continue to suffer from a lack of resources and organizational capacities to successfully participate in elections or press home the demands of their members, sympathizers and potential constituencies.

Put differently, a democratic constitution is no more than a skeleton on which organized and resourceful competing political forces need to put the flesh and the muscle that bring it to life. Also, democracy in the real sense of the term cannot accommodate areas of activities that escape its reach such as armed forces that form a state within

the state and escape the decisions and laws made by elected authorities. Such states within states differ from the partly independent authorities that guarantee checks and balances, in the sense that the latter's partial independence is mitigated by the independence of the former. The courts may declare invalid rigged elections, but once a vacancy arises on the bench it may be filled by the parliament or a minister or other body accountable to parliament. Whatever the details, the stakes are high for a political regime to be democratic and it is not sure that the current balance of power between pro and anti status quo forces (already) favours such an outcome.

Compared to the remnants of the Mubarak regime the opposition is perhaps strong in numbers, but still weak in capacity and resources. Yet, even a million demonstrators on Tahrir Square and the rest of the country do not necessarily represent the majority of some 75 million Egyptians. Coordination mechanisms and bodies have grown out of the spontaneous demonstrations trying to represent activists and concerned citizens. But will they match the combined soft and hard power of the 'transitory regime', including hundreds of thousands of trained and equipped troops acting under relatively coherent command and powers to allocate economic resources, even though they are scarcer today than a few months ago? The only way for the opposition to impose itself is to continue to mobilize in forms acceptable to the majority of Egyptians, a task that is not made

easier by the formidable economic challenges that partly predate the upheaval, partly and inevitably flow from it, and partly result from current developments beyond the control of Egyptians such as the exodus of migrant workers from Libya.

The balance of power remains all the more uncertain as the consensus among protestors on the need for a new, more participatory political regime does not ipso facto reflect a consensus about other political choices. No doubt long standing economic grievances, aggravated by rising food prices, the global financial crisis and the absence of freedom of expression, account for much of the popular discontent in Egypt and in other parts of the Middle East. Many protestors belong to those parts of the 'middle classes' who see themselves as losers of the orthodox economic reforms and liberalization implemented over the past decades, either because they got actually poorer or because they were increasingly distanced by the relatively few beneficiaries of these reforms. Many other protestors belong to social groups that have more or less consistently lived in poverty. Yet others, however, have been upwardly mobile until they found their economic and political aspirations thwarted by crony capitalists and authoritarian rule. The economic and social policy preferences of these groups necessarily diverge considerably, the ones for instance favouring the return to progressive taxation, the others defending current flat rates. Such differences may increasingly strain the

relations among the different groups that together forced Mubarak to step down. Overall thus the opposition may become more rather than less divided in the run up to the elections that could be held as early as summer 2011. While contributing to political pluralism, these divisions may also strengthen the remnants of the old regime.

In Egypt, and to a lesser extent in Tunisia, the opposing political forces may have to agree on 'pacted transitions' that offer both the representatives of the old order and their challengers a minimum of guarantees. These guarantees may either be sought in modes of election and representation that relativise majority rule, or independently of election results in the creation of reserved spaces and thus 'states within states' that escape the reach of democratically elected governments. Naturally such arrangements may be difficult to swallow for protestors and other defenders of democracy. However, the question is not only whether they are desirable, but also whether the balance of power is favourable to the establishment of a fully democratic regime. In spite of various differences Spain and Brazil are successful examples for pacted transitions associating former adversaries, even enemies, in an attempt to build an inclusive new political regime. In both cases the democratic character of government was strengthened over the years, even though the Brazilian military retains a considerable degree of autonomy to this day. In Tunisia the question arises

whether it is possible to establish a fully democratic regime against the will and interests of the former members of the Neo-Dustur Party, the police and other forces associated with the regime of former president Ben Ali. These constituencies amount to considerable numbers of people; according to some counts the old regime party had more than a million members, each of them with numerous dependents. Again, more important than numbers are the resources controlled by these constituencies, their degree of organization, etc. Egypt may turn out to be a more telling example yet. At present at least it is difficult to imagine an outcome to the current impasse that would not associate some entrenched constituencies of the *ancien régime* including parts of the NDP, the police and especially the armed forces. Excluding these constituencies from decisions about the future of their countries might easily push them to challenge the new order as did happen in Iraq after the Baath Party and the armed forces were disbanded. Independently of political sympathies one may harbour it would probably be helpful if members of the suspended Neo-Dustur Party in Tunisia could constitute a new party, as could former East German communists after unification with West Germany.

A future power sharing arrangement in Egypt should nonetheless provide for greater participation of forces opposed to the ancient regime. Even if they have to enter into unequal arrangements and fail to obtain ministerial portfolios such as defence,

finance, home and foreign affairs, they may have considerable impact on future social and economic policies including health and education, and budget allocations beyond the share reserved for the armed forces. Possibly they will continue their ascendancy and ultimately manage to contain, even limit, the influence of the armed forces as happened to various degrees in Turkey, Brazil and Chile. Possibly they will manage now or later to abolish all special privileges, material and political, accruing to forces associated with the old regime and thus establish a fully democratic regime. In any event, however, the new regime is likely to be more pluralistic and diverse than its predecessor. Such diversity should trickle down to the lower echelons of the state pyramid, increase autonomy at these levels, favour policy experiments, debate and initiative. Power should at least marginally be more decentralized and individuals in a stronger position to deal with the state and its agencies.

### Beyond Egypt and Tunisia

So far the other Arab regimes have managed to face off challenges from protestors. At this stage it is too early to say how events in these states will unfold in the near and more remote future. After all, change need not occur as rapidly as in Tunisia and Egypt; it may take far longer to take shape, and even failed uprisings may ultimately result in some political change.

Initial reactions of most rulers have aimed at accommodating protests

and pre-empting more far reaching demands. The Sabahs in Kuwait are distributing cash, Bashar al-Assad in Syria increases subsidies and releases some political prisoners, the Algerian military reigns in the cost of basic consumer goods, and Muhammad VI in Morocco promises constitutional reforms of still vague contours. Sticks have accompanied the carrots to limit concessions as much as possible. In some places, however, larger protests voicing more radical demands have been repressed, or are being repressed more seriously and violently. Libya is the case in point, followed by Bahrain and Yemen. Clearly the various political systems work differently, partly determined by history, economy, sociology, and foreign support, partly reflecting different calculations on the part of their rulers in line with the constraints and opportunities they face internationally. At any rate, the regimes are fighting back, some more subtly than others.

Depending on these factors rulers may opt for two diametrically opposed options and various intermediary solutions. They may continue and try to absorb protests by concessions, or they may switch to different forms and degrees of repression. Those opting for concessions will however try and make sure that none of the changes will significantly reduce their existing powers. Constitutional reforms announced by Muhammad VI in Morocco may aim at precisely that. Rulers will try and put in place the semblance of power sharing agreements far from any pacted

transition. There is no reason to believe that Arab leaders should be more ready than European monarchs in the past to voluntarily abandon power, influence and resources. As once in Britain and elsewhere the extent of concessions will reflect the strength of pressures.

Where concessions are chosen as the (temporary) way forward governments will become more pluralistic on the margins, and include some oppositional figures and civil society representatives. Social policies in the broader sense and budget priorities may be adjusted, but always within limits acceptable to the regimes and their supporters. Whether such window dressing will turn into more substantial change entirely depends on internal balances of power. Also, it need not work out in favour of greater gender equality as in various cases societies seem to be more conservative in this respect than some of the authoritarian regimes. Where repression is chosen it is likely to be more or less severe, depending on the influence of the United States and possibly Europe. Bahraini protesters may still stand a better chance to survive than their counterparts in Libya. However, even successful repression may later give way to controlled political openings in the form of window dressing, be it only to avoid the repetition of protests. Here again the influence of the United States will be critical.

Important as it may be to mitigate repression, external powers are however unlikely to support protestors sufficiently to force out the rulers

of other Arab countries quickly and swiftly; Syria might but need not be an exception, should the opportunity arise. At any rate, external support would not be military except in extreme situations like in Libya. Ben Ali was not forced out by external powers and Mubarak was an early victim of external impatience who could possibly have survived in power had protests in Bahrain started prior to those in Egypt. Even though the US administration and European governments so far have no reason to complain or worry about the course of events in Tunisia and Egypt, they continue to prize the devils they know, especially if they are key military allies. They may still try and persuade them into medium and long term political reforms to avoid future large scale protests, but preferably once the current protests have subsided. The regimes presently in power are unlikely to fall or open up significantly without major, sustained popular mobilization, possibly in combination with rifts within the ruling groups and coup attempts.

## 1.2 The Logic of Local State Actors

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Above all else, the popular uprisings in North Africa and the Middle East are a crisis for ruling elites across the region. Faced with an infectious and so far irrepressible wave of popular protests Arab leaders are obliged to make a choice between repression

or adaptation (and perhaps eventual cooptation) to the demands of the protesters. While so far only two presidents have lost their seats, they were two considerable scalps – perhaps the most successful of the western-aligned authoritarian Arab leaders, dictators who, for the most part, did not embarrass their western allies and backers too much, and who were delivering economic growth. They were leaders expected to rule for life and to exercise a strong degree of control over their eventual succession. That two such accomplished, adaptable authoritarians should fall victim to the unforeseen surge of protest demonstrates the extent of the challenge facing local state actors, many of whom may be said to appear less stable than their deposed former colleagues.

How does the removal of the leaders of Tunisia and Egypt, and the manner of their removal as a result of mass protests, inform the calculations and the logic of ruling elites in the rest of the region? What are some of the conclusions to be taken from recent events that will shape the actions of local state actors?

### A Monarchical Exception?

It is notable that the deposed rulers, and others facing the most serious challenges to their rule, in Yemen, Syria and Libya, have been presidents in republican systems, not hereditary monarchs. Monarchies can claim to be above politics and thereby enjoy a level of insulation from direct responsibility

for things that go wrong. Monarchs can (and have in Jordan, for example) replace the government.

It would appear that the flexibility afforded by monarchical systems with subsidiary governance structures, like Morocco, Jordan and Kuwait, provide a degree of security to Arab kings in the current context. The more absolute the form of rule, the less opportunity there is for rulers to diffuse accountability and thereby absorb popular discontent.

Protesters in authoritarian, repressive republican systems have a clear target for their anger, and the demand has been simple: the president (and his family and closest associates) must go. That protesters in Arab monarchies have been much more hesitant to call for the removal of their heads of state, even when faced by many of the same economic and political grievances as their fellow protesters in neighbouring republics, suggests that there might be a monarchical exception to vulnerability to removal by popular protest. The escalating conflict in Bahrain, however, would suggest that this exception is not absolute, and that repression and rigidity from ruling elites of any kind will escalate demands for change.

### **The Galvanizing Force of Young, Educated, Networked Activists**

Paradoxically perhaps, the most homogenous, least fractious states with robust economic growth rates have been the first to fall. One thing that economic growth helped to create

was groups of aspirational, educated and networked activists. In Egypt and Tunisia, metropolitan liberal elites have played a leading role in the protests. It remains to be seen how successful they will be in the less dramatic processes of reconstructing state institutions along more democratic lines, and in contesting for political power. In both Egypt and Tunisia robust economic growth and the development of new communications technologies led to the emergence of a class of educated young people connected to their peers around the world, but denied opportunity for personal advancement or meaningful political participation in their own societies. However small, privileged and unrepresentative of the broader societies this group may be it nonetheless represents a new element that has emerged very suddenly and unexpectedly as a consequential political actor.

In hindsight, the origins of this group in Egypt, for example, were more gradual. Activists who played a prominent role in the protests that toppled the president were previously active in the 2005 presidential elections, when Egyptians were given the chance to elect their president in a contested vote for the first time. A line can be traced through the *Kefaya* movement, that started to challenge Hosni Mubarak's long tenure in office midway through the previous decade; to the Ayman Nour presidential campaign and the protests about electoral irregularities that followed; to the protests by judges in 2006 resisting government efforts to curtail

the role of the judiciary in supervising elections; to efforts to mobilize support from striking textile workers in Mahalla al-Kubra in 2008 that became the famous April 6, 2008 Facebook Protests; to the widespread protests over the killing by police officers of Khaled Said outside an Internet café in Alexandria in June 2010; to the run up to the 2010 parliamentary elections with voter education initiatives and efforts to coordinate independent civil society election monitoring projects. Popular discontent over the grossly unfair parliamentary elections in November 2010 built directly into the January 25 uprising.

Before Tunisia and Egypt the activities of these types of group had been widely discounted as peripheral – what could a few hundred demonstrators in the street do against the might of state security apparatus? The ability of young activists, unaffiliated with established opposition parties and with tenuous links to the masses, to mobilize enough people to make an impact was widely doubted.

State actors were therefore unlikely to have anticipated that activism from an apparently marginal group may pose a threat to them. Of course, the millions of people in the streets in Tunisia and Egypt represented far more than the not very numerous liberal elites. What these activists were able to do, and apparently purposefully so, was to identify widely shared and deeply felt grievances over lack of economic opportunity (exemplified in the self-immolation of the unemployed

Tunisian street vendor, Mohamed Bouazizi), police brutality (which found an emblematic case in the beating to death of Khaled Said in Alexandria and the remarkable popularity of the ‘We Are All Khaled Said’ Facebook page), official corruption (as epitomized by the WikiLeaks disclosures about the excesses of Zine el Abdine Ben Ali’s wife, Leila Trabelsi and her family members) and the denial of political rights (of which there were many examples, but the Egyptian parliamentary elections provide an egregious recent example.)

Local state actors have limited options in seeking to contain the newly perceived threats of networked liberal elites. The economic, social and cultural changes that have accompanied economic growth, integration with global markets and access to the Internet and satellite television channels, coupled with a massive youth bulge, broader access to higher education, including education abroad, are, for the most part, irreversible.

Where local state actors do have options is in how they respond to the grievances so widely shared by their people. The path of seeking to avert protests (and eventual removal) through concessions and reform is uncontested, but it is no more uncertain than escalating repression. The regional protests have decreased tolerance for repression from local populations who, emboldened by the examples of Tunisia and Egypt, have shown themselves willing to sustain mass protests even in the face of the

use of lethal force by the authorities in such countries as Yemen and Syria.

One response that has appeared successful in containing protest has been bribery. Governments with access to financial resources like Saudi Arabia (or Iran) or Algeria have increased subsidies or authorized direct payments to citizens to head off protests. Another deterrent appears to be fear of unrest and disorder in states with recent histories of severe internal conflict, like Algeria, Iraq or Lebanon. Such states have avoided serious popular protests to date.

### The US Policy Response

It is not only local populations that have become more intolerant of repression and unresponsiveness from Arab governments. The Obama administration has arrived at a consistent position of support for the "legitimate demands of protesters calling for their universal rights." This stated position does not translate into a consistent policy response to outbreaks of uprising fever everywhere. Already a pattern is emerging, but it is a haphazard pattern:

- strong rhetorical support for protests in countries with adversarial relationships with the US, like Iran or Syria, but little enthusiasm for direct involvement;
- encouragement for authoritarian allied rulers to move forward with political reform to avert escalating protests in Morocco or Jordan;
- rhetorical embrace of the

democratic aspirations of the Tunisian and Egyptian uprisings (but the capacity and the appetite of the US to push effectively to support what we might call real democratic progress in both countries remains to be seen);

- trepidation about destabilizing relationships with key strategic partners like Bahrain and above all Saudi Arabia;
- nervousness about the possible impact of destabilizing protests on already fractured polities like Yemen and Sudan, states where things could get much worse very quickly; and then, in what appears to be an exception,
- armed intervention in Libya.

All local state actors have to take the views of the US and of the broader international community into consideration, but it is not a simple calculation, as the diverse policies pursued in different countries demonstrates. While trying to be on the right side of history the US is far from being an unwavering agent for positive change. Siding with protesters demanding political freedoms and more responsive governments has not replaced traditional US interests in the region. These remain the same: counterterrorism, nuclear non-proliferation, containment of Iran, securing oil and energy supplies and Israeli security. These are best served by regional stability and predictability. Local state actors know the preferences of US policy makers and can still market some adapted form of the familiar stability through

repression (or extremely gradual managed change), in order to garner US support or acquiescence.

This old doctrine that has undergirded relations between the United States and its regional allies for decades has taken a blow from events in Tunisia and Egypt. In truth the doctrine was fraying as repressive rule was showing signs of being unsustainable, especially in Egypt, even before the uprisings.

The question for US policy now is whether a path to stability and securing vital US interests can be found through the promotion of democracy, political reform and respect for human rights in its relations with regional allies. Can such a new approach be broadly implemented without fomenting chaos and dangerous instability? If such a new approach can be found and made to work – and Egypt and Tunisia are the test cases for this – then the age of authoritarianism in the region may indeed be entering its terminal phase.

Egypt can be a trendsetter for the entire region and, international opinion – supported by public opinion and state policies within the Arab region – would likely harden against hold-out authoritarians, narrowing the choices for local state actors considerably. However, for now, the question remains unanswered and it is very much in the interests of unreconstructed authoritarians that it should stay that way.

## The Transferability of Uprising Fever

Uprising fever existed in its purest form in Tunisia and Egypt: these were rebellions against repressive and corrupt governments that were perceived as affronts to the basic dignity of citizens, and as proprietors over national decline. The ideals of freedom, justice, dignity, and equity are a positive agenda to restore not only personal pride and dignity, but also national well being.

Some form of this fever has spread across the Arab world, and was already present in the streets of Iran in the summer of 2009. In places with pre-existing conflicts, like Yemen and Bahrain, old grievances have mixed together with the dignity agenda, but the dynamics of those old conflicts continue to influence the reactions and constrain the actions of local state actors.

For example, to the King of Bahrain and his Saudi backers across the causeway, a rebellion for greater democracy and more representative government with a large participation of Shi'ites looks like an effort by the Shi'a majority to shift the balance of power in Bahrain in its favour at the expense of the ruling Sunni minority. That in turn is seen as an effort by Iran to increase its influence in the Gulf at the expense of Saudi Arabia. Repression may be an obvious response for Bahrain's rulers, but at this time the response is complicated by international, especially US, sympathy for the dignity agenda.

The possibility that unrest inspired by the Tunisian and Egyptian uprisings may fuel and worsen pre-existing internal and regional conflicts cannot be discounted. A stand off in Bahrain heightens tensions between Iran and Saudi Arabia that may be played out in other countries, including Iraq. Similarly, unrest in Syria, that may be inspired by a pure form of uprising fever in the eyes of Syrian protesters facing down the bullets of the authoritarian regime, may look to Iran as an effort to de-stabilize its regional ally. This in turn leads Tehran to praise uprisings in Egypt, Tunisia and especially Bahrain but to oppose such developments in Syria. It may also encourage Tehran to seek to compensate for its felt losses and vulnerabilities by reasserting its influence in Iraq, Lebanon and elsewhere. To Israel and the United States events in Syria may appear dangerously unpredictable and potentially destabilizing for the Israeli-Palestinian conflict.

Local state actors are almost universally challenged by spreading uprisings because of their own internal failings, but at the same time the changing regional political landscape provides opportunities to weaken rivals and potentially to form new alliances with transformed regimes. The strategic uncertainty of this moment is a major concern for the United States, other western powers, Israel and for remaining authoritarian regimes in the region. While the West may talk aspirationally about the Arab Spring, the weight of opinion and interest pressing for a reversion to something

that resembles the old order remains strong.

### **The hold outs**

#### *Iran*

Iran belongs in a consideration of the actions of Arab states' reactions to popular protest because it is such a strong factor in the internal dynamics of several of them, especially in the Gulf sub-region. If popular protests in Iran of the type supported by the Green Movement were to be successful, not only would it be a positive example for democratic movements in the Arab world, it would also remove or lessen a security concern that is used as a reason to condone authoritarianism in Arab states, including Saudi Arabia and Bahrain but also Egypt. No longer having to contain a hostile Iran would likely ease western concerns about the unpredictability of democratic processes in its Arab allies.

The Islamic Republic thrives on fuelling a sense of being a country under siege by hostile forces, principally the US and its allies. Western backed autocracies like Egypt were easy for leaders in Tehran to caricature and discredit; more representative, more effective governments in Egypt and elsewhere would constitute a threat to the Iranian ruling elites, not least because Iranians would be motivated by seeing Arabs make more democratic progress than they have.

A repressive Iran presents a considerable threat to positive

outcomes in the democratic uprisings in the Arab world. As long as an Iran hostile to western interests exerts influence in the region, containing such influence will be a priority for western policy makers making it less likely that the West will confront Saudi Arabia for its lack of political reform or even for acting against reform in Bahrain and other states. Moreover, the Islamic Republic promotes Shi'a-Sunni sectarianism that has the potential to undermine the positive, rights-focused agenda of popular uprisings in confessionally mixed societies. The Islamic Republic has long served as an example of a form of sectarian Islamist politics that divides between true believers and other, less authentic, Muslims. Basing political legitimacy on religious orthodoxy and ideological interpretations of Islam also runs counter to the democratic, human rights championing ethos that has characterized the popular uprisings of recent months.

### *Libya*

The international community has already acted against the authoritarian threat of Libya through UN Security Council Resolution 1973 and the ensuing military action, supported by the Arab League, introduced at the Security Council by Lebanon, and enforced primarily by the United States with France and the UK as vocal cheerleaders.

The negative example that would be set by President Qaddafi surviving by unleashing mass state violence against

protesters has been noted by President Obama as a factor in US support for the armed intervention. Libya's capacity to disrupt its neighbours is real, through economic and other means. A vengeful Qaddafi, should he survive in office, would be disturbing for positive democratic trends in the region.

A persistent military stand off is also a troubling prospect for democratic change. A prolonged international military engagement would inevitably colour the local and international perception of the uprisings. Currently, they are seen positively because they were initiated and carried out by local people in each country. It is rightly a source of pride for Egyptians and Tunisians that they took their futures into their own hands and overthrew corrupt dictatorships. Western bombing missions and western troops will lead to the advancement of a different narrative – that change, in Libya at least, is being pushed by outsiders to serve their interest. Because military conflict is inherently more dramatic, more resource intensive and more news worthy than gradual, uneven and messy democratic change, the potential for this alternative narrative to gain currency should not be underestimated.

### *Saudi Arabia*

Saudi Arabia has made clear its displeasure with the overthrow of the Mubarak regime in Egypt and has counselled a hard line for its Bahraini neighbours as well as sending in military support to the island. King

Abdullah is reported to be unhappy with the way the US turned its back on its erstwhile friend in Cairo, even declining to meet with senior administration officials, Secretary of State Clinton and Secretary of Defence Gates, when they were conducting visits to the region in February and March 2011.

At the same time, Saudi Arabia is not immune from many of the underlying causes of the regional unrest: it has a large proportion of young people in its population; it has unemployed and under employed educated youth with no outlet for their skills and aspirations; it has a corrupt ruling elite; it has an unresponsive form of government and denies basic rights and freedoms to its people; religious intolerance and gender inequality are especially virulent.

Added to this is western concern over Saudi support for religious extremism and terrorism that already forms a constituency willing to press for change in the Kingdom. This constituency could easily grow and become an irritant to the Saudi regime.

Saudi capacity to support political outcomes it favours in neighbouring countries and more broadly is considerable; it may be expected to support a restoration of the status quo in Egypt and Tunisia through financial, media and religious resources at its disposal.

Yet the Kingdom, beset by its own uncertainties over the succession to the

next generation of princes, is in need of a model of governance that will work in the Kingdom in the medium to long term. If the monarchical exception to uprising fever (noted above) holds, then it may look favourably on a path of gradual reform and eschew destructive interventions in the reform efforts of neighbouring states.

### *Syria*

Syria's non-alignment with pro-Western Arab rulers had set it apart from regional trends and some thought may have provided some insulation from popular protests. This has proved not to be the case as President Assad is offering both concessions, in the form of the repeal of the decades old state of emergency, for example, and threats of ever more severe repression as popular protests continue to escalate and spread.

### **Conclusions**

The eventual outcome of democratic uprisings in the Middle East will be shaped by complex interactions between diverse actors, including local states – be they newly transformed, as in the case of Egypt and Tunisia; ostensibly reforming, like Morocco; or hold out authoritarians, especially Saudi Arabia and Iran. Outside powers like Europe and especially the United States will exert influence and are being forced by the pressure of events to re-examine old assumptions about how best to safeguard vital national interests.

A new factor in this complex equation is the agency of Arab citizens themselves, especially sophisticated, young urban elites. Arab governments have been unaccustomed to dealing with public opinion that could mount an effective challenge to their grip on power. Whether or not popular uprisings in Tunisia and Egypt eventually succeed in delivering clear structural change to their societies they have introduced a new, unpredictable element to Arab politics. Regional authoritarians will never be able to be quite as complacent and confident as they once were that their rule will endure in perpetuity.

### ***1.3 Principal Reflections and Conclusions from the Debate***

To speak of local state actors requires an investigation of *who* is the state in the Arab region. It is clear that within all Arab countries, two major groups hold substantial power - the army and the business elite. The ruling political elite, for its part, is often part of either of these groups, if not both (such as was the case with Mubarak). As such, and in light of the major power held by these two groups, one should be cautious about the extent to which full-scale revolution can occur at the political level – whether in Egypt or Tunisia, or elsewhere.

#### *The central power of the army*

The army holds significant power as a state actor in all Arab countries. Indeed, to a certain extent the ‘success’ of protests in toppling regimes has

been highly dependant on the ultimate position taken by the military with or against the protesters. However, while in Egypt the army was initially seen as ‘the saviour of the people’ it remains, as in other countries, a conservative force. Indeed, if the army in Tunisia and Egypt finally sided with the people against the Ben Ali and Mubarak, it did so out of its self-interest and only once it became counter-productive for it to continue supporting the deposited dictators. It is important to understand this motivation so as to be realistic about the extent to which radical change can and will take place under army supervision.

Decisions made by the army in Egypt, for example, have indicated that it is neither willing nor ready to follow through with a full-fledged reform of the state apparatus. The instatement of a new law forbidding strikes and protests which interfere with the work of public institutions – whose infringement can lead to imprisonment – is a clear demonstration of this. Acts of torture are *still* continuing following the downfall of Mubarak and the crackdown on the state security apparatus and, even more shocking, there have reports by Amnesty International claiming that detained women protesters were forced to undergo virginity tests under threat of torture. The army’s reluctance to instate a technocratic transitional government also reflects a lack of desire to ensure that upcoming elections are fair and that politicians from the old regime do not have an advantage over opposition parties, who are facing the

challenge of building themselves up in an exceptionally short time period. Lastly, the army in Egypt – as well as in other Arab regions – has benefited from the ruling regime, gaining significant power, respect, as well as financial advantages due to its close and often personal relationship with the President of the country. Any reform to occur will likely not be well met if it poses an obstacle to attaining these benefits.

The case of Egypt is a warning sign of the difficulties of achieving a full-fledged revolution even when the army supports a change in regime, and highlights the conservatism that may impede regime changes in countries where it has not yet occurred. However, it is also important to note historical examples where the army *has* supported full democratic transition (for example in Brazil) or where it has become the protector of democracy (such as in Turkey) – these examples can offer hope that, with adequate pressure from the outside but also from populations themselves, the army in Egypt and other Arab countries will support true reform rather than seek to preserve the status quo.

#### *The strong and persistent presence of the ruling elite and crony capitalists*

Arab economies are characterized by a high level of crony capitalism, with the business elite often becoming part of the ruling elite or benefitting from privileged business deals due to their close personal relationship with

the regime. This close relationship inevitably acts as an additional obstacle to the success of a full revolution or democratic transition – crony capitalists are likely to be eager to protect their interests and privileges, which lie with the preservation of power of the old guard, and as such are likely to use their financial influence to affect efforts aimed at reforming the state apparatus. While some major business tycoons have been brought to court on charges of corruption (amongst other things) – such as Ahmed Ezz in Egypt – the majority of the business class still remains solidly entrenched in the countries of the Arab region. This is the case even if new governments formed do not include the usual presence of big businessmen. Consequently, any consideration of how to increase the chances for full fledged reform need to take into account the strong presence of a business elite which will, in most cases, be conservative and unlikely to support major reforms that may affect their interests.

#### *The individual as the major actor of change*

While one should remain hopeful regarding the political developments of the Middle East, it is important to remain cautious of the chances for full blown change. One must also, to a certain extent, remember the harsh consequences of previous revolutions which, while righting some wrongs, have also punished indiscriminately – and sometimes unjustly – entire social classes. The manner in which change

should be brought about needs to be very well considered and thought upon – so as to ensure a balance between proper reconciliation and simultaneous adherence to basic rights.

It is thus difficult to predict the extent to which the national Democratic Party in Egypt and the Constitutional Democratic Rally in Tunisia will be completely dissolved or rather simply transformed into new parties. It is also more difficult to predict the actions of state actors in other countries. For example, monarchies in the region have – for the moment – seemed more resistant to the uprisings, with protests geared not so much at the toppling of the monarchy but at a change in regime and improvement of social issues. This lesser risk faced by monarchies allows them to more openly engage in the possibility for reform whereas in countries like Syria, where the legitimacy of the leadership itself is being questioned, the need for survival has led to more extreme and violent responses. These different dynamics of monarchies and non monarchies need to be taken into consideration in one's attempts to understand the extent and manner in which state actors can or want to respond to uprisings in their countries.

However, despite the fact that no country in the Middle East has seen, as yet, a full scale political revolution (accompanied by a full purging of the old regime from the state apparatus, a full desire to tackle corruption and injustices, etc.), this is not to say that

the uprisings in the region are any less meaningful. Indeed, if a political revolution has not occurred, an individual one has, where individuals in the Arab region seem to be transforming from subjects to *citizens*, interiorizing a rights discourse that accompanies a democratic awakening. The discourse of the protests has been one of dignity, reflecting anger at being humiliated by leaders and the desire to be respected as individual human beings. The rise of the individual as a central part of the protest discourse is a distinctive characteristic of the Arab protests and one that can provide fertile ground for the advancement of basic human rights in the region.

## Chapter 2: The Logics of International Actors



The logics of international actors were addressed by Ms. Christine M. Merkel, EMHRF Vice-President and Head, Division for Culture, Memory of the World, German Commission for UNESCO (Germany) as moderator, Mr. Andreu Claret, Executive Director of the Anna Lindh Foundation for the Dialogue between Cultures (Spain-Egypt) as commentator, and by a panel composed of the following discussants: Dr. Bassma Kodmani, Executive Director of the Arab Reform Initiative (France-Syria) and Dr. Michael Singh, Managing Director of The Washington Institute for Near East Policy (United States).

## **2.1 The Logics of European Actors in the face of Democratic Changes in the Arab World**

**Bassma Kodmani**  
**Arab Reform Initiative, Paris**

This paper will focus on the logics of European actors in face of democratic changes in the Arab world. While these are clearly influenced by the attitude of the United States, what distinguishes Europe is that it must act as both, an external actor and neighbour simultaneously.

A basic pillar of Europe's policy vis-à-vis countries on the southern shore of the Mediterranean is the concern for security, and therefore stability. Over the last 30 years the logic of containment of the south prevailed in spite of all the discourses and initiatives calling for Euro-Mediterranean partnership for shared development, exchanges between societies, and Europe's stated concern for human rights and democracy promotion. Successful partnerships were developed with leaders of the Maghreb and the Mashreq on anti-terrorism, border controls to prevent the inflow of immigrants into Europe and the close monitoring of Islamist ideas and individuals.

This logic is strongly challenged today by the democratic changes in the south:

1. It has forced Europeans to reconsider their attitude and perception of Arab countries.

While the logic of security will continue to be the ultimate concern, Europeans are in the process of operating an intellectual and psychological shift in their perception and understanding of the rapid developments in Arab societies.

2. EU policies will necessarily be deeply affected but will the EU rise to the challenge and be a decisive player in the transition process?

### **Shifting perceptions amid persistent apprehensions**

A widespread perception at the start of the revolutions in Tunisia and Egypt was that Islamism was about to triumph in the Arab world. Strangely, in Europe this seemed to be more the reaction of political leaders than of societies. Indeed public opinions, intellectuals and the media in Europe recognized early on the nature of the movement and pointed to the universal values of human rights and rule of law upheld by the demonstrators. They played a role in portraying the democratic demands of Arab societies as being also directed towards the leaders of the north and in persuading them to come out in support of the change of regimes. Ministries of foreign affairs in the key European countries (France, Britain, Germany, Spain and Italy) who have deep knowledge of Arab societies played a critical role in pushing for the shift in perception and attitude within European governments towards the revolts.

Two contradictory perceptions will continue to drive European attitudes: one that sees the revolutionary movements as a confirmation that the Arab region is turbulent and will remain a source of instability and threats for Europe; the second that sees the revolts as a historic opportunity to engage in strategic partnerships with the south and build a stable Euro-Mediterranean shared space on new grounds. Both attitudes coexist within European institutions and reflect the difficulty in reconciling divergent concerns.

The EU High Representative for Foreign Affairs and Security Policy, Catherine Ashton announced a new European scheme labelled as the three M's: Money, Markets and Mobility. The first, Money, will probably be easiest for Europe to deliver; the second, Markets i.e. the lifting of restrictions on the free access of certain goods from industries critical to the economic development of the countries of the south (agricultural products and industries and textiles), will likely meet some resistance from southern European countries; the third, Mobility is the most problematic as seen in Europe and is unlikely to materialize for some time. Yet it is the most critical aspect of the relationship. Rationally, European countries know that their economies are in need of immigrant workforce but politically, they are incapable of selling this truth to their public opinions. What we are seeing instead is an obsessive concern with illegal immigrants landing in the island of Lampedusa and the revival of the 'boat people syndrome'.

We are also witnessing a regression in the attitude of political leaders such as those of Chancellor Merkel of Germany and President Sarkozy of France who have both publicly announced the 'failure of multiculturalism' as a model for their societies and the need to defend the national identity and culture (in October 2010 and February 2011 respectively). Their statements run counter to their social and economic interests, yet their political survival is clearly a priority. In this context, democratic changes in the south are not likely to bring a change of attitude; the risk may even be that some political parties from the extreme-right who have fuelled fears of Islam in their societies will seek to link the question of mobility to the secularization of Arab societies rather than to their democratization.

For the human rights community, there is an urgent need to promote the principle of mobility as a right to human development. Arab youth are in need of accessing educational institutions and professional training in countries of the north that will serve their integration into the economy of their countries back home and stimulate economic growth. EU programs that organize the circulation of young Arab professionals are a key aspect of the shared development with the south that European governments claim they want to establish.

## **The challenges ahead**

*1 - Partnering with democracies*  
Post-authoritarian governments

in Tunisia and Egypt have strong expectations vis-à-vis Europe. They consider that they have achieved their revolutions by relying on their own forces. Undoing the past and building democratic institutions will be largely managed through indigenous processes. But economic development and the promise of a better future cannot be achieved without outside support.

As they can now claim to represent a new political legitimacy, the Tunisian and Egyptian governments will seek support of a technical nature in many areas. A clear message emanating from both governments is that support for the promotion of human rights and democracy is not a priority. What they eagerly seek instead is financial support and economic and trade measures that will help them face the daunting challenges of economic development and meet the urgent needs in social relief. They have yet to see that the envelope of economic assistance allocated by the EU is effectively higher than in the past.

A change of attitude in the way assistance is provided and challenges are managed will matter as much as the volume of the assistance itself. Democratic Arab governments are justified in seeking a relationship based on a genuine partnership respectful of their priorities.

*2-Dealing with illegitimate governments*  
Tunisia and Egypt seemed to open a path for transitioning out of authoritarianism peacefully but the

response of Kaddafi's regime to the revolt in Libya is pointing to more violent scenarios in other contexts, Bahrain and Syria meanwhile suggest that European governments will be faced in the months and possibly years to come with the need to define their attitudes vis-à-vis political regimes that will remain authoritarian.

Their main dilemma is that the remaining authoritarian regimes have become un-defendable. EU countries might continue to engage in trade and business relations as well as security cooperation in discreet ways. Yet the moment populations in these countries mobilize and are met with repression, it becomes politically impossible to justify the continuation of business as usual, however important the interests may be.

The human rights agenda has forced its way and imposed itself on relations across the Mediterranean and more broadly between Europe and all Arab countries. This is a major accomplishment of the human rights community and is irreversible.

In face of active suppression, European countries are quickly deploying a set of instruments that allow them to exert pressure on the authoritarian governments: careful escalation in the wording of public statements condemning violence and pointing to the resulting loss of legitimacy, financial and legal measures targeting specific members of the ruling elite; the use of different diplomatic arenas (EU institutions, the United

Nations Security Council and UN specialized bodies); coordination with non-governmental human rights organizations and the threat of or actual prosecution by international justice institutions.

## Conclusion

European countries are well aware that the success of transitions in Tunisia and Egypt towards stable democratic systems will serve as showcases for other countries. The strong relations between international and Arab human rights organizations based on shared values can now benefit from new operating ground in those two countries. The human rights groups in Egypt and Tunisia need to be deeply involved in almost every sphere of the system to inject their norms into the institutions and founding legal documents as they undergo change.

At the inter-governmental level, European governments will probably see that Arab democratic governments will be more assertive in pressing for their interests and needs to be at the centre of the agenda and to drive the Euro-Mediterranean partnership. No democratic government can afford to be depicted as the gate-keeper or policeman for Europe's security in exchange for depositing its illegally earned financial assets in European banks, or agree to economic policies that imply intolerable sacrifices for their populations.

One of the painful legacies of authoritarianism is that it stifled

regional discussions about the appropriate model of economic development and about the basic social responsibilities that the state ought to assume, and allowed inhumane market rules to be applied instead. Democratic governments in the south will now have the moral and political clout to engage in a consultative process with Europe to redefine the size and role of the state for a more humane developmental model.

## *2.2 The US Approach to Promoting Democracy in the Middle East*

**Michael Singh**

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Democracy promotion has deep roots in the US government, beginning perhaps with Thomas Jefferson. In 1793, with the French Revolution descending into chaos and brutality, Jefferson wrote, "Rather than [the revolution] should have failed, I would have seen half the earth desolated." He continued, "Were there but an Adam and an Eve left in every country, and left free, it would be better than as it now is."<sup>2</sup> For all his enthusiasm, Jefferson was not alone in these sentiments; few values have deeper roots or are more widely held in America than faith in democracy. Nevertheless, although support for democracy has found frequent refrain in presidential rhetoric, democracy promotion as a central element of US policy in the Middle East

is relatively new. According to Ken Wollack, the president of the National Democratic Institute, “the turning point for US policy...came during the 1980s when an important lesson was learned about political transformation in countries like Chile, Nicaragua, and the Philippines... those political forces on the far left and far right enjoyed a mutually-reinforcing relationship, marginalizing the democratic center.”<sup>2</sup> Presidents Ronald Reagan, George H.W. Bush, and Bill Clinton spoke out forcefully in favour of democracy; however, until the administration of George W. Bush, democracy promotion was never at the core of US policy toward the Middle East.

Nevertheless, President Bush’s embrace of democracy promotion did not ensconce it as a pillar of US policy in the region – far from it. Democracy promotion became conflated with other policies pursued during the Bush administration – chiefly the war in Iraq and the US-led campaign to counter terrorism globally – which by 2008 had polarized the American policy community. Analysts on the left panned democracy promotion under President Bush as overly militarized, improperly entangled with counter-terrorism efforts, and inconsistent. Marina Ottaway of the Carnegie Endowment of International Peace went so far as to declare that “democracy promotion in the Middle East has led to no positive results.”<sup>3</sup>

Despite such views, and regardless of one’s position on the Iraq war or international counter-terrorism

efforts, there is evidence that US democracy promotion efforts from 2001-2009 yielded important results. According to Wollack, “Until 2003, President Bush’s use of the bully pulpit, particularly in the Middle East, had provided an important measure of political space for reformers... In fact, democratic norms and freedoms increasingly became part of the public discourse and demands in the region. And even where democratic progress was scarce, the language of debate was changing, and this in itself is not a small achievement.” In 2001, Freedom House listed fourteen countries in the Middle East and North Africa region as “Not Free” and three as “Partly Free.” In 2008, those figures were eleven and six, respectively.<sup>4</sup>

Nevertheless, at the advent of the Obama Administration it seemed that the deep aversion on the political left to President Bush’s overall approach to the Middle East might spell the end of Washington’s democracy promotion efforts in the region. Critics of the Bush administration accused it of inappropriately mixing democracy promotion with unrelated goals, which in the words of one analyst “sent a message that the democracy and freedom agenda was first and foremost self-interested and aimed at transforming societies for America’s benefit.”<sup>5</sup> But these observers themselves tended to conflate their critiques of the administration’s democracy promotion efforts with their dissatisfaction with other US policies in the region. The same analyst, for example, said that

investing greater energy in the Israeli-Palestinian negotiations was a “strategic necessity” to improve Washington’s democratization efforts. He counselled that “the opportunities for advancing democracy in the Middle East appear much more limited than when [President Obama’s] predecessor entered office.”<sup>6</sup>

It is unsurprising therefore that President Obama adopted a markedly more modest approach to democratization than that pursued by his predecessor. Asked whether she would raise human rights in meetings with Chinese leaders in Beijing in February 2009, Secretary of State Hillary Clinton asserted that “our pressing on [human rights] can’t interfere with the global economic crisis, the global climate change crisis, and the security crisis.”<sup>7</sup> President Obama mentioned democracy as the fifth of seven issues for discussion in his June 4, 2009 speech in Cairo, but was criticized for appearing to be indifferent to opposition protests in Iran just days later. Remarks on the subject by Vice President Biden at the Munich Security Conference on February 7, 2009, provide a clear sense of the Obama administration’s approach to the issue of democracy promotion. He said, “Our administration has set an ambitious goal... to advance democracy not through the imposition of force from the outside, but by working with moderates in government and civil society to build those institutions that will protect that freedom.”<sup>8</sup> Vice President Biden’s statement foreshadowed the main

lines of the Obama approach – repudiating its characterization of President Bush’s democracy policy, and focusing on “bottom-up” civil society and institution-building efforts rather than top-down pressure on regional governments. Certain elements of the Obama approach garnered widespread support, such as its emphasis on Internet freedom and access to technology; others, such as downplaying US leadership on democracy, an emphasis on governance rather than democracy programming, and a narrow focus on the Israeli-Palestinian conflict as a means to address regional issues, attracted criticism.

With time, the Obama administration has placed a heavier rhetorical emphasis on democracy. This may be either the result of a diminishing impulse as time passed to establish policy positions that are clearly distinct from those of the Bush administration, or of criticism of the sort that followed the perplexing US response to the 2009 protests in Iran. President Obama’s address to the UN General Assembly in September 2010 made a strong case for democracy promotion. He asserted that “those who defend [universal] values for their people have been our closest friends and allies, while those who have denied those rights – whether terrorist groups or tyrannical governments – have chosen to be our adversaries.” He further stated, “Democracy, more than any other form of government, delivers for our citizens. And that truth will only grow stronger in a world where the borders

between nations are blurred.”<sup>9</sup> In a January 2011 speech in Doha before Arab leaders, Secretary Clinton called upon countries in the region to “make the political reforms that will create the space young people are demanding, to participate in public affairs and have a meaningful role in the decisions that shape their lives.”<sup>10</sup> In addition, the administration’s 2011 budget included increases for democracy funding in the Middle East.

But the extent to which there has been a real shift is uncertain, and has been called further into question by the Obama administration’s slow and uneven response to opposition protests in Tunisia, Egypt, Libya, and elsewhere. The US budget for “democracy” programming in the Middle East is growing, but remains heavily focused on “governance” issues rather than political change. And controversial changes made to the way that aid is delivered remained in place, such as the requirement that all US democracy funding in Egypt be channelled to NGOs approved by the (former) Egyptian government. Even the levels of funding seem to be influenced by a desire to improve relations with regional regimes. The Project on Middle East Democracy observed the following regarding US aid to Egypt:

The administration has suggested that Egypt lacks the capacity to properly absorb the level of democracy and governance funding allocated in FY06 through FY08, motivating the sharp decrease since FY09. If

West Bank and Gaza and Lebanon – each with populations of less than 5 million – can properly absorb \$41.5 million and \$23.2 million respectively in democracy and governance funding, then it appears unlikely that Egypt – a country of 80 million people with more than 15,000 NGOs – cannot absorb more than \$25 million in such funding.<sup>11</sup>

Likewise, President Obama’s UN speech and Secretary Clinton’s Doha speech, while stirring, mentioned neither specific countries nor specific actions that the US wished to see regional leaders take. While the rhetoric became more forceful, the essential approach – a heavy focus on governance and bottom-up efforts, with relatively little public pressure on governments – remained in place at the cusp of the 2011 uprisings. Those revolutions will certainly bring about a re-evaluation of the US approach to democracy promotion in the Middle East and beyond, but it is too soon to tell how they will ultimately shape US policy. Washington will face competing pressures to push for political reforms on the one hand, and shore up its regional alliances on the other. The Obama administration and its successors will need to determine whether they see these goals as complementary or mutually exclusive.

## **Democracy Promotion and US Interests**

There are lingering notions in Washington that the United States

must choose between promoting stability and promoting democracy in the Middle East or, put another way, that the United States can either advance its interests or uphold its values, but not both. This is an idea that has now been rejected, at least in theory if not always in practice, by both the Bush and Obama administrations. Secretary of State Condoleezza Rice famously debunked the notion that the US could purchase stability at the expense of democracy in a 2005 speech at the American University of Cairo in which she delineated a number of specific political reforms the US was pressing the Egyptian government to make. Then-candidate Obama, in a 2007 presidential debate, echoed Secretary Rice when he said that human rights and national security "are not contradictory... they are complementary."<sup>12</sup>

Recent events in the Middle East have demonstrated that the apparent stability offered by dictatorships can be illusory, while history provides ample evidence that democracy reinforces long-term peace and prosperity. In a recent essay, I illustrated this dichotomy as follows:

In kayaking, you can choose one of two types of stability, but you cannot have both. A flat-bottomed kayak has high "initial stability"-- it appears to ride smoothly in the water, with little rocking back and forth. But it has low "final stability" -- in rough seas, it tends to quickly and catastrophically capsize. An angled-bottom kayak is just the

opposite. With low initial stability, it takes more effort to guide and is prone to constant shifts from side to side. But these kayaks are faster and more efficient, and their high final stability means that they remain upright in stormy seas, and can recover even when turned nearly upside down.

Things are not so different with democracies and dictatorships. Democracy is messy -- look at the United States, where in the last five years alone we have experienced swings from right to left and back again, and where political discourse can often be raucous. Dictatorships, on the other hand, often possess a superficial stability -- until they reach the tipping point, which often comes more quickly than expected. Such was the case in Tunisia, which seemed an oasis of calm until a small spark quickly grew to consume the longstanding rule of Zine el Abidine Ben Ali.

Dictatorships lack the self-righting mechanisms and institutions which provide democracies with their deep stability. Free expression, free assembly, multiple and accountable political parties, free and fair elections, and independent courts -- all of these form the vital structure of a democracy and provide an outlet for people's grievances. In a dictatorship, people are denied these outlets and anger simmers beneath the surface, occasionally bursting through society's calm veneer in violent fashion.<sup>13</sup>

The analogy is fanciful but fitting. Real stability comes not with the suppression of political expression, but with its responsible exercise. Democracy promotion, therefore, can over the long term serve the clear US interest in regional stability in the Middle East.

Beyond cultivating long-term stability, democracy promotion efforts can also sustain US influence through regime transitions. Entrusting an important bilateral relationship to an individual dictator is not unlike a one-stock portfolio – it is fraught with risk, regardless of the promised return. Lorne Craner, president of the International Republican Institute, described this risk in his February 9, 2011, testimony to Congress. He said, “Being so closely tied to authoritarians does not serve US interests when the authoritarians fall from power and a political vacuum ensues. It is important, when we necessarily have relations with authoritarian governments, to plan for the day when they may no longer be in power, and to cultivate and assist those who may replace them.” Craner observed that the US “assiduously cultivated the next generation of leaders” in Ukraine, Georgia, and Kyrgyzstan, so that it was well-placed for continued good relations after revolutions in those countries.<sup>14</sup>

While analysts on the left have, as noted above, criticized past US administrations for connecting democracy promotion with counter-terrorism, the Obama administration

has rightly maintained that political reform is essential to combating extremism. In her Doha speech, Secretary Clinton observed, “If leaders don’t offer a positive vision and give young people meaningful ways to contribute, others will fill the vacuum. Extremist elements, terrorist groups, and others who would prey on desperation and poverty are already out there, appealing for allegiance and competing for influence.”<sup>15</sup> Other analysts have noted that authoritarian regimes and Islamists are (as Wollack observed regarding the far left and far right in South America) sometimes mutually reinforcing: Islamist parties are used cynically by authoritarian regimes to channel popular unrest, while simultaneously being held up to Western governments to defuse external pressure for political reform.<sup>16</sup> This is not to say, of course, that extremists do not pose a real threat to fledgling democracies or could not exploit fragile transitions in the Middle East.

Finally, in the Middle East, repressive regimes tend also to experience high levels of unemployment, corruption, and economic stagnation. To the extent that political reforms and democratization are accompanied by economic reform and increased mobility for labour, capital, and goods, the US and other open economies stand to benefit.

### A Three-Pronged Approach to Democracy Promotion

Debates over democracy promotion are often muddled by the fact that

promoting democracy can mean different things to different people. In fact, a comprehensive approach to democracy promotion requires three prongs: top-down work with governments, bottom-up work with civil society, and institution-building efforts to provide a connection between the two.<sup>17</sup> It is tempting, and sometimes politically expedient, to focus on just one or two of these prongs and dispense with the others. However, doing so seems likely to fail and perhaps to backfire. For example, exclusively top-down or bottom-up efforts risk appearing hypocritical or unreasonably raising expectations for change; focusing exclusively on institution-building may simply increase the competence of an autocratic system.

Top-down democracy promotion involves working with or pressuring governments to open space for popular participation in politics. While this likely includes pressing for free, fair, and competitive elections and a pluralistic party system, it is not limited to calling for elections. Indeed, while the United States has been criticized in the past for a supposed overemphasis on elections in democracy promotion, Tom Carothers of the Carnegie Endowment for International Peace asserts that “US democracy promotion, programs, and policies for the most part do not reflect an exclusive or even an overweening emphasis on elections.”<sup>18</sup> Other aspects of opening political space – the object of top-down efforts – include, but are not limited to, increasing participation (for

example by women and minorities) in politics; ensuring civil liberties such as freedom of expression, freedom of the press, freedom of assembly, and -- an apt addition made by Secretary Clinton -- “freedom to connect”; and ensuring the independence of the judiciaries and legislatures. Top-down efforts should also focus on economic reform and corruption, which often are intimately connected to the structural underpinnings of autocratic regimes.

While top-down pressure on governments for political and economic reform can strain relations, so can many other diplomatic issues of interest to the United States – pressure for reform is hardly unique in this regard. The impression, however, that democracy promotion is not a core interest of the United States, but rather a luxury vaguely connected to our values, can lead senior and working-level officials alike to shy away from top-down pressure and instead focus on saving our diplomatic capital for more “strategic” issues. But this is a mistake - it is in the day-to-day work of diplomats and in the content of meetings and press conferences – not in one-off speeches – that democracy promotion policy truly resides.

Bottom-up democracy promotion, to put it simply, involves the provision of assistance to individuals and civil society organizations aimed at enhancing their political, or in some cases, economic participation. Bottom-up efforts raise issues which are perhaps more complicated than those implicated by top-down efforts

– for example, whether to deal with certain parties (such as Islamists), the possibility that direct association with the US or other Western governments may undermine civil society actors, and difficult decisions about whether to work with or around governments. For these and other reasons, the US government frequently conducts its bottom-up democracy promotion efforts at arm's length, through NGOs or multilateral bodies.

Institution-building efforts are the intermediary between top-down and bottom-up democracy promotion; if top-down efforts open political space and bottom-up efforts train individuals and organizations to fill that space, then institution-building efforts seek to provide that political space with structure. In a sense, institution-building is the most important of the three prongs, in that decisions by leaders can be reversed, and individual members of civil society come and go, but effective and deeply-rooted institutions – such as functioning courts and prisons, accountable legislatures, professional media, political parties, Internet connectivity, and professional security services – can provide stability and sustainability to a process of democratization. But institution-building is also the most difficult and most slowly-unfolding of the three prongs. Diplomacy and development must come together for successful institution-building, as maintaining its momentum and progress over time often requires working with a succession of governmental and civil society leaders.

Across these three prongs of democracy promotion, many tools are available to the United States. These include bilateral diplomacy, such as meetings between high-ranking officials which provide a venue to stress the importance of political reform to the United States; multilateral diplomacy, such as that conducted in through the G8's Broader Middle East and North Africa initiative; cultural and public diplomacy, such as people-to-people and legislative exchanges; technological tools; public statements such as the speeches noted above; public-private partnerships such as the "Partners for a New Beginning" initiative launched in April 2010; financial and other forms of assistance; and tools such as sanctions, incentives, and occasionally coercion.

With this proliferation of lines of action and tools with which to advance them comes a need to organize the US bureaucracy to effectively devise and implement democracy promotion strategies. Traditionally, cross-cutting issues such as democracy promotion get little traction in the US policymaking process, in large part because regionally-focused offices and bureaus form the centres of power in the foreign policy community. Efforts to address this problem – whether by integrating the issues into the regional bureaus or otherwise enhancing their authority on paper – have met with little success, leaving the fate of democracy promotion to the energies and influence of individual officials who champion it. Like any policy initiative, even a well-

conceived and well-articulated policy of democracy promotion, backed fully by the President, may stumble in the implementation if the bureaucratic context is not gotten right. To correct this problem, senior US national security officials must ensure that a regional democracy focus is integrated into the highest-level discussions of Middle East policy issues, rather than relying on such considerations to be made at the base of the bureaucratic pyramid. They must also provide clearer guidance, ideally in the form of a concise and coherent national security strategy, to govern the day-to-day tradeoffs made in the field between democracy promotion and other issues.<sup>19</sup>

## Conclusion

With the US engaged in military operations in support of an uprising in Libya, and facing uncertain outcomes in long time allies Egypt, Tunisia, and Bahrain, it is no longer possible to claim that democracy promotion and political reform are not central to US interests in the Middle East, or that opportunities to advance political reform in the region are scant. Washington's relative inattention to democratization in recent years put it in a disadvantageous position when crises broke out in these countries, and has left US officials playing catch-up as regional politics shift rapidly. Nevertheless, with a renewed and bipartisan emphasis on the promotion of democracy and in concert with local and international partners, the US can aid people in the Middle East

in shaping not only more inclusive political regimes, but stronger relations with the United States and the West.

<sup>1</sup> Thomas Jefferson, "Letter to William Short" (3 January 1793), Thomas Jefferson Papers at the Library of Congress, Series 1, Reel 17.

<sup>2</sup> Kenneth Wollack, "Democracy Promotion: The Bush Doctrine in the Age of Obama," Panel Discussion at the Foreign Policy Initiative, September 21, 2009.

<sup>3</sup> Marina Ottaway, "Democracy Promotion in the Middle East: Restoring Credibility," Carnegie Endowment for International Peace Policy Brief, no. 60, May 2008.

<sup>4</sup> Freedom House data from <http://www.freedomhouse.org>, accessed March 18, 2011.

<sup>5</sup> Brian Katulis, "Democracy Promotion in the Middle East and the Obama Administration," Century Foundation Report, 2009.

<sup>6</sup> Ibid.

<sup>7</sup> Richard Spencer, "Hillary Clinton: Chinese Human Rights SecondarytoEconomicSurvival,"*theTelegraph*, February 20, 2009.

<sup>8</sup> Vice President Joseph Biden, "Remarks at the 45th Munich Conference on Security Policy," February 7, 2009.

<sup>9</sup> President Barack Obama, "Address to the United Nations General Assembly," September 23, 2010.

<sup>10</sup> Secretary of State Hillary Clinton, "Remarks at Forum for the Future: Partnership Dialogue Panel Session," January 13, 2011.

<sup>11</sup> Stephen Mclnerney, "The Federal Budget and Appropriations for Fiscal Year 2011: Democracy, Governance, and Human Rights in the Middle East," Project on Middle East Democracy, April 2010.

<sup>12</sup> "Democratic Debate in Las Vegas," CNN.com, November 15, 2007, <http://transcripts.cnn.com/TRANSCRIPTS/0711/15/se.02.html> (accessed March 18, 2011).

<sup>13</sup> Michael Singh, "Democracy is Not All That Different," ForeignPolicy.com, January 28, 2011 ([http://shadow.foreignpolicy.com/posts/2011/01/28/democracy\\_is\\_not\\_all\\_that\\_different](http://shadow.foreignpolicy.com/posts/2011/01/28/democracy_is_not_all_that_different)).

<sup>14</sup> Lorne W. Craner, "Testimony Before the House Committee on Foreign Affairs," February 9, 2011.

<sup>15</sup> Secretary of State Hillary Clinton, "Remarks at Forum for the Future: Partnership Dialogue Panel Session," January 13, 2011.

<sup>16</sup> See for example Jeremy Sharp, "US Democracy Promotion Policy in the Middle East: the Islamist Dilemma," CRS Report for Congress, June 15, 2006.

<sup>17</sup> One might add a fourth prong, tending to our own democracy in the United States. That is beyond the scope of this paper, but a legitimate extension of this topic.

<sup>18</sup> Tom Carothers, "US Democracy Promotion Under Obama," Panel Discussion at the Carnegie Endowment for International Peace, March 3, 2009.

<sup>19</sup> For more on the topic of reforming the national security decision-making process, see Michael Singh, "Making the NSC Work," American Interest, Vol. V, No. 2, November/December 2009.

### 2.3 Principal Reflections and Conclusions from the Debate

A common point of agreement amongst different actors in the field of Human Rights is the need for international actors to, at the minimum, *adapt* to the changing situation in the Arab region. Indeed, both the EU and the United States have until now pushed forward policies supporting the authoritarian regimes of the Middle East. These policies been shaped by concerns over security and the perceived need for containment, relegating to the backseat the prioritization of human rights and civil liberties. The challenge ahead for international actors is thus not only to grasp this momentous opportunity to support the democratic change in the region, but to do so while accepting the inevitable instability that accompanies any democratic transition.

Many important issues need to be addressed regarding international actors' roles and responsibilities in light of the rapidly changing situation in the Middle East and North Africa. It is important for international actors not only to react, but react *in the correct manner*, to what is unfolding in the region.

#### *Understanding the particularities of recent protests*

Prior to the Tunisian uprising that began in December 2010, the major threat believed to be emanating from the Arab region was that of Islamist fundamentalism. This

Islamist threat has been the major justification for the West's support of dictatorial regimes, as evidenced for example by the widespread backing of Mubarak during his time as president. However, recent events have reflected genuine aspirations for universal principles of equality and democracy and have differed greatly from claims voiced through a religious framework. While Islamist groups may take advantage of this unfolding situation, it is undeniable that recent events are not of any religious nature and that religious aspirations can no longer be used as a justification for the backing of dictatorial regimes in the region.

The protests have also, to some extent, reflected a sense of unity amongst Arab countries. The Tunisian uprising spurred protests in neighbouring countries, initially in support of the Tunisian struggle and then to protest their own oppressive government. What is perhaps even more interesting, and worthy of notice, is that the protests – while demonstrating a certain sense of unity – did not at any point revert back to the Palestinian cause and the need to fight Israel. In this way, it is a clear distinction from past mobilizations which have often mixed internal discontent with discontent regarding the Israeli-Palestinian situation.

#### *Supporting vs. Promoting Democracy*

An important issue to reflect upon regards whether international actors, primarily the United States and the EU,

should adopt policies which promote or support democracy in the Arab world. This debate regarding democracy support or promotion is especially relevant for the United States. The Bush administration followed – if not coherently in practice, then definitely rhetorically – a staunch policy of democracy promotion in the region. Under the Obama administration, in contrast, this rhetoric was stifled significantly; Obama's speech in Cairo in 2009 did not address the need for outright democracy but instead focused on the importance of youths in shaping today's society, of the internet and free media, and of women's rights, among other things. Obama's focus on factors conducive to democracy rather than on democracy itself may be more productive, especially if Arab populations see democracy promotion as a form of unwelcomed intervention and an imposition of a specific form of 'Western' democracy.

#### *Adopting a Policy of Support for Human Rights and Democratic Aspirations*

Both the United States and Europe have important roles to play in supporting democratic aspirations and human rights in the Arab region. On one hand, the United States holds the burden of moving away from its security-paradigm that has interpreted democracy and stability in the region as being mutually exclusive. While this shift has been voiced by both the Bush and Obama administration, it clearly contradicts with policies instated on the ground. On the other hand, the European Union has the responsibility

to move away from its typically developmentalist approach to one that focuses also on politics. Catherine Ashton has mentioned the need to implement a strategy composed of "3 M's" – money, market access, mobility. However, it is unclear where human rights fit into this approach and it is evident that the support for human rights and, consequently, a lack of tolerance for high levels of oppression, needs to be made explicit in EU policies. On a more immediate level, the EU could cooperate in the fight against corruption by freezing funds 'stolen' by dictators such as Mubarak and Ben Ali and returning them to their countries of origin – a suggestion which has already met with much resistance.

#### *Dealing with the instabilities of newly-formed democracies*

An issue that international actors – especially the United States and the EU – will have to deal with is the instability that arises from any democratic transition. Firstly, they will have to accept and be ready to deal with the increased expectations of Arab populations – not only in terms of democratic transition, but also in terms of economic aspirations of social mobility and employment. This increased array of demands will have to be taken into account in the drafting of EU and US policies in the region. Moreover, to do so will require a certain acceptance of the idea that these policies will be drafted not only by them, but also by local actors whose ideas should be heard.

Secondly, it is inevitable that new democracies will also face greater internal divisions. Taking the case of Egypt, while there have always been certain divisions between Copts and Muslims, identities are likely to multiply within each religion and also across different issues. It is inevitable that as democracy gives the right to people to voice grievances and desires, it also increases the possibility for discord in society. Stability in the short run may be compromised, but it is important for actors such as the EU and the US to accept this decreased stability for longer term objectives.

### *Reformulating the fight against extremism*

A fundamental difficulty for the US and the EU will be to accept the possible coming to power of groups that are not in complete accordance with Western principles – for example, the Muslim Brotherhood in Egypt. The case of Algeria in the early 1990s serves as an excellent lesson in the difficulties of promoting or supporting democracy, where a period of Arab spring, rapid denunciation of torture, and independent newspapers ended with the halting of the elections in 1992 for fear of Islamists coming to power. This example exemplifies the difficult situation the EU and the US may find themselves in if the democratic transition in Arab countries continues to progress.

While the EU and the US will have to learn to accept the result of any democratic process in the Middle

East, it is also important for them to develop a nuanced perspective of the different actors on the ground. While the formulation has largely been one of moderates versus extremists, with extremists being religious extremists and moderates being mainly secular, it is important to reformulate this as a division between those who are in favour of liberty and those who seek to curtail it. Indeed such a reformulation would simultaneously reflect the importance ascribed to the respect for fundamental human rights while respecting the existence of cultural differences and beliefs.

## Chapter 3: The Logics of Civil Society and Non-Governmental Actors



The logics of civil society and non-governmental actors were addressed by Mr. Khémaïs Chamhari, EMHRF Board member, Ambassador, Permanent Representative of Tunisia to the UNESCO (Tunisia) as moderator, Prof. Mohamed Tozy, Political Scientist and Specialist of the Moroccan Islamist Movement (Morocco) as commentator, and by a panel composed of the following discussants: Dr. Michele Dunne, Senior Associate at the Carnegie Endowment for International Peace (United States) and Dr. Amr El-Shobaki, President of the Arab Forum for Alternatives (Egypt).

### ***3.1 The Logic of Non-governmental Actors***

Michele Dunne

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The role of non-governmental actors in the Middle East has changed completely since the Tunisian and Egyptian revolutions of January 2011. Whereas political movements, parties, civil society organizations including those focusing on human rights, media, educational institutions, and other non-governmental actors long appeared to be relegated to the sidelines of political life, they are now at the center of activity in at least two Arab countries and pressing for a greater role in several others. Even in the countries where there is little overt protest activity at present, non-governmental actors are reexamining their options and considering new possibilities. No longer are governments the only actors able to take the initiative, with non-governmental actors largely reactive and often on the offensive.

The rising political relevance of non-governmental actors reflects a trend that has been evident in Arab countries over the past decade: societies have become more dynamic while most governments have remained relatively static and unable to respond effectively to the growing calls for political, economic, and social reforms. The gap between citizens and their governments that has grown as a result has not only led to widespread

protests and several uprisings, but also has placed stress on foreign governments and donors to the region, who have found themselves in the uncomfortable position of not being able to stand on both sides.

The events of December 2010-March 2011 raise a number of questions about the current and future role of non-governmental actors:

#### **What factors led to the success of non-governmental actors in bringing about political change in Tunisia and Egypt?**

In Egypt in particular, there was a great deal of growth in the independent media, civil society organizations including explicitly pro-democracy organizations, protest movements of various kinds, and networking among pro-democracy activists over the last 5-7 years. There was some development in Tunisia as well, but that was in a more restrictive environment. Moreover, in both countries, non-governmental actors were able to appeal to certain government institutions for help against the political leadership. In particular, both countries had cohesive military apparatuses that were distinct from repressive internal security apparatuses and wanted to maintain their good reputations and restore stability to the country – which meant a refusal to fire on peaceful demonstrators and ultimately a decision to force a political leader to step aside. This successful effort on the part of non-governmental actors to make common cause with a

key governmental actor opened the way to relatively peaceful transitions (although there were still significant casualties in each case).

### **Why did formal opposition parties and movements not play a major role in the Tunisian and Egyptian revolutions?**

Licensed political parties were weak in both Tunisia and Egypt and unable to navigate the rules of their government-approved status in order to organize effective popular demonstrations. Demonstrations erupted spontaneously in Tunisia at first, with labour and other movements eventually playing an organizing role. Youth organizations such as April 6 and "We are all Khaled Said" organized the initial protests in Egypt on January 25, with the full support of some newer movements such as the National Association for Change but only tepid support from older movements such as the Muslim Brotherhood and parties such as the Wafd and Tagammu. As the demonstrations snowballed, those older movements and parties became increasingly involved, but they never took over the demonstrations fully. In fact, the revolutions in Tunisia and Egypt call into question the longstanding notion that a strong and reasonably cohesive political opposition is required to overturn an authoritarian regime.

The successful uprisings - and ongoing revolutions - in Tunisia and Egypt are producing many new organizations including political movements and

parties, committees to protect the revolution, and a plethora of other new organizations. They are also causing crises, in effect mini-revolutions, inside many older organizations, especially but not only those affiliated with the old regime. It will take many months and perhaps several years for the sorting out to take place, in which some major non-governmental actors from the pre-revolutionary period will wither or disappear, others will reinvent themselves, still others will become stronger, and new actors will appear.

### **How should non-governmental actors adapt their activities in Egypt and Tunisia as those two countries move toward democratic transition?**

Non-governmental organizations and the individuals within them will have many decisions to make in the new era in Tunisia and Egypt because they most likely will face many more possibilities for their activities than they ever have in the past. Already some prominent individuals who in the past worked in academia or advocacy now are contemplating formal political careers because they anticipate that in the new era politics will be much freer and that a much broader spectrum of political views will be tolerated. Non-governmental actors including human rights activists who choose to stay out of formal politics also will face much greater opportunities for their work. Freely-elected government officials, at least some of whom will have previously worked in the non-governmental sector, will probably be more open to policy advocacy input

from non-governmental actors. There should also be much broader scope for the formation of new groups, for example watchdog organizations that will monitor government performance, to participate in a more open process.

Non-governmental actors that were deeply involved in the revolutions, such as youth movements, will face a particular challenge in the coming period as they try to decide when and how they should adapt their activities from a revolutionary to a transitional mode.

### **Why were non-governmental actors unable to succeed so far in uprisings in Bahrain and Libya?**

In Libya, non-governmental actors are poorly developed compared to their status in other Arab countries; there are no free media and no independent civil society organizations to speak of because they were specifically outlawed under the Jamahiria system in place formally since 1977 (and to some extent since the 1969 coup). In the weeks since spontaneous demonstrations began and then evolved into an armed rebellion after Qadhafi and his supporters used force against them, rebels have struggled to produce a leadership that can communicate with the outside world. In addition, non-governmental actors who rebelled against Qadhafi were unable to make common cause with a cohesive military (as occurred in Tunisia and Egypt) for the simple reason that Libya does not have one. Due to Qadhafi's longstanding

divide-and-rule strategy, which builds on enduring tribalism within Libyan society, the military splintered rather than standing with him or against him. In Bahrain by contrast, there are well-developed non-governmental actors and many of them—including human rights organizations—enjoy a level of popular support that organizations in other Arab countries might envy. This support exists primarily, but not exclusively, in the 70 percent of the Bahraini population that is Shiite Muslim. Their effort to force concessions from the monarchy, or even to overturn the monarchy, have been unsuccessful so far largely due to the use of mercenaries in the armed forces and the fact that the Sunni Muslim Al Khalifa ruling family has been able to call on the political and military support of Saudi Arabia and other Gulf states.

### **What role can non-governmental actors play in countries where they do not seek regime change but rather reform of the existing system?**

While the Tunisian and Egyptian revolutions will have important and lasting impact if they succeed in real transitions to democracy, by no means will all Arab countries undergo leadership changes in the near future. And in many countries, non-governmental actors do not necessarily seek leadership or regime change but rather greater political and civil rights within a reformed system.

Even those non-governmental actors seeking reform rather than radical

change, however, are learning from the revolts in Tunisia and Egypt. They are learning, for example, that online activism and social networking are effective ways to mobilize and measure support for changes, and that they can be translated into actual pressure on governments when they are accompanied by street protests. They are learning that the governments they face may be a bit more brittle and susceptible to pressure than they might have suspected several months ago. They also learned from the experiences of Libya and Bahrain that street protests will not automatically succeed and that international support, unfortunately, might not arrive on time.

### ***3.2 Non-Governmental Actors in the Political and Social Arenas***

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#### **I. Political and social non-governmental actors**

The role of non-governmental actors in Egyptian political life has increased over the past two years, as they evolved into political and social actors before joining ranks during the January 25 Revolution.

Undeniably, many political protest movements such as the Egyptian Movement for Change (Kefaya) have had an influential role in promoting the protest culture and increasing its demands. Given the fact that Kefaya

and its sisters are purely generalist political movements, their popular mobilization was limited. It was not easy to convince simple Egyptian citizens struggling to secure their livelihoods that democracy and reform should top their priorities and that they should demonstrate in defence of these goals and risk possible persecution by the security apparatus. Despite Kefaya's attempt to insert social and economic mottos into its agenda such as "enough injustice, enough corruption, enough unemployment" to attract more supporters, the target for such mottos has remained the Egyptian public, which was not yet in a position to demonstrate in large numbers. Thus, Kefaya soon proved to have limited experience and was unable to reach the masses. Nonetheless, the protest culture it had promoted has had a greater impact than the movement itself, considering in particular the deteriorating living conditions and growing complaints about administrative corruption and mismanagement.

It was not surprising, therefore, that Egypt witnessed a second wave, or generation, of protests that were exclusively social and limited in space and demands. Demonstrators embraced the concept of protest and its various means for expressing their pressing, direct and livelihood-centred demands that became all the more necessary with the growing privatization of the public sector and social services, including health and education.<sup>1</sup> However, protesters did not take to the street but rather

started to protest in their places of work, aiming to reveal the suffering of workers resulting from their superiors' abuse, oppression and violations of their rights. The snowball rolled from one factory to another until it became a public phenomenon that deserves extensive examination. The forms of labour protest included sit-ins, demonstrations, rallies and even full or partial strikes as well as slowed production. Starting in factories, especially textile factories, the protests spread to all production and service sectors including the health and education sectors. Protests were no longer restricted to workers, but also include civil servants and professionals, as each of these groups had one or more occasions to protest and voice its demands. The relative success of these protests contributed to their proliferation among different sectors and even enticed some to escalate to a more extensive stage of protest in which all sectors participated on the same day. This form of protest aimed to place greater pressure on the government and provided for the third generation of protests: the general strike. The general strike initially succeeded virtually but failed on the ground, and then again succeeded partially in the El-Mahalla Strike of 2008 before it fully succeeded during the January 25 revolution.

## **II. Characteristics of the new social protests**

Looking at the size and quality of the social protests that covered most sectors and governorates, one finds

that despite their widespread scale and possible dispersion, these protests maintained certain consistencies and similarities.

The protests surprised the ruling political elite as well as the opposition. They were an overt rejection of the dominance of both groups over public life and produced new and alternative elements of leadership closely connected with their bases. This embarrassed traditional leaders and set the path to replace them later.

This was evident in the failure of the "elected" leaders of trade unions to promptly contain and find a solution to the workers' protests, which called into question their credibility and the extent to which they represented workers. It also confirmed the ill consequences of explicit violations that marred the latest trade union elections.

The protests were spatially limited as each occurred in a particular factory or company to press specific demands in relation to the workers' financial rights or working conditions. Nonetheless, several protests took place in other factories in solidarity with the original protests, including the demonstrations by workers in Kafr El-Dawar, Gazl Mit Ghamr and Delta Spinning and Weaving in Tanta and Zefta parallel to the strike organized by Ghazl El-Mahalla workers in September 2007.<sup>2</sup> This gave the impression that protests were no longer taking place in isolation from each other but rather had started to echo one another.

The new worker elite managing and coordinating the successive protests did not possess strong leadership experience but was able, nevertheless, to improve its organizational and bargaining power. Time after time, the new elite succeeded, albeit not without sacrifices - for example, facing arrests and disadvantages at work as a result of participating in the protests.

The labour protests motivated similar protests in other sectors; among civil servants, physicians, teachers, university professors and journalists. These protests also reached citizens affected by certain conditions or government decisions, such as taxi and minibus drivers who protested against the poor condition of roads connecting villages and cities, and the residents of a squatter area subjected to removal without alternatives to accommodate its population. However, such protests remained sporadic and disorganized and were yet to mature to the same level as the labour protests.

The labour protests were also able to "empower" groups that had historically been reluctant to participate politically and socially. Youth functioned as the main body of protesters while women participated in unprecedented numbers and were leading the demonstrators. This situation illustrates how the protests succeeded in producing new leadership and bringing in groups that had long shunned participation.

It is worth noting that the most important and successful protests

were the ones that were held in several stages and escalated. A good example is the strike by the real estate tax collectors who initially rallied in front of the Ministry of Finance, suspended the rally and then resumed it two months later in front of the Prime Ministry. During this entire period, they abstained from collecting the real estate tax country-wide.

The demands of second generation protests were partial, reasonable and attainable, as they did not go beyond payment of late dues to protesting workers, improving working conditions or providing proper health care or safe transportation. Perhaps the most ambitious demand was the dismissal of the administration of the institution or factory in question due to mismanagement or widespread corruption. In other words, the demands were never political, and the protests were by no means an organizational or qualitative expansion of the Kefaya movement but were rather independent and reflected a drastically different vision, to the extent that they called for help from then President Hosni Mubarak and the prime minister to intervene directly. In several demonstrations, protestors even raised their membership cards in the National Democratic Party (NDP) to emphasize the fact that they did not politically oppose the incumbent regime.<sup>3</sup>

Several human rights organizations were monitoring the development of protests in workplaces. However, there was no consensus regarding

the definition of a protest; some considered protesting to be limited to sit-ins, rallies, demonstrations and strikes, while others considered filing complaints and lawsuits and threatening to organize strikes as also falling under the definition of protesting. This created inconsistencies among human rights observatories regarding the number of protests held over a given period. The definition of "workers" was also inconsistent. One definition included factory workers and workers in public corporations and private companies only, while another considered employees in these institutions as well as civil servants. Another definition encompassed all sectors of the workforce as long as their members worked for a second party, rather than being self-employed, and received remuneration in return. Nonetheless, there was consensus regarding the increasing frequency of protests in the workplace as illustrated in a statistical annex made by the Land Center for Human Rights Studies in Egypt.

### **III. Non-governmental actors mapped**

In the wake of the US-led war on Iraq and under pressures exercised on the Egyptian regime by the US to introduce reforms and expand democracy, the existing momentum of the Egyptian public protesting the war on Iraq shifted to demanding comprehensive internal reforms. Then President Hosni Mubarak's announcement to amend Article 76 of the Constitution at the time exacerbated this popular action.

Several popular movements sprung from this action to demand change, constituting the early indications of that stage. These included the "March 20<sup>th</sup> Movement" which attempted to bring leftist activists from all walks of life together to create a new coherent leftist wing capable of communicating with the masses and creating a genuine impact on the Egyptian people. Another example is the "Popular Movement for Change", Kefaya, which was initiated by ideologically leftist activists with the aim of serving as an assembly that encompasses the various political actors in Egypt to demand democracy, fundamental freedoms and basic rights for Egyptians.<sup>4</sup>

Of these, it was Kefaya who was able to effectively impact the Egyptian context, trigger an unprecedented action in Egypt, absorb the majority of past movements and even extend its influence to other Arab countries.

Following the announcement of the cabinet reshuffle in July 2004, around 300 Egyptian intellectuals and public figures representing the wide political spectrum wrote a founding document demanding genuine political change and an end to economic injustice and corruption in the country, as well as to the subordination of national foreign policy to external actors. This movement held its founding conference in September 2004. In December of the same year, Egypt witnessed the first of a series of demonstrations. Within a few months, Kefaya grew from a mere assembly

of intellectuals into a movement that claimed the right to peaceful demonstration against the regime, with the number of signatories on Kefaya's statement rising to thousands.<sup>5</sup>

The birth and launch of Kefaya heralded the formation of a large number of 'sister' movements. Some of these sprung from Kefaya itself, others came to life with the participation of Kefaya's activists, and others were relatively or fully independent from the movement. Nonetheless, all of these movements worked for the same goal: entrenching democratic practices and expanding independent popular activism, which prompted many to refer to these movements as "Kefaya's sisters." These movements included, for example, the "March 9" movement for the independence of universities, which was created by a large number of prominent academics from different Egyptian universities with the aim of achieving academic freedom, ridding Egyptian universities of state and security forces' control, ensuring freedom of thought and belief for students and professors, and combating corruption in the university sphere. "Workers for Change" was established to defend the interests of the working class, confront the schemes that – from the movement's point of view – aimed at destroying those interests, as well as mobilize workers in the face of neo-liberal policies and the adverse effects of the privatization policies implemented by the Egyptian government. "Youth for Change" was created by younger people to oppose the state of emergency, oppression

and exclusion of youth from peaceful political participation.

Further examples include the "Doctors without Rights" movement which was established to defend the rights of doctors and address the deteriorating conditions of both the medical profession and the health services provided to citizens. "Engineers against Custody" is another movement that was founded to organize the ranks of Egyptian engineers to reclaim their association from the control of the state, which had stifled the association for more than 12 years. Nevertheless, the most significant 'sister' of Kefaya was the "Judges' Club," the sole representative body of judges in Egypt that is elected by the judges themselves. The Judges' Club has enhanced the independence of the judiciary from the executive authority and strived to provide impartial judicial oversight over elections in the country at all levels.<sup>6</sup>

In the second stage, in addition to the economic crisis intensifying, with unemployment reaching 24%<sup>7</sup> according to some estimates, the push for privatization persisted, causing further harm to workers. A deeper feeling started to build among citizens of the absence of any chance to improve their economic conditions, especially considering that emerging signs indicated that the problem lay primarily in the poor distribution of income. One such sign was the development of residential and commercial projects geared toward the wealthy segments of Egyptian

society and becoming popular among them, indicating a widening class gap. This situation created a sense of injustice especially among the middle class, prompting many to join the demonstration movement, primarily fuelled at the time by the educated middle class.

This period was also characterized by the growing role of the Policy Committee of the National Democratic Party (NDP) and the rising influence of businessmen in politics, exemplified by the appointment of Ahmed Ezz, a well-known businessman who monopolized the steel industry in Egypt, as head of the NDP's parliamentary bloc. In 2004, a new government was formed with 6 businessmen ministers. The issue of passing on the presidency to the president's son was brought up more intensely especially when he made more than one trip to the US.

This period also witnessed more tolerance towards opposition movements so as to ensure that the parliamentary and presidential elections slated for 2005 looked democratic. Only one demonstration was staged in this context and was against the constitutional amendment. More freedom was seen in Egyptian satellite TV stations as talk shows started to cover and analyze issues they had never discussed before, particularly those related to corruption and democracy.

Moreover, independent newspapers emerged and were more daring to break taboos and cross red lines. The

emerging independent and partisan newspapers had the audacity to criticize – sometimes harshly – state officials including, for the first time ever, the president and his family. New newspapers included the independent *Al-Arabi Al-Nassery* and *Al-Dustour* that were highly critical of the regime; *Al-Masry Al-Youm* that tackled various issues from a free and critical point of view; and the leftist *Al-Badil* newspaper that carried daring investigations tackling the regime. This media machine gave impetus to the political movement in Egypt and sometimes depicted it as larger than it actually was in an attempt to attract audiences away from traditional news sources. Such efforts introduced the Egyptian public to demonstrations, encouraged some segments to take part in them and gave protestors the feeling that their voice was being heard and that they were supported and backed.

It is worth noting that the Journalists Association became a platform for initiating Kefaya and other movements' demonstrations, and so was almost always besieged by the security apparatus. Meanwhile, administrative changes took place within national newspapers close to the government, replacing most of their longstanding senior editors with new faces, most of whom perhaps did not possess as much professionalism or competence as they did proximity to the security apparatus or NDP's Policy Committee.

Many independent journalists think that if the judges' activism, Kefaya and other movements contributed

to raising the bar of political debate in Egypt, then the independent press was the voice of such movements reaching the Egyptian public. It is worth noting that in addition to their coverage of demonstrations organized by Kefaya and other movements, partisan and independent newspapers also protested in their own way. For example, 12 partisan and independent newspapers abstained from publishing in May 2007 to protest the passage of a law in parliament that sanctioned imprisonment for journalists.<sup>8</sup>

Regarding international and regional contexts, this period witnessed continued discussion about domestic reform and the need to 'democratize' the Middle East, as well as the launching of various initiatives for "partnership with the Middle East" by both the US and EU. This was based on the theory that authoritarian regimes in the Middle East had served as a "breeding ground for terrorists" and exported terrorism, as happened on September 11<sup>th</sup>, 2011. The situation called for a change in conditions or regimes in these countries whether through military action as was the case in Iraq, or by using political and economic tools as well as international pressure to promote democracy in the case of regimes 'friendly' to the US such as Egypt, Saudi Arabia and Jordan.

Given the above factors, tangible changes started to appear in official Egyptian discourse, perhaps most notably the decline of Arab nationalistic discourse and the rise of that of "Egypt first", at times in an

exaggerated fashion. Several other similar and perhaps more radical discourses were undertaken by some new political forces and movements that had limited influence. These included the Mother Egypt Party and the Egyptian Liberal Pharaonic Party, a party that the Committee on Political Parties refused to accredit, alleging that it was in violation of the Constitution.<sup>9</sup> This political movement, which publicly emerged from cultural forums, emphasizes secularism and the need for separation between state and religion. It also claims that the spread of Arabism in Egypt had catastrophic consequences and calls for a homeland which upholds pluralism and liberalism, leaves no room for religion to interfere in politics and in which citizenship would be based on Egyptian pharaonic nationalism away from the "swamp of Arab affiliation."<sup>10</sup>

Another group known as Egyptians against Religious Discrimination focused more on developing the civil democratic nature of the Egyptian state and combating religious discrimination against Egyptians using all available means. This group adopted the 'Egyptian identity' as the foundation for its argument rather than the Arab identity, which it completely marginalized and considered the reason for the spread of religious thought in Egyptian politics backed by oil money from the Gulf countries and the main reason for the spread of religious discrimination between simple Egyptian citizens.<sup>11</sup>

#### IV. Non-governmental actors in the city of El-Mahalla - the January 25 Revolution rehearsed

The bloody confrontations that broke out in the industrial city of El-Mahalla on April 6, 2008 revealed a significant difference between the two modes of protests that had recently spread in Egypt. One was virtual, led by websites and political activists based in the capital through the internet, mobile phone messages and satellite channels. The second mode of protest was tangible, taking place in El-Mahalla with the participation of thousands of marginalized and disadvantaged workers of whom three were killed and dozens injured. This mode demonstrated a more violent progression of social protests, given that it remained outside of existing political and partisan frameworks, in a fashion that had the potential to change the political scene either in terms of the regime or the opposition camp.

The virtual call for striking on April 6 and May 4 created a deep psychological impact that concerned the public and encouraged them to stay home on April 6, as they were instructed in a statement issued by the Ministry of the Interior. The Ministry feared a virtual strike that never actually materialized, but the streets of Cairo were already almost empty.

This disparity between the virtual and the actual began after the political protest movement stalled and failed to communicate with the public. However, the movement had created

a historical opportunity, empowering people to protest and transcend the fear of taking to the streets to proclaim the truth in the face of an unjust ruler.

The level of political corruption did not seem to differ significantly between the government and the opposition camp. However, the fundamental difference was that the government governed and controlled all state institutions and was thus responsible for the collapse of opposition forces in terms of the climate it had created, failing to not only be democratic but also meet the people's minimum needs.

In fact, the government used a carrot-and-stick policy to handle the workers' strikes. It severely oppressed the demonstrators and yet generously granted them one month's salary. The workers were not accustomed to this generosity. Moreover, the prime minister decided to raise their wages by 30%. The regime was very "efficient" in isolating political activists from groups with certain demands. They allowed political activists to organize virtual strikes and the other groups to voice their demands relating to improving wages and working conditions, but not to discuss politics.

Pursuant to this understanding, the regime immediately issued a financial allowance to the workers to ensure that they received its message that the government alone, not the demonstrators or promoters of political slogans, had the money and was capable of fulfilling the workers' demands.

Certainly, the government succeeded to some extent in temporarily separating politics from social demands. It further invented numerous methods for abolishing political parties, marginalizing the role of nascent political movements and eliminating the independence of professional associations, turning most of them into deformed entities subordinate to the government with no real influence. The government's endeavour was made easy by the old fashioned language still used by many politicians and the lack of a democratic culture among the opposition parties. Nonetheless, the regime's responsibility for burying politics remains essential.

Hence, the way the government handled the outcome of the El-Mahalla workers' strike in 2008 confirmed the earlier trend that there are legitimate social demands that can be resolved satisfactorily. Typically the "president's wisdom" was the magic key to any solution rather than demonstrating or demanding political reform.

Surely, this method, which was literally - and very generously - applied following the labour strikes in El-Mahalla, was the answer to the growing social protests that fell outside the domain of all political parties and entities.

To think that the El-Mahalla strike would not be repeated elsewhere more violently and seriously would be delusional. To think that the old and new political forces had any

connection with the events in El-Mahalla is also delusional. The danger threatening Egypt is the fact that invisible social synergies have yielded patterns of chaos, haphazardness and social protests that are impossible to stop under the state's method of governance. Moreover, everyone will pay dearly for the elimination of the political process as well as the halting of democratic reform and the development process.

Certainly, the situation is ominous of wide scale and random explosions, the causes of which must neither be sought in politicians' speeches nor opposition newspapers. The protests would indeed be original. They would not pass through the filter of any political party or professional association only to refine their behaviour and demands and shape them into a bargaining chip for use in negotiations with the regime as occurs in democratic countries.

## V. How did the Egyptian regime deal with non-governmental actors?

Up until the January 25 Revolution, the Egyptian regime employed one primary tactic when dealing with non-governmental actors: the separation between the political and social realms.

It can be said that from the beginning Mubarak's regime faced the difficult challenge of terrorism, which he was able to overcome following violent clashes and mass arrests during which the regime garnered the support of opposition parties. By the early 1990s, the country became stabilized

security-wise but the political situation remained unchanged. The role of the political elite was eroded, old political parties collapsed, new political forces stumbled and the degree of tension, chaos and haphazard uprisings increased after all aspects of political life were cornered. This shifted the danger to the regime from political organizations to social protests.

A number of methods helped the regime eliminate the 'danger' of politics and politicians. These included prosecution and security constraints but the most important methods were related to the apolitical nature of the regime which preferred to use the authority of security.

Parallel political parties emerged as an alternative to failed original parties, parallel professional associations emerged as an alternative to official professional associations, and parallel student unions likewise emerged as an alternative to the absent official student unions.

As original and parallel organizations failed to crucially influence the masses and win their confidence, the latter turned to individual solutions and demonstrations as an alternative to political protests.

Since the confrontations in the industrial city of El-Mahalla in April 2008, it became clear that the country had entered a new stage in which the real danger was no longer that of political organizations but rather random social protests. Although most such protests were peaceful and

sought to raise wages and improve working conditions, the government's ability to fulfil all the demands was limited, creating the real danger that such protests would cross from the social realm to the political realm even if they were only protesting the government's failure to meet these demands.

## **VI. Egypt's Revolution: Not a product of traditional actors**

The events of January 25 were neither a coincidence nor a random reaction, but rather the product of policies that relied upon fabrication, electoral fraud, corrupt management, security solutions and neglect of social problems.

Egypt's old regime insisted on destroying all organized mediums for negotiating with workers and social protest leaders, and instead relied on stop-gap and temporary solutions such as sporadic limited increases in wages. This situation caused the eruption of built-up anger and waves of protests that helped bring about the revolution.

Egypt's regime was not only undemocratic, but corrupt and uncreative. For the first time ever in the history of modern Egypt, the regime made ignorance, corruption and incompetence the criteria by which to draw closer to power rather than loyalty alone, as was the case historically.

The blatant fraud that marred the recent legislative elections and resulted

in the total removal of opposition forces from parliament was a key factor contributing to the outbreak of the revolution in Egypt. It transformed the objections of politicians in parliament into protests of frustrated people in the street, frustrated by the blatant attempt to enforce a monopoly on politics and human beings the same way a monopoly was imposed on the steel industry.

The actions of the NDP's new leaders in the last elections are directly responsible for the eruption of the revolution in Egypt. Not only did they choose inexperienced candidates who lacked political skills and were isolated from the people, but they also transformed what had been known as the state party since the Socialist Union, the Misr Party and the first iteration of the NDP into a private company led by a secretary of organization; a marriage of power and money that shattered many traditions of the republic.

Instead of involving nascent protest movements in the political process, the old regime not only excluded and consistently oppressed them but also sidelined the legitimate political forces in political life. For instance, the regime punished the Al-Wafd party for its democratic party elections by eliminating almost all of its candidates, leaving practically all of the political forces, both old and new, out of the legitimate political arena.

Whoever thought Egypt's problem lay in its government was wrong.

Egypt's problem was the fact that its president ruled for 30 years. Any country anywhere in the world in such a situation would face adverse consequences at all levels regardless of its president's 'wisdom'. It was not out of nowhere that the world invented the two-term rule; it surely realized that a president, director or minister remaining in office for 20 or 30 years would have negative effects not only on the society but on his own capacity to perform and innovate in a world that changes every day.

New non-governmental actors emerged in Egypt who refused to choose from the options laid out by the regime: either to extend Mubarak's presidential term or to endorse his son as the presidential heir. They further transcended the discourse of traditional political parties and set the foundation for new political and social movements, all of which made the January 25 Revolution.

The pre-January 25 Revolution division Egypt knew between political and social non-governmental actors was transcended during the revolution, even though it has now made a partial comeback in the form of rising group-specific demands that appeared to be isolated from political demands.

Surely, the exaggerated separation between political and group-specific demands was the product of the political reality in which the former regime considered any communication between political activists and protestors a red line not to be crossed.

In contrast, healthy - and not only democratic - societies view politicians as a needed link to connect strikers and protestors, on the one hand, and the government on the other. They are also seen as capable of enforcing negotiating tracks, finding middle ground solutions and compromises for both sides, and preventing any drift into violence.

Certainly, the January 25 Revolution opened the door for new non-governmental actors with social projects and foundations that transcend both political parties and organizations lacking a social base, as well as social protests that carry no political dimension. In contrast, those non-governmental actors have a political vision and a social or unionist base. Consequently, it has become difficult for the arbitrary separation between the political and social realms to continue as before.

The past 30 years of Mubarak's rule resulted in the accumulation of social and political protests and the emergence of new actors who combined political and social activism. These actors are those who began the January 25 Revolution that lead to the eventual toppling of the old regime and the beginning of a complete transition towards democracy.

<sup>1</sup> Iman Yahya, The Strikes Phenomenon in Egypt, Bahraini Al-Waqt Newspaper, May 21, 2007

[http://www.alwaqt.com/blog\\_art.php?baid=3433](http://www.alwaqt.com/blog_art.php?baid=3433)

<sup>2</sup> Ghazl El-Mahalla Statement No. 5, developments leading to the storming of the factory by security personnel, September 25, 2007, <http://www.hriinfo.net/egypt/ccdlrf/2007/pr0925.shtml>

<sup>3</sup> Al-Masry Al-Youm, September 28, 2007

<sup>4</sup> Interview with a founding member of both movements, Cairo, April 25, 2009.

<sup>5</sup> Dr. Dina Shehata, the Egyptian Presidential Elections 2005, Al-Ahram Center for Political and Strategic Studies, Cairo 2005

<sup>6</sup> Ahmad Bahaa Eddine Shaaban, New Protest Movements in Egypt, <http://www.ahewar.org/m.asp?i=2090>

<sup>7</sup> Ahmad Al-Najjar, the Strategic Economic Report, Al-Ahram, Cairo 2004.

<sup>8</sup> Ibid.

<sup>9</sup> Michel Najib, Mother Egypt Party, <http://www.freecopts.net/forum/showthread.php?t=2282>

<sup>10</sup> <http://www.freecopts.net/forum/showthread.php?t=2282>

<sup>11</sup> [http://egyptiansyphus.blogspot.com/2006/08/blog-post\\_22.html](http://egyptiansyphus.blogspot.com/2006/08/blog-post_22.html)

### 3.3 Principal Reflections and Conclusions of the Debate

In large part, academic literature on the Arab world has treated governmental actors as the only major actors in the region. While Islamist movements have increasingly become a strong area of focus, this focus has mainly investigated them through the paradigm of extremism and/or terrorism and as potential governmental actors in the future (for example, the Muslim Brotherhood in Egypt). However, the recent events in the Arab region have served to highlight a more dynamic and fluid picture where different non-governmental actors have played important, albeit different, roles.

*Understanding the protests in the context of a revival of civil society activism*

The first major point of observation about the protests, with respect to non-governmental actors, is that they have not come out of nowhere, but have been the result of several years of activism. In Egypt, the April

6th Youth Movement and the “We are all Khaled Said” movement were essential in spurring the beginning of the revolution with their call for protests on January 25th. However, their own creation can be seen as the consequence of a political and social awakening caused by the high-profile Kefaya movement, a grassroots coalition best known for its vocal opposition to Mubarak in the 2005 elections borne from earlier strands of political protest around the second Palestinian Intifada and the war in Iraq. While today the movement has lost most of its momentum and other groups have become more prominent on the Egyptian scene, to ignore its importance in inspiring today’s major civil society actors leads to a deep misunderstanding of civil society development in Egypt.

The uprisings in Tunisia, for their part, were also preceded by a revival of trade unionism. This revival is most marked by the Gafsa Movement of 2008, where workers, youth and others went on an unprecedented 6 month strike in the region of the south-mining area in Tunisia. The strikes and protests involved the majority of the region’s population, who protested against the precarious work conditions in the phosphate mines, the endemic unemployment and high levels of corruption, among other issues. The unrest was met with violent government action, arrests, and torture in efforts to quell what was Tunisia’s greatest wave of social unrest in over 20 years. The Gafsa-Redeyef pacifist movements are a clear

indication of the fact that, despite Ben Ali’s extremely oppressive rule, political activism had witnessed a revival in the years preceding the protests of December 2010 and fostered an environment in which radical change became increasingly inevitable. Indeed, for many the question was not whether such change would ever occur, but *when* it would occur.

Thus, while the protests of the Arab region have been characterized by an element of spontaneity and lack of organization and leadership, it is important to put them into a context of a revival of civil society activism which has characterized the region in the past decade. *However*, it is also important to simultaneously recognize an inherent weakness in civil society organizations in the region – the success of the protest movement in Egypt and in Tunisia is in large part due to the decision by the army to side with the people against the President. In other countries where the army has not taken the same decision – such as Yemen and Bahrain – what one sees is a much more drawn out conflict and greater uncertainty as to the outcomes of the protests. This weakness of civil society needs to also be recognized in order to address in what ways it can and should be strengthened. This is also essential to promote a full transition to democracy in countries where this transition is possible – where democracy is broader than the simple holding of free and fair elections.

### *The role of non-governmental organizations (NGOs) in fostering the space for protest*

One cannot speak of NGOs without distinguishing between local and international organizations. International NGOs have played an important role by not only providing support to local organizations, but also by increasing awareness outside the region regarding major violations occurring in the Arab region (reports by Amnesty International, Human Rights Watch, the Euro-Mediterranean Human Rights Network and the International Federation for Human Rights are a case in point, among others). Local NGOs have also been important in encouraging the every day citizen to denounce massive abuses and interiorize a rights-based dialogue.

Indeed, while no one can pretend to have expected the uprisings in the Arab region, in retrospect there has been slow societal transformation which rendered such uprisings more likely. For example, in the Tunisia of the mid 1990s, the only people who would speak with Human Rights Watch were hardcore dissidents, while families of prisoners and academics refused to talk to them. By the mid 2000s a shift was observed, in which not only hardcore dissidents but also people on the outer activist circles (including families of prisoners) were willing to speak with Human Rights Watch and other similar organizations. NGOs in the country, like the Conseil National pour les Libertés en Tunisie

(CNLT), created the space in Tunisian society for people who were making decisions about whether to risk their security to denounce violations. Thus, while local NGOs have been relatively weak actors due to major limitations on their freedom and high levels of government harassment, their role in shaping the civil society of Arab countries cannot be neglected.

Another important development preceding the protests that began in Tunisia in 2010 and spread to the rest of the region was the increased desire on the part of local NGOs to cooperate with moderate Islamists. An important example of this was the creation of the 18 October Coalition for Rights and Liberties in 2005, a coalition formed amongst a group of Tunisian civil society organizations and parties based on common goals rather than ideological standpoints, and which included the Islamist group Annahda. After three years of debate, four texts were drafted on gender equality, religious freedom, the relationship between the state and religion, and the necessary conditions for free, transparent and fair elections. The texts were approved and signed by Annahda, among others, representing one of the first examples of dialogue and collaboration between religious and secular groups in the country. It is important to see this not as an exceptional event with no consequences, but instead as a precedent for further collaboration between secular and religious non governmental actors – and one that is likely to reformulate

the role of both in shaping civil society in the future.

### *The role of Islam and Islamist actors in shaping the civil society and political dynamics of the Middle East*

It is undeniable that Islamist actors play a fundamental role in the Arab region, and this importance has been acknowledged in most analyses of the Middle East. However, the way in which Islamist actors have been portrayed has been highly inaccurate, with a tendency to frame Arab politics solely as a choice between authoritarianism and Islamic fundamentalism. This view has, in addition to overlooking the role of other non-governmental actors in shaping the socio-political context of the Arab world, also overly simplified the Islamic movement and ignored the way it has adapted and transformed itself over time. In many ways, the Islamic movement – or at least its more moderate factions – has demonstrated a strong pragmatism and willingness to collaborate with other societal groups despite not having the same beliefs regarding religion's role in society. The 18 October Coalition for Rights and Liberties is but one example of this – the Muslim Brotherhood's collaboration with Dr. Mohamed El Baradei, both prior to the protests of January 2011 and during, is another example.

Islamist actors have also taken a somewhat 'unexpected' position in the protests of the Arab region. At the beginning of the uprisings, most feared a cooptation of the protests by

religious groups. However, what was interesting to see was the complete absence of any religious rhetoric in the political and social demands of the protesters. Instead, there was a gradual increase in religious support for the uprisings without any attempt to capture the movement. For example, Al Azhar, who initially made the claim that disorder and instability could only lead to chaos, changed its discourse and legitimized the protests on the claim that a new order can indeed come out of disorder. Yusuf Al-Qaradawi's return to Egypt and endorsement of the protests, exemplified by his Friday sermons which addressed both Muslims and Copts, is also a reflection of this religious support yet simultaneous non-intrusion into the demands of the protests. The mosques as well, for the major part, served as gathering points for early protests and provided medical and food assistance to protesters later on, but did not incite protesters to adopt a religious rhetoric.

While such a position may indicate a certain level of strategizing and opportunism on behalf of the religious leadership (a desire to reap the benefits of the protests without incurring excessive risks) it also reflects a strong level of pragmatism – an understanding of the limits of religious rhetoric at the time of the protests and a willingness to compromise and collaborate with others groups.

*The central role of the Media – both in its new and old forms – in fuelling the Arab protests and raising awareness both within and outside the region*

The protests in the Arab region have brought to the forefront the non-negligible roles of different forms of media in today's societies. Firstly, the protests have highlighted the fundamental importance of new forms of social media such as Facebook and Twitter – who for a long time were considered to foster online activism with only limited on the ground activism. These social media were fundamental in rallying people, organizing protests and sharing information – so fundamental that Google even created an alternative way to 'Tweet' for protesters in Egypt that worked around the internet shut down. Moreover, they played an important role in spurring a 'domino effect' from one country to another, with youths using Facebook as a major source of information. So effective have these new forms of media been that Al Jazeera also directly used Twitter to follow protestors on the streets and cover the events unfolding on the ground. The flexibility and reach of these new forms of media should not be underestimated – both organizations working within the Arab region and outside of it must take into account the extent to which these new media sources can be used for organization and awareness raising in the future.

Just as noticeable has been the role of independent news sources in covering

– and to some extent sustaining – the protests. Al Jazeera – perhaps the most credible Arabic language satellite channel – provided both Arab and non-Arab viewers with constant coverage, despite being the target of government anger and having their offices shut down. In Algeria, private newspapers enthusiastically covered events unfolding in Tunisia and elsewhere, repeatedly bringing up the possibility that their own country could suffer a similar fate. These private media sources have been essential in shaping public opinion about events taking place – both inside and outside the Arab region – and also made it significantly more difficult for governments to minimize the importance of the protests.

Finally, it is important to note the effect of the Arab protests on local state-run media, which has been renowned for its lack of credibility and pro-government bias. State-run media in most Arab countries were obliged to broadcast inaccurate portrayals of events unfolding on the ground. However, Arab governments – learning from the case of Egypt notably – have now begun to allow for state-covering of protests in hopes of mitigating anger towards state-run institutions. In Egypt, state-run media underwent its own revolution in February, with journalists and televisions anchors resigning and refusing to continue their biased portrayal of the revolution. While public media are still not free – not even in Tunisia or Egypt – it is clear that the revolutions have also impacted their internal apparatus and

may have long run effects on the way they depict news.

### *A new identity and dynamic for civil society actors in the context of political reform*

It is clear that non-governmental actors do not always work in harmony. While Islamist groups have collaborated in the past with non-religious groups, it is important to also bear in mind the divisions that can come to light once certain common goals have been achieved. This is the case currently in Egypt, where one can see a large amount of disagreement between the Muslim Brotherhood and the secular opposition in the country. These conflicts and how they can be resolved in a democratic context will have to be addressed.<sup>72</sup>

Another important issue to investigate in the backdrop of democratic transitions in certain countries and reform in others is the way in which civil society and non-governmental actors will evolve. On one hand, in a context of democratic openness and freedom to create political parties (including religious political parties), one can expect to see – and we are *already seeing* – a movement by many in the non-governmental sector to the governmental sector through the creation of and participation in political parties. While Annahda and the Muslim Brotherhood are already attempting to create political parties, they are movements with longstanding political aspirations. Other civil society actors and intellectuals are currently

re-visiting their aims and possibility to shape Egyptian in the future and this political opening should not only be encouraged but also protected to ensure *real* participation by these new actors. Moreover, an *internal* democratic structure should be encouraged and striven for in these new political parties – they should include an equal participation of young and women activists who both played an important role in the protests around the region. Moreover, they should adopt a vertical structure rather than a hierarchical one (or at least ensure some sort of mobility); and they should promote an environment of dialogue and exchange.

It will be also be important to investigate the consequences of democratic opening on the strength and inner dynamics of civil society in the Arab region (both in countries with full regime change and others with smaller political reforms). Any analysis of civil society, or desire to assist civil society in the Arab region, will have to bear in mind this important moment of re-construction in which non-governmental actors are actively attempting to reshape themselves and make themselves pertinent in a context of radical change. Some groups will choose to transform into political parties, while others will strengthen their mandate or expand it, and other groups will be created to fulfil new duties – such as that of watch dogs to monitor the progress and transparency of political reform for example. In all cases, it will be important to encourage the strengthening of civil society

groups, who all have an important role in shaping the future of the region and promoting and sustaining democracy.

## Chapter 4: The Logics of the Donor Community



The logics of the donor community were addressed by Ms. Leila Rhiwi, EMHRF Board member, Programme Management Specialist, United Nations Entity for Gender Equality and the Empowerment of Women (Morocco) as moderator, Mrs. Fatima Almana, Board Member of the Arab Human Rights Fund (Jordan-Saudi Arabia) as commentator, and by a panel composed of the following discussants: Dr. Barah Mikail, Senior Researcher at FRIDE (Spain) and Mr. Stephen McInerney, Director of Advocacy at The Project on Middle East Democracy (United States).

## **4.1 Donors and the Mediterranean: Caught Between Aspirations, Realities, and the Requirements of Pragmatism**

**Barah Mikail**

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As North Africa and the Middle East are experiencing a series of strategic fractures whose outcome is difficult to anticipate at the moment, it seems that economic and financial factors have played a critical role in these developments, despite the fact that one cannot point to an absolute lack of funds available to the countries concerned. Neither macro- nor micro-economic indicators for the majority of countries in the North Africa/Middle East region suggest anything like a catastrophic situation in that regard. While it is true that GDP per capita in Yemen is 35 times lower than Qatar's and that Morocco's is only one fourth that of Saudi Arabia, in all of these countries wealth and financial flows have been abundant, although there have certainly been disparities across the region.

While economics has played a role, the storm of protest that originated in Tunisia also has a political dimension. The lack of basic necessities to provide for family and relatives is enough in itself to give rise to many frustrations, grievances and resentments. When this state of affairs is superimposed on the absence of political hope for the future, this can result in an explosive mixture. Indeed, this inchoate movement

which, like drifting sands, is sweeping over North Africa and the Middle East, has given the word 'uncertainty' its fullest meaning.

In this context, are there grounds for believing that the conduct of the donor community has been too muted, irresponsible and/or inadequate, given the issues that dominate in this region of the world? Should one see instead, in its general attitude, the manifestation of a determination to act that is intact and sincere but that cannot allow itself to move ahead of events? It is not easy to choose between these two scenarios because each is based on a complex set of considerations and rationales. There is not just one donor community but several of them, each of which has its own, potentially unique requirements. Despite this, it is still possible - against the backdrop of current developments - to draw a general outline which, without going back to what might have been, can at least enlighten us about the responsible behaviour that should be adopted immediately. While it is never too late to do the right thing, it is preferable to do it in the most rewarding way possible.

Accordingly, in developing these ideas here, I will first touch upon the conditionality principle that may – or may not – have governed the actions of donors involved in North Africa and the Middle East. I will then examine these approaches in light of the demands and needs expressed by each of the countries and populations concerned. Lastly, I will discuss the issue of how,

in concrete terms, a donor community could work in the region in a way that is useful and meets the expectations of the citizens of those countries.

### **The importance of the conditionality principle**

Though they may be diverse in their nature and their objectives, donors in the North Africa/Middle East region have theoretically used the principle of conditionality to justify the release of funds to the countries concerned. One of the most telling examples in this regard is that of the European Union, a foremost actor in this area. In theory, the three components (political; economic; social, cultural and human) of the provisions of the Barcelona Process (1995) have served as the premises for the positioning of the EU regarding its southern environment. The political dimension referred to requires the Barcelona partners to respect human rights and basic freedoms. However commendable and legitimate this rule may be, the inescapable conclusion is that it was not implemented in practice. The developments that have taken place since then in Algeria, Egypt, Jordan and Syria are a clear demonstration of that.

The extent to which the European position on this matter turned out to be counterproductive both for the European Union and for the countries of the southern and eastern Mediterranean needs to be emphasised. For Europe, the trumpeting of conditionality in exchange for the release of large

amounts of money was not matched by tangible results on the ground, leading to a weakening of that very position. The very significant discrepancy between the intentions displayed by the EU and their actual implementation only served to highlight the fact that here was an institution which had huge resources at its disposal but did not necessarily consider its stated principles as sacrosanct. This resulted in a significant loss of substance for the Europeans. For the countries of the southern and eastern Mediterranean, the quasi-automatic release of European funds and projects did not encourage the governments to be more responsive to political and social demands, and as a result they were even more inclined to resist any institutional changes and to impose abusive restrictions on the freedoms of their citizens.

The consequence has been a substantial loss for the EU, in the sense that its institutional and political substance has lost some of its potential weight. On the opposite shores of the Mediterranean, civil society was left with lost hopes. In a longer-term perspective, these developments showed more than anything else the extent to which the EU had acquired a rather unflattering position – that of being ‘a payer but not a player’, to use a well-known phrase.

### **A deep malaise rather than a crisis situation**

And yet, it does not take a genius to see that, both before and after 1995,

the countries of the southern and eastern Mediterranean were far from being free of any potential problems. As a matter of principle, the three main dimensions chosen for the Barcelona Process were quite relevant. There was no lack of examples of the lack of opening in the Middle East, the only possible exceptions being Israel and Turkey, and, to a lesser extent, Lebanon and the Palestinian Territories. In the economic realm, corruption, profiteering, the concentration of wealth in the ruling elites and widespread social misery continued to prevail. Not unexpectedly, the social dimension, with its own constraints, remained subject to the limitations that prevailed at the political and economic levels.

At the same time, it is important to point out a particular development in this situation – namely, that the Mediterranean economies have not remained in *stasis* since 1995. The globalisation of trade, the flow of wealth, the expansion of the service sector, the modernisation – however relative – of economic structures and, more broadly, the fairly swift conversion of socialist countries to a market system are all elements that contributed to a great economic boom. In the countries of the Mediterranean, dormant economies soon appeared to take off. That transformation, however, might be seen as just a façade by those who believe that a country cannot claim to be developed unless political change accompanies economic progress. This line of reasoning was especially popular at a time when

Francis Fukuyama's theories about the 'end of history' and the advance of the entire world towards democracy and a liberal economy had many followers. And yet, no one can claim that the face of the Mediterranean remained the same throughout the last 15 years. While the political 'facts on the ground' remained at the same unacceptable level as before, the conditions for tangible and visible economic development were present in all the countries of the region. And while wealth was still heavily concentrated within very small groups in each country, opportunities for improvement in the average citizen's economic situation were nevertheless available. As for the investments made available by donors, they only rarely involved respect for the principle of conditionality, but they nevertheless contributed to the actual development of infrastructure.

This does not mean, of course, that donors were able to overcome the determination of governments to maintain control over what they saw as part of their 'sovereign rights'. This finding of failure is anything but absolute, and there are degrees in this judgment. The fact remains that the coercive policies practised by the countries of the eastern and southern Mediterranean were not dealt with directly, pragmatism being the norm. Because European-style conditionality was accompanied by soft pressures, the governments receiving European funding had no particular reason to fear that their European partners would eventually turn against them. Things

were different in the case of a country like the United States, which provided assistance that was essentially shaped by political and military considerations. As the governments of the eastern and southern Mediterranean primarily sought to maintain themselves in power and secure military protection, dealing with the United States - with its diplomatic power and its ability to provide high-quality weaponry - was a more interesting proposition than dealing with the EU, which was much less attuned to the policies of cynicism.

That is why the motivations and objectives of the donors had relatively little weight when measured against regional realities. Although there were clearly identified social and economic needs in the southern and eastern Mediterranean, European ambitions in the region were not supported by strong conditions since conditionality was not a requirement. For both bilateral donors (United States, Japan, Russia, etc.) and multilateral funders (IMF, World Bank and others), expectations ranged between making no specific demands in return for their assistance and insisting more openly that economic reforms be primarily guided by the requirements of a transition to the market economy. In the end, the inescapable conclusion is that this stance reinforced political paralysis in those countries and, at the same time, further narrowed any opportunity for even minimal resolution of citizens' complaints. It was not until the Tunisian uprising of December 2010 that a clean break with the situation of the past

led to a potential reconfiguration of these relationships in the region. Beyond political and socio-economic limitations, the high cost of 'dignity' suddenly became a major factor.

### **Potentially useful directions for the future of the region and the interests of donors**

Thus, 15 years after the half-success (or half-failure) of the Barcelona Process, and now that the Union for the Mediterranean is supposed to be the next stage of European policy in the region, it is clear that the initiatives developed by aid donors, commendable though they may have been, have turned out to be wobbly. However, it is never too late to do the right thing. The current fluctuating situation in the eastern and southern Mediterranean provides an opportunity to redefine the approach or approaches that should be adopted towards the region and to redress the relative shortcomings of the past. In that sense, the development of targeted recommendations remains a very risky exercise because of the uncertainty surrounding the operation of general aid policies in a region like the Middle East that is buffeted by so much confusion and instability. Nevertheless, at least initially, steps aimed at establishing a closer match between the nature of supply (by donors) and the nature of demand (from citizens of the southern and eastern Mediterranean) may have to be guided by the following principles:

### **a – Restore the conditionality principle**

This is an unavoidable prerequisite if donors are to achieve legitimacy and effectiveness at the same time. Although the assistance given to the Mediterranean countries could be delivered without any strings attached, it has a better chance of leading to improvements if donors make clear the nature of their expectations and their objectives. The removal of political barriers in the region, the promotion of effective economic management, transparency, the fight against corruption, improvements in the transmission of knowledge and education: these are only some of the areas that could benefit substantially if governments were made aware of the tradeoffs attached to funding, given that this funding remains very useful to them. They would be free to accept or reject these arrangements, but in the latter case, they would have to forgo a significant bonanza.

### **b – Display a healthy recognition of the real needs of the people**

The goal is not to attempt to define and implement comprehensive development policies simply for the sake of development. What is needed above all is to listen closely to the demands being made because only thus will it be possible to understand how these demands can be met. Instead of focusing on one policy for all that may succeed in one place and fail elsewhere, donors would likely benefit far more from knowing whom and

what they should act for, and how they should act, based on a recognition of the needs as expressed by the people themselves.

### **c – Take into account the time factor**

There may be instances where donors wish to achieve specific results within a specific time period. Assigning specific deadlines may, however, present a barrier to the achievement of these goals if there is a failure to follow a set timetable. Proceeding in stages and setting medium- to long-term objectives may be a better approach to achieving the project's success. Every country, every society, every community has its own specific characteristics, and solutions that are effective in one context will have to be adapted in other contexts in order to produce results quickly.

### **d – Avoid lecturing or lapsing into self-importance**

An aspiration to freedom and to improved representativeness of the governing elites is not a Western monopoly, but is simply the expression of a natural desire by human beings and by citizens. Any notion that a rebelling population is one that has assimilated Western standards in these matters is both erroneous and counterproductive. This type of moralising, Western-centred approach may well hide an unspoken feeling of rejection on the part of societies that are open to achieving outcomes similar to those found in Western countries. Setting aside dogmatic

attitudes and developing a basis that is simply humanistic and respectful of citizens as they seem to be the best way to ensure that promising political, economic and social reforms will confidently be consolidated in Mediterranean societies.

### e – Bear in mind the legitimate notion of relativity

This notion is derived from the foregoing discussion. How should one react when confronted by the example of countries that, deliberately or not, fail to give full meaning to notions such as the consolidation of the rule of law, democratic progress and economic development? The examples of Iraq and, especially, Afghanistan are especially telling in that regard. While one may be surprised and even offended by the response of societies that resist changes that favour democracy and societal advances, this type of configuration prevails or will prevail in some cases. The desire for change is one thing; defining the nature of such change is another. Whatever may be observed at the moment, the notion of relativity is important here and must be respected.

### In conclusion

In the end, while the aid policies directed at countries of the South and the Mediterranean were far from useless, they have been anything but catalysts for change. This is not necessarily cause for regret: in the context of the transformations that are taking place in the Mediterranean

region, the scenarios that are being reconfigured are noteworthy in that they are the expression of a revolt of these societies themselves. Still, donors would be wrong not to take advantage of the current transformations to engage in self-criticism and refine the shape of their traditional policies. The future of these policies is at stake, as is their ability to support changes for which their contribution is both needed and valuable.

## 4.2 *The Logics of the American donors to Promoting Democracy in the Middle East*

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**Project on Middle East Democracy (POMED),  
Washington D.C.**

The historic events in the Middle East and North Africa (MENA) in early 2011 require a considerable rethinking and restructuring of US foreign assistance, particularly democracy and governance assistance. This process, however, will take time, and US government agencies and institutions struggle in adapting to such changes quickly. In the wake of the uprisings that have swept the MENA region, the challenges of US democracy and governance assistance can generally be categorized in two ways:

- (1) What kinds of foreign assistance are most needed during the period of transition that follows the fall of a ruler, as seen in Egypt and Tunisia (and which could soon become the case in other

countries such as Libya, Yemen, or Syria)? And how can such aid be delivered most effectively, and by which institutions?

- (2) How can and should foreign assistance be adapted in countries such as Morocco and Jordan, where the existing regime remains essentially intact, in reaction to the urgent need for genuine reforms demonstrated by the uprisings across the region?

Principal obstacles to addressing these two challenges include: (1) the inertia of various US government institutions and a natural resistance to significant changes in approach and strategy, (2) the present US federal budget environment that prevents additional funding from being allocated, and (3) the difficulty of responding to such dramatic developments in so many MENA countries all at the same time.

## Overview of US Donor Institutions

### USAID

The United States Agency for International Development (USAID) is the US government's primary institution for delivering foreign assistance, including assistance for democracy and governance. USAID is responsible for the delivery of the vast majority of non-military bilateral foreign assistance allocated through the Economic Support Fund (ESF) and Development Assistance (DA) accounts. Currently, USAID manages the delivery of approximately \$1.7

billion in foreign aid to the MENA region, including approximately \$400 million designated to support democracy and governance programming.

As compared with other US government initiatives, USAID programming is on a larger scale, featuring longer-term projects with larger budgets. USAID generally manages its work in the region through its in-country missions, although these are only found in lower-income countries to which significant levels of economic assistance have been allocated. Currently, USAID missions are found in Egypt, Jordan, Lebanon, Morocco, West Bank and Gaza, and Yemen. Notably, such missions have been absent in the GCC states of the Arabian Peninsula, as well as in Algeria, Libya, and Tunisia.

Perhaps USAID's biggest challenge in implementing effective democracy and governance programming is that such work is only one small component of USAID's work, and a component that may be at odds with the majority of USAID's other programming. Since its establishment in 1961, USAID's mission has been first and foremost to combat poverty and support economic development. Only in the 1990s, following the collapse of the Soviet Union, did USAID really begin its democracy and governance work. Such programming today represents less than one-quarter of USAID's programming budget in the MENA region, and in other regions this share is even smaller. The bulk of

USAID's work focuses on alleviating poverty and economic development and infrastructure projects, requiring close cooperation between the USAID mission and the host government. Maintaining a non-antagonistic relationship requires USAID, in many cases, to avoid democracy and governance programming that may upset the host government and to focus, instead, on more innocuous activities such as improving the functioning of government institutions.

This dilemma is reflected in an October 2009 report<sup>1</sup> by the USAID Office of the Inspector General assessing USAID's democracy and governance programming in Egypt, which describes the impact of USAID's democracy and governance programming as "limited," largely attributed to a lack of cooperation on the part of the Egyptian government.

Another example of this effort to placate the host government is USAID's decision in 2009 to no longer fund civil society organizations that are not registered with the Egyptian government under its NGO law — a policy long encouraged by the Egyptian government.

Certainly this dynamic is not unique to USAID — the desire to maintain good relations with host governments certainly colours US efforts to support democracy through foreign assistance and a variety of other tools, regardless of the implementing agency. But compared with other US government

institutions, this focus is more pronounced with USAID, both because of the nature of USAID's other work and also because the vast majority of funds managed by USAID constitute bilateral assistance, normally overseen by a bilateral agreement between the US government and the Arab host government.

Following the ouster of Ben Ali in Tunisia and Mubarak in Egypt, such constraints could diminish. If new governments emerge that are genuinely committed to democratic practices, USAID's role in working with such governments could immediately become more important. In particular, USAID's experience with institution-building in collaboration with host governments could prove extremely valuable in facilitating the emergence of much-needed democratic institutions. Moreover, in this new context, there are likely to be fewer restrictions on USAID's support for independent political actors — for example, the aforementioned policy prohibiting USAID funding for unregistered NGOs in Egypt was abandoned in March 2011 following the fall of Mubarak. USAID will clearly play a leading role in supporting Egypt's transition — immediately following Secretary Clinton's announcement that \$150 million in unspent funds were being reprogrammed to support Egypt's transition, USAID released a pair of Annual Program Statements (APS) for new grants to be given. The first statement is for an expected 50 grants with a total value of up to \$65 million

for democracy and governance programming, with 5 main areas of focus: Civic Engagement / Civic Awareness; Elections and Political Processes; Access to Justice / Human Rights; Transparency and Accountability; and Civic Participation. The second APS is for an expected 60 grants worth a total of approximately \$100 million to provide economic support to Egypt (along with the \$150 million reprogrammed, the funding for democracy and governance also includes \$15 million in unspent funds that were originally designated for that purpose).

In addition to managing bilateral economic assistance through its country missions, USAID has two other specific offices that could play a key role at this time: the Office of Transition Initiatives (OTI) and the Cairo-based Office of Middle East Programs (OMEP). OTI was established in the early 1990s, following the collapse of the Soviet Union, to assist countries in their transitions to stable democratic governments. More recently, OTI has focused its work on conflict and post-conflict transitions, particularly in Afghanistan. OTI is structured to react and respond to changing dynamics more quickly than USAID's conventional offices and country missions, and therefore, may be well suited to play a role in Tunisia and Egypt at this time. OMEP is a Cairo-based USAID office that has not focused much on democracy or reform issues, but instead on a variety of regional development projects. Nonetheless, between the overwhelming needs in

Egypt and elsewhere in the region, it would be natural to expect OMEP to shift its programming to provide additional support to the transitions underway.

## **MEPI**

The Middle East Partnership Initiative (MEPI), established by the Bush administration in December 2002, resides within the Bureau of Near East Affairs (NEA) at the Department of State. MEPI's current annual budget is \$65 million, and it has averaged approximately \$75 million annually since 2004.

As compared with USAID's programming, MEPI projects are smaller-scale, shorter-term, and with more modest budgets. As a result, MEPI programming is generally perceived to be more flexible, more agile, and more able to react to changing circumstances than USAID. A widely cited example of this flexibility was in Lebanon following the February 2005 assassination of Rafik Hariri, which sparked the Cedar Revolution, leading to unplanned parliamentary elections. In this instance, USAID was unable to adapt its funding or programming quickly enough to provide much-needed support for the supervision and monitoring of those elections, but the relatively new MEPI office was able to step in and provide needed assistance. This ability to react quickly to changing circumstances should be extremely valuable amid the rapid changes now sweeping the region.

Because MEPI is positioned within the NEA Bureau at the Department of State, its programming is supposed to be more closely coordinated with US policy— often formulated and carried out by NEA and its staff at the region’s embassies. In addition, MEPI was established with the intent of not only running reform-oriented programming, but also of imbuing the culture of NEA policymakers with a pro-reform outlook. In reality, this impact has been relatively modest, although it remains to be seen to what degree reform-oriented voices including those at MEPI may be elevated in internal policy debates in the wake of recent events.

Since its inception, MEPI has increasingly found its niche in providing direct support to independent civil society organizations. Unlike the aid delivered by USAID missions, MEPI assistance is not normally governed by a bilateral agreement with the host governments, freeing it to engage in more politically sensitive work. For example, MEPI stepped in to provide funding for civil society organizations not registered with the Egyptian government under its NGO law following USAID’s decision in 2009 to no longer provide direct support to such groups.

It should be noted, however, that MEPI’s programming is still constrained in its scope - often from pressure by local Embassy staff - in order to avoid antagonizing the host government. A recent proposal in Bahrain was granted only after MEPI stripped of

it a component that examined the prospects for redrawing electoral districts in Bahrain, a politically sensitive, but essential topic for addressing the political tensions in Bahrain. In another instance, MEPI forbid the participation of a Muslim Brotherhood member as a speaker at a MEPI-funded dialogue conference in Egypt.

MEPI also plays a particularly important role in countries that have no USAID mission or office, including the GCC states of the Persian Gulf, where MEPI has been active for some time. The location of one of MEPI’s two regional offices in Tunis should position it to play a prominent role in supporting Tunisia’s transition to a democratic government. Despite the presence of this office for several years, MEPI engaged in almost no democracy and governance programming in Tunisia prior to the fall of Ben Ali. In the immediate aftermath of the revolutions in both Egypt and Tunisia, it seemed that MEPI’s work – even out of the Tunis office – was focused much more on Egypt than on Tunisia, but this now appears to be changing quickly. On March 22, the State Department announced that \$20 million in MEPI funds would be reprogrammed to support Tunisia’s transition. This funding will be used to support the development of political parties and civil society organizations to bolster independent media, and support human rights monitoring and programming.

## DRL

The Bureau of Democracy, Human Rights, and Labour (DRL) is the State Department's functional bureau designated with supporting democracy and human rights worldwide. In the Middle East, DRL has focused much of its programming on democracy and governance efforts in Iraq, and it often aims to fill needs in countries where USAID may be less active on democracy issues. DRL's current level of funding for its programming and operational expenses worldwide is approximately \$92 million, as compared with \$65 million for MEPI (which operates only in the Middle East) and roughly \$400 million for USAID in the Middle East. Although DRL's programming is global, Assistant Secretary of State Michael Posner who has headed this bureau since September 2009, has strongly emphasized the importance of democracy and human rights concerns in the Arab world.

In particular, DRL has considerably increased its programming in Egypt to compensate for sharp cuts to USAID's funding for democracy and governance in that country since 2009, and it appears that DRL will play a significant role in programming the additional \$75 million recently allocated to support democracy in Egypt following the revolution. A division of labour also emerged in 2009 in the Egypt-designated funding of DRL and MEPI, whereby DRL funds international (primarily Western) NGOs that operate in Egypt, while MEPI funds

local Egyptian NGOs. This approach seems to have been effective in Egypt and could easily become cemented in other countries of the region as well.

In its role as an actor supporting democracy and governance in the region, DRL can in some sense be characterized as the opposite of USAID – whereas USAID is a longstanding development institution with large budgets that only later expanded its work to the field of democracy and governance, DRL is an institution that has focused on democracy and human rights since its inception, but has only recently begun to do so through development programming. One advantage that DRL may have in reacting to the unexpected recent events in the region is that its funds are not earmarked regionally in the congressional appropriations legislation, which could give DRL more flexibility in reprogramming its funds. For example, DRL could shift funds that were intended for other regions to meet the urgent need in the MENA region, whereas most USAID funds are specified by country. It is clear that DRL will continue to play a significant role in providing assistance to Egypt during its transition.

## NERD

The Near East Regional Democracy (NERD) program was officially created in March 2009 by the US Congress, but it was originally developed by the incoming transition team for the Obama administration in conjunction with the congressional appropriations

committees. The NERD program was designed to replace funding designated for Iran as Economic Support Funds (ESF) under the Bush administration. Its establishment was widely viewed as the Obama administration's recognition of the need to support democratic reformers in Iran but with a different approach than that of the Bush administration. Unlike during the Bush administration, when funding was specifically allocated to support democratic change in Iran, the congressional appropriations bills designated under the NERD can be used for democracy-related programming anywhere in the Near East region.

This flexibility could be extremely valuable as the administration seeks to support democracy across the Arab world in a budget climate that does not allow increases to any line items within the international affairs budget. There are no signs that NERD funds are being allocated away from Iran to assist in other countries of the region as of yet, but this could likely be considered in the months ahead. It should be mentioned, however, that while such flexibility is legally permitted, it would require Congressional notification and approval. Many members of Congress, particularly in the House, have been strongly supportive of funding for democracy in Iran, and in spite of the historic changes in the Arab world, there could be reluctance to reprogramming funds away from Iran. The Obama administration does appear to be exploring this as one possible option for acquiring funds

in an extremely restrictive budget environment.

## NED

The National Endowment for Democracy (NED), unlike each of the institutions above, is not a US government agency. Rather, it is a nongovernmental organization created by Congress in 1983 that receives nearly all of its funding through a direct annual Congressional appropriation. The NED's funding from Congress has steadily increased over the past decade and is currently \$118 million globally, with approximately \$15 million of this designated for the MENA region. Prior to the recent uprisings in the Middle East, the NED had identified five primary strategic priorities for its work worldwide: opening political space in authoritarian countries; aiding democrats and democratic processes in semi-authoritarian countries; helping new democracies succeed; building democracy after conflict; and aiding democracy in the Muslim world.<sup>2</sup> Supporting the ongoing transitions in Egypt and Tunisia is clearly in line with the last three of these priorities, and it does appear that the NED is now rapidly expanding its programming in both Egypt and Tunisia.

Historically, Congress has been extremely supportive of the NED and its programming, including in the MENA region. In each of the past three years, Congress has granted funds to the NED that were at least \$15 million more than the administration's request,

granting \$115 million for 2009 and \$118 million for 2010, with between \$15 and \$18 million of this amount designated for the MENA region. Due to budget constraints, however, it is very likely to see a decrease in its annual appropriation from Congress for the Fiscal Year 2011. The NED, however, does have the discretion to shift additional funds from within its budget into its Middle East programming in reaction to events.

### Foundation for the Future

The Foundation for the Future, like the NED, is a non-profit organization that receives nearly all of its funding from Western and Arab governments, with more than half of its funding having come from the US government. The Foundation focuses on supporting, strengthening, and promoting civil society organizations across the region, primarily through direct grants. A locally, Arab-run foundation based in Amman, Jordan, the Foundation appears to have earned a reputation among Arab civil society actors as a credible, independent institution supporting reform across the region. In particular, it is able to support certain civil society actors across the region that would not accept support directly from the US or other Western governments.

Its funding has been granted irregularly, having received approximately \$21 million from the US government in 2007, with no additional US funds since that time. Former Secretary of State Condoleezza Rice pledged \$35 million to the Foundation

in 2005, but only \$21 million has been delivered thus far. Although this \$21 million was intended to be spent by the end of 2010, the Foundation has not yet received additional US funding, and it is currently unclear whether the US government will fulfil its \$35 million pledge to the Foundation, either through the accounts of existing programs such as MEPI or NERD, or through a direct appropriation from Congress. Because the Foundation lacks a regular line-item in the federal budget or the annual appropriations bill, all of these options are made considerably more difficult by the present budget environment.

### Private Donors

Private foundations and non-profit institutions can be a valuable complement to US government donors, and there are some important comparative advantages that such private institutions may have over their governmental counterparts. It is also true, however, that with the economic recession that began in late 2007, the budget and economic climate among private foundations is also weaker than it may have been a year or two ago,. Charitable giving, grant-making, and corporate support for American non-profit groups declined in both 2008 and 2009. The *Chronicle of Philanthropy* reported in October 2010<sup>3</sup> that giving to the United States' 400 largest charities fell by 11% during 2009, the worst decrease in 20 years.

Nonetheless, in many cases, private foundations have more flexibility

and fewer bureaucratic hurdles than government institutions, and may be better equipped to react quickly to the dramatic events of the past few months. It appears that private donors are leery of becoming involved in uprisings that are still underway, but eager to provide support in response to local demand in countries like Egypt and Tunisia where the ruler has been overthrown. In an op-ed in February<sup>4</sup>, Open Society Foundations Chairman George Soros declared that his foundations were prepared for "establishing resource centres for supporting the rule of law, constitutional reform, fighting corruption and strengthening democratic institutions in those countries that request help in establishing them, while staying out of those countries where such efforts are not welcome." Since the revolutions in Tunisia and Egypt, it appears that numerous private foundations are rapidly exploring opportunities for providing support during the period of transition.

## US Congress

The Republican Party gained control of the US House of Representatives in the November 2010 congressional elections against a backdrop of rapidly increasing budget deficits. Since their victory, Republican members of Congress have focused primarily on enacting sharp cuts to discretionary spending. After a protracted stand-off over Fiscal Year 2011 appropriations between House Republicans and the Democrats who still control the Senate and the White House, Congress

passed the FY2011 bill on April 14<sup>th</sup>. The bill includes \$39.9 billion in cuts from FY2010 levels. The funding level for international affairs for FY11 is \$48.3 billion, which is \$504 million below the amount approved in the annual appropriations act for FY10. There were, however, approximately \$7 billion in additional funds allocated for international affairs for FY10: the Supplemental Appropriations Act of 2010 included \$5.96 billion for international affairs, and the Supplemental Appropriations Act of 2009 included advance funding of an additional \$1.03 billion in FMF for Israel, Egypt, and Jordan. With these two bills taken into account, the actual decrease from FY10 levels is approximately \$7.5 billion. Not only is the administration's ability to respond with needed assistance impaired by these cuts to the international affairs budget, but the situation is considerably exacerbated by the uncertainty that remains over the Fiscal Year 2011 appropriations at this late date.

This comes at a time when many in the administration and many individuals in the US Senate would like to see funding for the MENA region increased to meet the demands of the moment. Senator John Kerry has spoken openly of the need for large-scale assistance package to support democratic reform across the region. He has also stressed the need to not only support transitions in countries like Tunisia and Egypt but to also use assistance creatively to support reform in other countries across the region. Senator Kerry, along with Senators Lieberman

and McCain, has been exploring the possibility of introducing legislation authorizing a large-scale development package for the MENA region, modelled to some degree on the Support for East European Democracy (SEED) Act of 1989, which has provided \$9 billion in aid since it was passed. Such legislation, however, has been discouraged by the congressional appropriations committees who warn that these funds simply do not exist in the current budget climate, and that authorizing legislation would merely raise expectations that could not be met.

Importantly, Senator Kerry suggested at a public event in Washington on March 16<sup>5</sup> that there may be a need to "shift the balance" of US assistance to Egypt by transferring some of the \$1.3 billion given annually in military aid to provide economic assistance and support for political reform. This statement is extremely significant, because any such shift would likely have to come from the Congress, and also because this sort of shift in Egypt could set the stage for similar shifts from military to economic aid in other countries of the region. Currently, US military assistance to the MENA region is approximately \$4.9 billion annually, or approximately 75% of all US assistance to the region. At a time when additional financial resources are unavailable, this existing US military aid could be an incredibly valuable source of funds. It should be noted however that such a transfer of aid would likely be met by significant resistance within Congress. Resistance

could come from supporters of US military aid to Israel who may fear that cuts in military assistance to Arab governments could open the door to cuts in US military aid to Israel, as well as from American defence contractors and manufacturers of military equipment purchased by Middle Eastern governments with US funds.

It should also be noted that the considerable bipartisan interest in the Senate in supporting democracy in the region is notably absent in the House. Tellingly, when USAID Administrator Rajiv Shah testified in a pair of hearings on March 16 and March 30 before the House Foreign Affairs Committee and the House Appropriations Subcommittee for State and Foreign Operations, not a single question was asked of him by any committee member regarding US support for the Middle East at this critical moment. Instead, both hearings focused almost entirely on the need to cut the overall foreign aid budget. Numerous administration officials have complained that members of Congress, particularly in the House, do not seem to be supportive of efforts to address the historic transformations underway across the MENA region.

## Conclusions

It appears that both the US government and private American donors are focused primarily in supporting the transitions in Egypt and Tunisia. This is understandable given that both countries are undergoing historic changes and are requesting

assistance. In both countries, the Obama administration is developing programs focused on broad themes of increased transparency and inclusivity, along with an emphasis on basic rights and freedoms. Programming in both countries will include support for electoral processes, the development of political parties and civil society organizations, and bolstering the role of independent media as a watchdog for political process and the human rights environment.

Beyond Egypt and Tunisia, there seems to be far less clarity about how to adapt existing assistance programs to be more effective in light of the dramatic events in the region. In many cases, it seems that the default approach may be to expand existing programming, to do more of what is already being done, rather than fundamentally rethinking the strategy. One consistent weakness of US democracy and governance assistance to US allies has been an unwillingness to address politically sensitive areas—often the most important—and it is not clear that this will change in light of recent events. This weakness is compounded by bureaucratic inertia – existing programs and approaches already have champions, while needed initiatives that have not yet been created have no one to fight for them in the same way. An austere budget environment also complicates these challenges, as there seem to be essentially no new funds available from Congress. Finally, there appear to be different perspectives among the various branches and offices of the US

government regarding the proper role for US assistance at this time. There is a clear, strong desire by many within the Obama administration to provide needed support to the region at this historic moment, but its effectiveness in doing so may be slowed and undermined by considerable obstacles.

<sup>1</sup> US Agency for International Development, Office of the Inspector General. "Audit of USAID/Egypt's Democracy and Governance Activities." Audit Report No. 6-263-10-001-P, October 27, 2009.

<sup>2</sup> National Endowment for Democracy, "Strategy Document, January 2007."

<sup>3</sup> "The Philanthropy 400," The Chronicle of Philanthropy, Vol. 23, No. 2 October 21, 2010

<sup>4</sup> George Soros, "Why Obama has to get Egypt Rights," The Washington Post, February 3, 2011.

<sup>5</sup> "Senator John Kerry on US Policy Toward the Middle East," Carnegie Endowment for International Peace, March 16, 2011. <http://carnegie-mec.org/events/?fa=3161>

### **4.3 Principal Reflections and Conclusions of the Debate**

It is inevitable that donors will have to rethink their funding strategies in the Arab region – whether a country is undergoing a full transition to democracy, such as in Egypt and Tunisia, or has undergone smaller changes in leadership and laws, such as in Algeria with the removal of the emergency law. Important questions must be asked - for example, to what extent have the groups which have fuelled the protests and revolutions been those consistently funded by Western funders? How can funders be proactive and responsive to changes without acting too prematurely?

### *Revising the ideological underpinnings and funding strategies*

First and foremost is the need to revise ideological underpinnings and strategies that have been adopted until now. To a certain extent, most funding programs have been influenced by the neoclassical paradigm whose policies have, in fact, partly provoked the protests and revolutions we have seen in the region. Indeed, many Arab countries do not lack money, or have experienced levels of strong growth – however, this growth has not trickled down to the vast majority of the population. As a consequence, it is clear that a new paradigm upon which to base funding policies needs to be contemplated.

This is all the more urgent in light of the major economic losses caused by the events in the region. In the case of Egypt, the loss of income from tourism, industry, the closed stock exchange, as well as from, for example, the loss of remittances from Libya, has led to the loss of over a billion dollars. What is necessary is not only urgent funding to fill this gap, but also investment, debt restructuring and forgiveness, and investigations into the misappropriation of funds. Funders should also look more personally at empowerment.

### *Resolving the contradictions within funding policies*

A major problem with funding in the Arab region has been the contradictory policies of funders. Especially amongst

state funders, there is a desire – and perceived need – to maintain functioning relationships with Arab governments, which automatically limits the extent to which civil society groups can be funded. The result has been a semi 'schizophrenia' whereby governments will simultaneously provide funds to governments to reinforce their military and repressive security apparatus while also providing funds to civil society groups that struggle to protect human rights and advocate for essential human freedoms.

This multilayered diplomacy has negative repercussions on the ground – not only does it mitigate the effectiveness of aid given to civil society groups, but it also serves to reinforce the impression that funders have ulterior motives when providing aid to the region. Indeed, an issue that must be addressed is the suspicion held by the region's populations regarding the real objectives and purposes of the donor community. Foreign aid is widely seen by many as a form of intervention in internal affairs, and contradictory funding policies serve to exacerbate hostility towards donors.

A way to begin to resolve this contradiction is to reinvigorate the principle of conditionality in funding, whereby governments only receive funding if they commit to respecting and protecting human rights and fundamental freedoms. In this way, funding to governments does not directly serve to strengthen them against civil society. In countries

undergoing a democratic transition, this conditionality could also be reinforced so as to ensure that new governments respect the fundamental rights of their populations and do not - from the onset - develop a relationship of hostility towards citizens.

#### *Simplifying the internal structure and procedures of major donors*

Funders must also take into consideration other factors that have not necessarily been put into question because of recent events, but which nonetheless should be contemplated. The first being ensuring the accessibility of funds for individuals and organizations in the Arab region, as the EMHRF has striven to do over the last six years, with considerable success. By comparison, major funders such as the European Union have slow and complicated procedures which limit the extent to which funds can be solicited by those who need it.

The advantage of smaller donors, such as the EMHRF, which can re-grant on behalf of larger donors is that they have rapid response mechanisms and simplified procedures for the solicitation of grants, as well as a high level of knowledge linked to their specific geographical mandate. This re-granting policy is one way in which large donors can reach those individuals and organizations most at need while facilitating funding transparency. Taking into consideration that this kind of mechanism and support is limited in number, however, it is important for larger donors to develop simpler procedures if they

wish to be major actors in the Arab region. Such flexibility is already being developed in areas such as the rehabilitation of torture victims, but should be expanded to other areas when the human and other resources are available.

#### *Focusing on the quality of funding and learning to listen to local actors*

One last important point regards the need to switch from a logic of 'how much funding' to 'what kind of funding'. There is a perception, in the Arab region, that most of the funds are spent on consultancy services and experts. It is important, especially during this period where donors are reflecting upon how much funding to provide to the region, to make sure that the funds are used in an efficient manner, in a reasonable and realistic time frame, and allocated directly to the groups who are promoting and defending human rights on the ground.

Finally, an important consideration is the extent to which the groups funded by major donors in the region have been those who have fuelled the revolutions and protests in the Arab region. A quick glance will indicate that, while funders may have indirectly facilitated a certain civil society development, in certain countries the major protest movements have not been funded by donors – the 'April 6th Youth Movement' and 'We are all Khaled Said' movement in Egypt are cases in point. Funders need to re-evaluate the effectiveness of their

funding, as well as the extent to which their strategies are based on the needs and interests of *local actors in the region* and not imposed notions of what is best for these actors.

## Conclusions

The principal conclusions of these two days of exchange were addressed by Mr. Kamel Jendoubi, President of the Euro-Mediterranean Human Rights Network (Tunisia-France), and Mr. Driss El Yazami, President of the Euro-Mediterranean Foundation of Support to Human Rights Defenders (Morocco), as moderators; Dr. Mohamed Sghir Janjar, Researcher, Anthropologist and Director of the Prologues review (Morocco), as general Rapporteur for the seminar; Mr. Amr Salah, member of the Executive Bureau of the Youth Coalition of the Egyptian Revolution and Researcher at the Cairo Institute for Human Rights Studies (Egypt); and by a panel composed of the following discussants: Mr. Smail Goumeziane, Lecturer and former Minister Delegate for Trade Organisation (Algeria); Mrs. Khadija Chérif, Secretary General of the International Federation of Human Rights Leagues (Tunisia); Mr. Saïd Benarbia, Legal Advisor at the International Commission of Jurists (Morocco-Switzerland); Mrs. Amal Basha, Chairwoman of Sisters Arab Forum for Human Rights (Yemen) and Mr. Magdi El Na'im, Human Rights Expert and Consultant (Sudan).

Initially, as stated in the platform and in the opening remarks, the goal of this seminar was to try and identify the different factors that are hindering democratisation in countries of the southern Mediterranean and to analyse the motivations of different actors and stakeholders: governments, the international community and local actors, especially those who are involved in the promotion of democracy and human rights. By the time the seminar convened, political developments in Arab societies not only made it necessary to adjust the thematic focus and basic issues to be addressed at the seminar, but they also dominated and permeated discussions and exchanges.

### *The Policies of Local State Actors*

From the very first session, devoted to the policies of local state actors, discussions focused on the nature of the chain of events initiated by the political changes that have transformed Tunisia and Egypt and are now spreading throughout the Arab world. Some participants, inspired by the lessons learned from past experiences with democratic transition (in Latin America and sub-Saharan Africa), took pains to stress the need for caution in reacting to this type of event. While human rights defenders have naturally responded enthusiastically to these developments, the history of past democratic experiments teaches us that they have frequently taken

the form of lengthy and circuitous processes marked by chains of events that are often difficult to anticipate: establishment, failure, balancing, and consolidation of the new system, periods of stability, crises, episodes of authoritarianism, democratic renewal. The case of Algeria in the 1990s is an important example to bear in mind, when the country experienced a democratic reversal following the forging of an alliance between the Islamists and the old guard. We should be careful not to under-estimate the strength of existing regimes, or their willingness to compromise with other groups so as to retain their power and limit full democratic reform. An important question to address, therefore, is how to avoid such reversibility from occurring where regimes have fallen and democratic transitions are underway.

Several participants pointed out a fundamental epistemological fact — namely, that while human and social sciences can, through interpretation and reinterpretation, make current developments easier to understand, it would be pointless and misleading to rely on them to predict the future. Only the future can reveal to us the outcomes of the process currently at work — revolution, revolt, uprising — and the scope of the historical consequences that, intuitively, we now see unfolding in Arab societies.

While waiting for a clearer view to develop, and independently of the changes and realignments that state structures and forces in the region will undergo, many participants emphasised the following points:

1. The emergence of a new type of individual, attached to his or her dignity, unquestionably as a result of a slow, lengthy social transformation.
2. The need to maintain a variety of avenues for the mobilisation of citizens and to expand and deepen a democratic culture in the region. This implies approaches to the peaceful management of conflicts and diversity, the promotion of citizenship and the repudiation of ethnic and religious divisions, and the transformation of relations between the state and society without weakening the state to the point where it can no longer play its official function as conciliator.
3. The need to develop a mechanism that protects democracy in the countries where a transition is taking place. Greater discussion must be had on the form of democracy that best suits the different states in question and in a way that protects basic freedoms and rights, regardless of which party is voted into power.

#### *The Dynamics of International Actors: Self-interest vs. Values, Conflict vs. Synergy*

Our discussions led us to acknowledge that many of the assumptions, analytical frameworks and concepts applied until now to considerations of Arab societies,

and in particular of their ability to democratise and adopt a human rights culture, must be reviewed systematically.

We also concluded that this finding applies equally to the doctrine underlying the programmes designed to promote and support democratisation and human rights in the Arab world which have been initiated and implemented by international actors. The focus on stability and security that has prevailed until now had already revealed their shortcomings in the past but today it is almost anachronistic in light of the social and political dynamic that is playing out on the southern shores of the Mediterranean.

Many participants highlighted the need for international actors (mainly the United States and the European Union) to abandon the trade-off between values and self-interest, with its tragic consequences, and to develop a new approach to the countries of the southern Mediterranean with respect to support for the human rights movement in the region.

Such an approach necessitates the following:

- The need for a comprehensive review of relations with authoritarian regimes, which have often been governed by economic interests while neglecting the defence of values associated with democracy and human rights.
- Both institutional support and consistent economic and social assistance targeting the real needs of the people, in order to ensure that social issues will not be an obstacle to democracy in Tunisia, Egypt, and elsewhere where this transition may occur. The ongoing transition in Tunisia and Egypt is a pioneering experiment in the institutionalisation of the sovereignty of the people in the region and must be consistently supported by international actors.
- More urgently, the international community has an immediate responsibility with respect to the unravelling critical situations in Syria, Yemen, Bahrain and Libya. The United Nations Human Rights Council, the Security Council, and the European Parliament all have the duty to respond quickly to the critical situations going on in these countries – especially in Syria, Yemen and Bahrain, given that a course of action is already under way in Libya.

#### *The Dynamics of Civil Society and Non-governmental Actors*

Our discussions about non-governmental actors indicated that the surprise caused by the major developments that have taken place in the Arab world in recent months was due in large part to the fact that the main focus was on states (as evidenced by all the theories about Arab exceptionalism and authoritarianism in the region) or on groups perceived as potential state actors (Islamists). As a result the notion of an Arab world caught between authoritarianism and fundamentalism had become generally accepted.

The events taking place today, while completely unpredictable, did not come out of a vacuum. The fundamental elements were there, as evidenced by the large amount of projects carried out by NGOs – both national and international – as well as the various reports published on human rights issues in the region. Local NGOs and activists are indeed a direct representation of the genuine desire and aspiration for universal values that has existed in the region for years. Mohamed El-Sayed Said, to whose memory this seminar is dedicated, was one of the first to insist on the need to organise exchanges between human rights defenders throughout the region – in Cairo, Rabat, or elsewhere in the region, and sometimes outside it for security measures. The fertile grounds are not only obvious when looking at human rights organisations and actors, but also the evolution of the Arabic art scene in the past years. Artists in the region – rappers, painters, actors, writers, and others – have played an important role in preparing the ground for mobilisation through the content of their work as well as their significant presence in many of the uprisings that took place, in Tunisia, Egypt, and elsewhere. It is imperative to understand these groups as actors also struggling for freedom and a democratic culture, and not simply as detached from the rest of society. The cultural scene of the Arab world cannot be ignored and one should be very attentive to it in trying to understand how these uprisings have come about and what is to follow.

Recent events also swiftly lifted the veil on a human environment in transition, and have led to the rediscovery of what long-term socio-historical research and dominant trends in the evolution of Arab societies have shown consistently over the past two decades — namely, demographic transformations; urbanisation; cultural progress spurred by the acceleration of education; the emergence of new actors, including youth and women; the importance of new media and new means of communication, including the reconfiguration of the socio-cultural environment; and new trends in social engagement and social protest. A study by the Anna Lindh Foundation, which looked at a sample of 13 countries (Morocco, Egypt, Syria, Lebanon and Turkey from the South and Germany, France, Spain, Sweden, Greece, Hungary, the United Kingdom and Bosnia from the North) clearly demonstrated that the North and South samples, though differing in certain areas, were very similar when participants were asked about universal values – contrary to what many would expect.<sup>1</sup>

The 2009 UNDP report, for its part, highlighted the fact that we are currently experiencing the peak of the Arab baby boom and thus the arrival of an entirely new and significantly larger generation of individuals onto the scene. This generation differentiates itself from those preceding it by its high schooling rates (even if this schooling has only been partly successful) as well as the large number of young women who are now being educated. These changes have important consequences on societal dynamics, socioeconomic

and political demands of Arab populations, and on the long-run formation and evolution of civil society.

Our discussions on some situations (Tunisia, Egypt and even Morocco) showed that we are now faced with a multiplicity of actors: not only traditional political parties and labour unions, but also new parties, youth coordinating organisations, and networks focusing on new social protest (e.g. unemployed graduates, etc.). The result is a shifting and constantly changing landscape, which will require close attention and monitoring in the years to come. Many issues are at stake:

- How will the process of intergenerational breakdown that is affecting all institutions (parties, social movements, labour unions, etc.) end?
- What will be the impact of the empowerment of women in the public realm? In terms of the campaign for respect for human rights, democratisation, cultural expression, etc.?
- How will Arab civil societies be reconfigured next? How will NGOs evolve, modes of intervention differ, funding be allocated, etc?
- Transformation of the media environment; conflicts over media; access of new actors to new media; etc.
- The evolution of Islamists; the potential for restructuring the religious environment in the transition towards democracy; the status of mosques (as neutral and depoliticised spaces);
- The organisation and mobilisation approaches adopted by the different actors.

More generally, civil society actors have four major responsibilities:

1. To contribute, to the extent that one is willing and able, to the different major national projects and reconstructions under way
2. To engage in the current reflections and discussions underway among major international actors so as to contribute to the re-formulation of the international agenda
3. To reflect on the international mutations of the organizations to which civil society actors belong and strive to redefine their agenda and strategies
4. As some discussants have mentioned, it is important to organize quickly and effectively, the space and occasions for reflections and exchanges between different actors in the region – to uncover the differences between countries but also the fundamental similarities and the lessons that can be learnt.

Moreover, international NGOs – especially related to human rights – have a specific duty in lobbying the international and national communities to bring to justice those that have committed human rights violations. Accountability is key in order to ensure that human rights violations in the future are less likely to occur.

## *The Dynamics of the Donor Community*

The general conclusion from our discussions is that the new Arab environment encourages a new awareness among donors of the need to recast their strategies. This implies the recognition of several points raised by the participants:

- Review the notion of conditionality in light of the new Arab environment, characterised by the end of, or attempts to end, authoritarianism, by the blossoming of civil societies and by the beginnings of a transition towards democracy in a number of countries.
- Focus on and implement financial and economic support for transition in Arab countries.
- Develop a strategy for supporting human rights that encompasses sectors and includes projects that are adapted to different stages of the transition, such as programmes in support of human rights defenders and of their rehabilitation, programmes focusing on gender equality, and programmes related to history and remembrance, given that the transition has encouraged debates that inevitably deal with recent history and its recollection.
- Develop greater transparency and flexibility in funding procedures to increase the reach of aid, as well as adaptability of funding in a highly volatile context.

## **Prescriptions for the Future**

Major players in the Arab world today – or focusing on the Arab world – will need to learn to operate in a context of high volatility and develop the capacity to simultaneously remain mobilised and present in developments all the while also engaging in serious reflection regarding future steps that need to be taken. An important point to keep in mind, for all those interested in the developments of the region, is that while there are traits common to all or most countries in the region, there are also national dynamics that distinguish states from one another – Tunisia is not Egypt, Libya is not Algeria, Algeria is not Morocco, etc. The process of transformation is not linear and thus revolutionary models cannot, and should not, be exported – despite the common struggle for democracy and liberty that should be pursued.

As actors engaged in the Arab region, there are seven issues which will need to be addressed in any country undergoing significant reform:

1. The issue of gender equality in Arab societies and its fundamental place in democracies;
2. The consequences of a generational rupture – in all structures – in an era of Arab societal transformation;
3. The issue of constitutional reforms and the institutionalization of the people's sovereignty;
4. The fundamental institutional reforms that must occur, in particular in the field of Justice;

5. The social question and how to address social aspirations of Arab populations;
6. The issue of history, memory, and transition and the settlements of rights violations that have occurred in the past (national reconciliation);
7. The issue of pluralism and diversity – especially in the countries where there is an urgent need to address religious and cultural diversity in a peaceful manner.

For Human Rights NGOs, such as the Euro-Mediterranean Foundation of Support to Human Rights Defenders and others, there is a need to focus on capacity and institution building in the countries of the Arab region that are experiencing a democratic transition and/or reforms. Moreover, exchanges need to be organized with representatives from different countries so as to better highlight links and differences on the ground, as well as find the most effective manner to protect transitions where they are occurring. Indeed, as previously mentioned, knowledge of the Algerian 'reversibility' experience is extremely pertinent for Egyptian and Tunisian activists in a moment when they themselves are fighting for the entrenchment of democracy in their countries. For the Foundation specifically, recent events have brought to light the need for an expansion of the mandate beyond the countries it is now working in to also include Libya as well as countries in the eastern part of the region, such as Bahrain and Yemen.

<sup>1</sup> Euromed Intercultural Trends 2011, the Anna Lindh Report 2010, <http://www.euromedalex.org/sites/default/files/AnnaLindhReport2010.pdf>







## Appendix 1: Personal testimony from the Egyptian Revolution

**Amr Salah, Member of the Executive Bureau of the Youth Coalition of the Egyptian Revolution and Researcher at the Cairo Institute for Human Rights Studies, Cairo**

There is a phrase I always remember, that was said by a friend in the coalition: the phase before the January 25 was similar to the war of attrition, while January 25 can be compared to *El Obour*, or the 6th of October war.

What has happened on January 25 has roots – it is not disconnected from the past. Starting from 2004 political activism was on the rise – the Kefaya movement awakened Egyptian society and, though the movement is no longer active, its importance remains. The same can be said for the El Ghad (Tomorrow) party – though the party's prominence has decreased and Ayman Nour's position as opposition member diminished, the experiences of the party remain in people's minds and have resulted in the creation of various new initiatives. The April 6, 2008 strikes, the case of Khaled Said's torture and death, and the return of Dr. Mohamed El Baradei are all events that, though if seen in isolation are not so exceptional, but together have fostered a different state of mind amongst Egyptian activists.

The call for the January 25 protests was made by the webpage creator of the "We are all Khaled Said" movement. However, the protests need to be put into context – the 6th of April Youth movement had already called for a protest against police brutality to be held on April 25 of last year, in 2010. In addition, the movement has on several occasions protested in front of the Egyptian High Court and though only a few hundred gathered, it marked a revival of the protest movement.

Prior to the Tunisian uprisings, there had already been plans to protest on April 25, 2011 in front of the Ministry of Interior. However, the events in Tunisia and the role they played in breaking the barrier of fear inspired activists to repeat the same experience in Egypt. Therefore, the success of the Tunisian experience and the fall of Ben Ali was an important trigger in the creation of the "We are all Khaled Said" webpage event, inviting people to go out on the January 25 to voice their economic, social and political demands.

In parallel, I would like to tell you about the coalition of which I am part, which was not a coalition initially but a group of youth from different political movements. These individuals found harmony and common ground, and coordinated effectively with one another.

The coalition did not create the protests, but its members were the main engine behind them. Meetings took place to discuss several things, for example – the neighbourhoods from which the protests should begin. The Tunisian experience provided us with significant inspiration – protests were generated from the “low class” areas and only later spread to other more prosperous areas. We also saw from the Tunisian experience that protestors did not solely voice political slogans that expressed allegiance to a specific political party. They went beyond all this to protest against social and economic issues, and this is what we also wanted to do.

We decided to choose a popular neighbourhood as the starting point for the protests. The idea was to gather in *Nahya* – a popular neighbourhood – and march to Tahrir square, walking through major parts of the city such as *Game’t el Dewal Street*, *Tahrir Street*, and *Kasr El Nil* bridge. When we first arrived in Tahrir square, a big group supported the idea of remaining in the square while another group thought that the protests needed to be larger and should be called for on another day to draw a larger amount of people.

Undecided, we stayed in Tahrir, despite the fact that there were clear orders from the security forces for us to leave. At 12:20 am, the security forces began using tear gas, making it impossible to stay. On January 26 and 27, a sort of ‘war of attrition’ continued with various protests occurring in different areas of Cairo aimed at weakening the security forces.

Another call for protests was made for January 28, to begin after the Friday prayers. Various routes had been decided upon, printed on pamphlets, and published online – though the internet was shut down on January 27. People in the protests were very organized, and – despite our group’s decision to focus only on economic and social issues – protesters themselves began shouting, “down with the government”. We as activists did not trigger that – the people themselves initiated these slogans. Other than *Nahya*, many protesters came from *Imbaba*, another popular district; security forces failed to stop them from marching on to Tahrir, despite blocking them with rows of men armed with batons and weapons.

When protesters arrived at *Kasr El Nil* Bridge – the main entry point to Tahrir Square – huge confrontations took place. Many ordinary citizens were injured and killed in their attempt to reach Tahrir Square and take over the area. The arrival of the military on the evening of the 28th encouraged protesters, given that people perceived it as a sign of a successful victory against the police and thus a sign of the end of the regime.

Once the sit-in in the square began, there were points when people felt bored, or worried about losing their job, and thought they could maybe leave and repeat protests at a later stage – there was a feeling that they had already done a lot

just by protesting. However, the distorted image the government projected of protesters by calling them double agents, traitors and threats to the country's stability reinforced people's convictions and made them realize that their battle would only end once clear and immediate results were seen. The regime continued to react stupidly – while Mubarak's speech in which he claimed he would die and be buried on Egyptian soil increased people's sympathies for him, the camel attack reversed these sympathies completely. Sympathies continued to fluctuate until Mubarak's last provocative speech, where instead of stepping down as everyone expected, he handed responsibilities to Omar Soliman. People thus became even more determined and started to expand their protests to new areas – *Maspilo* and the *Orouba Palace*. The regime then collapsed on Friday February 11, 2011 after a show of amazingly strong will by the people.

This is, in brief, all the events that took place until the fall of Mubarak and his regime. I would like to mention other things. We are often asked why we succeeded – before the revolution we always perceived our battles against the regime as being very weak because our actions had little long term impact. Our actions seemed to only have temporary effects and thus, we never expected that it would be possible for there to be an actual revolution. After the revolution, we realized that our activism *did* in fact have an impact on people's awareness and political will.

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Another weakness we had focused on was the fact that there were no organised political entities in Egypt, no one present to guide people and direct them. We thought this to be a major problem, but during the revolution we discovered that it was in fact an advantage – the protests really represented the will of the protesters voicing the most basic demands.

Moreover, a positive thing about the revolution is that it lacked a leader. During the eighteen days of protests, we were often asked by foreign journalists: who are the leaders of this revolution? Individuals who could have become leaders were instead very wise – gathering everyone without encouraging divisions, and speaking out for freedom, democracy and the removal of the regime. It remained, however, a mobilization in the interest of the people, and not the leaders.

Finally, other groups in the Arab region that want their governments to step down or instate real reform should be encouraged to speak out and voice their demands. Protests have to have roots in popular areas and voice demands that touch people personally. These people have to speak out themselves without being told what to say.

### 2.1 Syria: The regime's brutal response

Radwan Ziadeh

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Despite claims to the contrary voiced by President Assad, Syria has not been immune to the wave of discontent that has gripped the Middle East in recent months. Protests in Syria have begun to escalate since March 15, 2011, and especially as of March 18, when residents in the southern city of Deraa rose up en masse to decry police brutality following the arrest and killing of some protesters. The following weeks witnessed demonstrations from the coastal city of Lattakia to Kurdish Qamishli in the north. Although the majority of demonstrators have not demanded the resignation of President Assad, the unrest is the most serious challenge to his rule since he succeeded his father. Despite government's claims, the slogans chanted in a vast majority of demonstrations indicate that the protest movement is spontaneous, unitary, peaceful, and non sectarian, according to Human Rights Watch and other major international organizations.

The main response given by Syrian security and intelligence services has been to use live ammunition to silence growing protests, arbitrarily detain hundreds of protesters, and subject them to torture and ill-treatment. Security forces have also detained a number of journalists, activists and lawyers who have reported on the protests or called for further protests. Moreover, Syrian security forces in at least two towns prevented medical personnel and others from reaching wounded protesters and prevented injured protesters from accessing hospitals, as reported by Human Rights Watch.

On 26 March, the UN High Commissioner for Human Rights called upon Syria "to listen to the voices of its people who are rising up and demanding change in the country". She also noted that the continued violent repression of protests by security forces – a day after the Government had announced reforms – was "particularly disturbing." She also called for the release of all detained protesters and human rights defenders, as well as for an independent, impartial and transparent investigation into recent killings.

The European Union has also strongly condemned the "unacceptable" crackdown against peaceful protests in Syria. On April 21, President

al-Assad issued decrees to lift the state of emergency that has been in place since 1963 (Decree no. 161), abolish the state security court (Decree no. 53) recognize and regulate the right to peaceful protest (Decree no. 54). A fourth decree (Decree no. 55) will however extend the period that security forces can hold a suspect in certain crimes against the state before referring them to a prosecutor from one to seven days. As noted by Human Rights Watch, the longer the period of detention before being brought to a judicial authority, the greater the risk that the detainee's rights will be abused and violated.

The regime has since then continued to be repressive and violent – with up to 1000 people estimated to have been killed and about 8000 detained or missing since the beginning of the protests. Human rights defenders, for their part, have been targeted by the government due to the important role in disclosing the human rights abuses and speaking out against the brutality of the Syrian regime. While some have been detained, others missing, and yet others in hiding, defenders are continuing their work in light of the gravity of the situation and the unacceptable violations made on the part of the Syrian government.

In a joint statement issued on May 26, 2011, a group of human rights organizations in Syria<sup>1</sup> called for the release of all human rights defenders who have been detained by the state, and listed those who have been arrested, detained, and harassed by the regime within the past months:

During the past months, several human rights activists were arbitrarily arrested across Syria, among whom the following colleagues have been identified:

- Al-Tayeb Tizini, a 77-year old intellectual and member of the board of directors of the Syrian Organization for Human Rights (Sawasiya), was arrested on March 16, 2011 and later released.
- Mazen Darwish, president of the Syrian Center for Media and Freedom of Expression, was arrested on March 22, 2011 and later released.
- Assem Kubtan, member of the Arab Organization for Human Rights in Syria, was arrested in front of his house on Al-Shahbandar Square in Damascus on March 25, 2011 and later released.
- Hussein Issa, a lawyer, human rights activist and member of the Committee for the Defence of Prisoners of Conscience in Syria, was arrested shortly after leaving the Justice Palace in Damascus and later released.
- Tamer Al-Jahmani, a lawyer and human rights activist of the Press Club in Damascus and member of the Committee for the Defence of Prisoners of Conscience in Syria, was arrested on March 27, 2011 and later released. On April 29, 2011, he was rearrested in Daraa Governorate.
- Abdel Karim Daoun, member of the board of trustees of the Committees for the Defense of Democratic Freedoms and Human Rights in Syria, was arrested on Friday, April 1, 2011 from Al-Selmiya Town square in Hama in central Syria

- where he was monitoring the peaceful rally that was forcibly dispersed by the Syrian authorities (police and security apparatus). Colleague Daoun was beaten with batons before he was arbitrarily arrested. He was later released.
- Ahmad Matouk, member of the board of directors of the Anti-Zionism National Association, member of the Arab Organization for Human Rights in Syria and a leader of the Arab Socialist Democratic Union Party, was arbitrarily arrested in front of his home in the town of Bassima (in the Barada Valley) on April 10, 2011.
  - Mohammad Ziauddin Dughmosh, a human rights activist, was summoned and arrested on April 16, 2011 by the military police, Palestine Branch, and was later released.
  - Ibrahim Barakat, a poet, human rights activist and member of the board of trustees of the Human Rights Organization in Syria, was arrested by the political security branch in Al-Hasakah on April 17, 2011. He was transferred to Al-Fayha Branch in Damascus where press reports said his health situation has deteriorated.
  - Joan Yousef, human rights activist and member of the board of directors of the Kurdish Committee for Human Rights (Al-Rased), has been summoned repeatedly since April 22, 2011.
  - Daniel Saud, a human rights activist, chairman of the Committees for the Defense of Democratic Freedoms and Human Rights in Syria and member of the Executive Committee of the Euro-Mediterranean Human Rights Network, was arbitrarily arrested by the Syrian authorities (air force security) on April 23, 2011 because of his human rights activism in Syria. He was later released.
  - Ibrahim Zuru, a human rights activist and member of the Committees for the Defense of Democratic Freedoms and Human Rights in Syria, was summoned on April 26, 2011 and later released.
  - Rasim Sayyid Suleiman Al-Atasi, member of the board of trustees of the Arab Organization for Human Rights, was detained on April 30, 2011 based on an order issued by the military court after the security establishment fabricated a charge against him that no reasonable person can find words to describe. He was later released.
  - Hazem Al-Nahar, a political and human rights activist, was summoned and arrested by a security branch on April 28, 2011 and later released.
  - Abdel Qader Al-Khaznawi, a human rights activist and a board member of the Human Rights Organization in Syria, was arrested in the city of Al-Qamishli, Al-Hasakah, on April 30, 2011. He was later released.
  - Abdullah Al-Khalil, a lawyer and member of the board of directors of the Human Rights Association in Syria, was arrested in the city of Al-Raqqa on May 1, 2011.
  - Ahmad Al-Haji Al-Khalaf, a human rights activist and member of the Arab Organization for Human Rights in Syria, was summoned to and detained at one security agency on May 2, 2011. He was later released.

- Ahmad Bakour, a lawyer and former member of the board of directors of the Arab Organization for Human Rights in Syria was arrested in Latakia on May 4, 2011.
- Walid Al-Qadi (Abu Khalid), a 59-year old pharmacist and active member in the Syrian Arab Red Crescent in Rif Dimashq, was arrested on May 4, 2011 and later released.
- Akram Hussein, an engineer, human rights activist and member of the Kurdish Committee for Human Rights was arrested in the city of Al-Qamishli, Al-Hasakah, and later released.
- Aladdine Biasi, a member of the board of trustees of the Committees for the Defense of Democratic Freedoms and Human Rights in Syria, was arrested on May 8, 2011 in the city of Banias, Tartus, and later released. His personal computer was also confiscated.
- Majed Kindu, a lawyer and human rights activist, was arrested on May 11, 2011 in the city of Banias, Tartus.
- Catherine Gerges Altalli, a lawyer and human rights activist, was kidnapped and arrested by the security apparatus on May 13, 2011 in the Barza district near Damascus. Born in 1978, Altalli is a graduate of the faculty of law and has been a lawyer since 2007. She became active in defending human rights and prisoners of conscience before Syrian courts. She was later released.
- Mohammad Najati Tayyara, a civil society activist and member of the Human Rights Association in Syria, was arrested in Homs on May 14, 2011.
- Faisal Al-Ghazawi, a human rights activist, member of the Arab Organization for Human Rights in Syria and leader of the Arab Socialist Democratic Union Party, was arrested on May 18, 2011 and later released.
- Wael Hamada, a political activist married to human rights activist and lawyer Razan Zaytouna (in hiding), was arrested by the security forces from his office on May 11, 2011. The security forces had initially visited the couple's home on April 30, 2011, searching for them. When they did not find them, they arrested Abdel Rahman, Hamada's 20-year old brother.
- Mohammad Enad Suleiman, a member of the Arab Organization for Human Rights in Syria, was arrested in Al-Kiswa district in Rif Dimashq on May 26, 2011.
- In a related development, a disciplinary case was brought by the Aleppo branch of the Bar Association against lawyer Radif Mustafa, chairman of the Kurdish Committee for Human Rights (Al-Rased). He was questioned regarding the following disciplinary violations: incitement against the Syrian regime in all of his articles, committing several criminal offences against national security as outlined in the General Penal Code and raising issues that harm national unity, using and spreading terminology, rumors and false hearsay and news to incite against the state in all of his articles. On April 3, 2011, a ruling was issued clearing him of responsibility on all charges leveled against him and only warning him of violating the laws and circulars of the Bar Association.

- In addition, he has been summoned by the security apparatus several times since early May.
- In a similar development, a security patrol raided the residence of colleague Mohammad Fathalla Al-Najjar, a member of the board of trustees of the Committees for the Defense of Democratic Freedoms and Human Rights in Syria, on May 16, 2011 in Ashrafiyat Sahnaya in Damascus. Although he was not at home, the security patrol confiscated his library.

Greater pressure must be exerted on the government to release all defenders still detained or missing, and to uphold its legal obligation to respect human rights and those who work towards protecting and reinforcing them within Syria.

<sup>1</sup> Arab Organization for Human Rights in Syria, Kurdish Organization for Defending Human Rights and Public Freedoms in Syria (DAD), National Organization for Human Rights in Syria, the Kurdish Committee for Human Rights in Syria (observer), Organization for Human Rights in Syria - MAF, Committees for the Defense of Freedoms Democracy and Human Rights in Syria (C.D.F.).

## ***2.2 Yemen: Summary of the Violations targeting the Protests since Mid-February***

**Majed Al-Madhaji**  
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**Sanaa, May 16, 2011**

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Since February 16, Yemen has been experiencing widespread protests in seventeen governorates including open-ended sit-ins and peaceful marches in cities and rural areas demanding the departure of President Ali Abdullah Saleh. These forms of protest have been countered with a large scale crackdown including systematic and unjustified attacks against the protestors leaving many of them dead, hundreds shot with live ammunition and thousands suffocating due to the heavy use of tear gas. These violations have been committed by the security apparatus, notably the Central Security Forces (CSF), the Republican Guard (a unit of the army), public security and armed civilian supporters of Saleh, who carried out bloody attacks against the protestors as the security forces looked on. In addition, numerous protestors have been subjected to arbitrary arrest, forced disappearance, and torture as well as humiliating and degrading treatment. Freedom of opinion and expression has been widely violated with the confiscation of independent and partisan opposition newspapers, the blockage of websites and the closure of Al-Jazeera's office. Reporters and photojournalists working for news agencies and satellite TV stations have undergone various attacks amounting to murder in some cases. Several foreign journalists who came to Yemen to cover the events have been expelled.

## The right to life

The security forces and some army units have used lethal force against peaceful protestors across the country over the past three months, killing more than 145 demonstrators including eighteen children and one woman. Human rights organizations documented most of the killings perpetrated by the Central Security Forces, which are led by Saleh's nephew; the Republican Guard, which is an army unit operating under the command of Saleh's eldest son; the military police; public security forces and armed civilians who have launched more than one deadly attack against the protestors with protection from the security forces. On Friday, March 18, more than 45 people were killed in an attack launched by armed civilians with protection from the CSF. This was the largest number to be killed in a single day. The incident took place as tens of thousands of protestors finished their Friday prayer in the permanent sit-in square in Sanaa. At first, there was intensive tire burning. Afterwards, armed people opened heavy fire from behind the sit-in and from the rooftops of the houses of the Head of the Investigations Bureau of the capital's Criminal Investigation Department, of the governor of Al-Mahwit Governorate and of the Yemeni ambassador in Saudi Arabia.

The highest number of killings since the protests began in the middle of February has taken place in the capital, Sanaa, where more than 80 people have been killed. Aden comes second with 26 fatalities, followed by Taiz with 23, Al-Hudaydah with 5, Ibb with 4, Imran with 2, Al-Jouf with 2, Al-Bayda with 2 and Hadramout with 1 fatality.

## Arbitrary arrests, forced disappearances and torture

Many peaceful protestors have been arbitrarily arrested by the security forces while taking part in sit-ins and marches, detained for varying periods of time and then released without facing charges or referral to court. Some of them were detained for periods exceeding the time legally permissible, while others experienced multiple forms of torture and cruel, humiliating and degrading treatment. Examples include the case of Mohammad Bajash Al-Sharabi who was arrested, physically assaulted and subjected to sleep deprivation at a CSF camp under the command of Saleh's nephew.

Hassan Baoum, a prominent Yemeni politician and leader in the Southern Movement and his son have been victims of forced disappearance since February 20. Baoum, 76, was taken from Al-Naqib Hospital in Aden where he was being treated for diabetes and a heart condition. His whereabouts remain unknown. Eight other activists from the Southern Movement have been victims of forced disappearance since February 26.

## **Freedom of opinion and expression**

Freedom of opinion and expression has suffered numerous violations since the protests demanding the departure of the Yemeni president began. Media outlets, journalists, photojournalists and reporters for foreign news agencies and satellite TV stations have been harassed and assaulted repeatedly. On March 18, journalist Jamal Al-Sharabi was killed while covering the protests. Of all media outlets, Al-Jazeera TV was the most harassed because of its coverage of the protests in Yemen, with two of its correspondents expelled and its office later ransacked by armed men as the police looked on before the authorities issued an official order closing the office and retracting all licenses given to the station's reporters. Several independent and partisan opposition newspapers were confiscated by the security apparatus and army personnel before entering Yemeni cities. The confiscations began simultaneously with the protest movement and escalated as the news coverage of the sit-ins and protests grew. The newspapers *Al-Sharei*, *Al-Oula*, *Al-Shahed*, *Al-Yaqin*, *Al-Masdar*, *Al-Ahali*, *Al-Nas*, *Al-Tajmmou*, and *Al-Nida* were confiscated intermittently and repeatedly.

The authorities have also blocked several news websites because of their coverage of the protests. Among the key news websites blocked are the independent Al-Masdar Online and the independent Mareb Press as well as the blog, Irhal, which has documented the peaceful demonstrations in Yemen.

Journalists Tawakul Karman and Mohammad Saeed Al-Sharabi were arbitrarily arrested in the early beginnings of the protest movement on January 22 and remained in detention for two days. On March 12, journalist Abdul Salam Jaber was arrested and subjected to forced disappearance for two days. Journalist Abdel Azziz Al-Majidi was detained for several hours in a military check point operating under the Republican Guard on April 25, and journalist Abdul Hafez Mujab was detained for one day in a security check point at the entrance of Al-Hudaydah city on May 6.

Several reporters were brutally attacked and severely beaten by security forces and loyalist gunmen while covering the peaceful demonstrations and sit-ins against the president. More than 35 Yemeni and international journalists were beaten and harassed in an attempt to prevent them from covering the protests. The assaulted journalists work for Al-Arabiya and Al-Jazeera TV stations, Al-Quds Al-Arabi newspaper, the Guardian and several news agencies including the BBC, the Associated Press, Reuters and Agence France-Presse as well as a number of independent journalists. Also among those assaulted and beaten while covering the peaceful protests were journalists Samiya Al-Aghbari, Mohyeddin Jarima, Abdullah Ghurab and Hmoud Munser as well as photojournalists Fuad Al-Khadir and Samir Al-Nimri.

A large number of journalists received direct death and arrest threats over the phone to dissuade them from covering the events. Those who received such threats include, among others, Ahmad Al-Shalafi and Faisal Al-Safwani.

### **The right to peaceful assembly**

The security apparatus launched wide scale attacks against peaceful sit-ins and rallies organized by peaceful protestors across the country in order to disband them. They used force against more than 60 sit-ins and rallies in 17 Yemeni governorates within three months. Their deadly attacks resulted in the death of dozens of peaceful protestors.

### **Attacks against medical personnel**

Ambulances and medical personnel were also assaulted and harassed by the security forces and armed civilians. At least three ambulances, one for the International Red Cross and two for the field hospital erected in the main sit-in square in Sanaa, were destroyed. In addition, three other ambulances of the field hospital in Sanaa were hijacked.

In Sanaa alone, at least 12 cases of obstructing medical personnel from reaching the wounded during marches were documented. Four female doctors were kidnapped in Sanaa by the CSF while they were providing first aid care to wounded protestors during the April 19 demonstration. They were later released after the protestors threatened to march to the presidential palace.

Numerous physicians were threatened and harassed by the security apparatus for contributing to the field hospitals that were established in sit-in squares across Yemen to treat wounded demonstrators.

### **Threats and harassment of human rights defenders**

Over the past three months, several human rights activists and defenders in Yemen received multiple threats amounting to death threats and threats to harm their families because of their work in combating and monitoring human rights violations during the peaceful protests. Amal Al-Basha, Yasmin Al-Sabri, Abdel Rashid Al-Faqih, Ghazi Al-Samie, Samia Al-Aghbari and Majed Al-Madhaji all received threats over the phone.

### **Threats and harassment of politicians and protest activists**

Several politicians and activists protesting against the Yemen president received multiple threats amounting to death threats and threats to harm their families

because of their role in the peaceful protests. Among those who received threats were Mohammad Salem Basendwah, head of the National Dialogue Committee, a prominent component of the political opposition, Sultan Al-Samei, Abdel Karim Al-Khaiwani, Tawakul Karman, Khaled Al-Ansi, Bushra Al-Maqtari, Abdul Hamid Shukri, Ahmad Al-Rabizi, Mohammad Al-Sabri, Aidroos Al-Naqib, Mohammad Ghaleb Ahmad and Mohammad Al-Humairi.

### ***2.3 The situation in Bahrain: An Arab spring turning into a suffocating summer for protestors***

**Maryam Al-Khawaja, Head of Foreign Relations Office, Bahrain Center for Human Rights  
Manama, May 30, 2011**

The youth of Bahrain put out a call for protests demanding reform and a new constitution for the 14<sup>th</sup> of February.<sup>1</sup> The difference between Bahrain and Egypt, Tunisia, Syria, and Yemen is that the latter countries face their own government's when demanding reform, whereas Bahraini pro-democracy protesters have had to face all the Gulf monarchies. Despite protesters being peaceful and unarmed, the security forces and army used unnecessary excessive force causing at least 31 deaths and countless injuries.<sup>2</sup> After the second attack on the Pearl roundabout which took place right after the deployment of the Peninsula Shield (GCC troops) in mid-March,<sup>3</sup> there have been continuous violations of human rights, to the extent that the situation is now regarded as a humanitarian crisis.<sup>4</sup>

Due to the Saudi-Bahraini-GCC relations with western governments, strong critical voices of the violations in Bahrain have been scarce, especially from the monarchs' close allies: the United States and the United Kingdom. Secretary Clinton has gone so far as stating that Bahrain has the sovereign right to invite troops into the country, despite the agreement between these countries saying otherwise.<sup>5</sup>

In regards to numbers, there have been more than 1000 people arrested (out of a population of around half a million), more than 140 of them women, and a quarter of them children.<sup>6</sup> There have been numerous reports of torture and ill treatment inside detention centers, and already four people have died due to torture.<sup>7</sup> Detainees have disappeared after being arrested<sup>8</sup> and some still missing after more than two months since being taken by the security forces; yet others have been put on speedy military trials.<sup>9</sup> Charges usually range between illegal assembly (for more than five people to meet, a permit is needed from the Ministry of Interior), distorting Bahrain's image abroad, and inciting hatred against the regime.<sup>10</sup> The arrests consist of nightly raids, in which groups of masked men, some in civilian clothing and some in riot police uniforms, break into homes between 1 am and 4

am, terrorizing the people inside and arresting certain members of the family. In almost all the raids arrest warrants are not presented, people were beaten, homes vandalized, women sexually harassed and properties confiscated.<sup>11</sup> Everyone is targeted as arrests have included, but were not limited to: teachers, professors, students, doctors, nurses, lawyers, activists, resigned members of parliament, professional football players and human rights defenders.

One woman said, in describing the situation:

"I feel the situation on the streets is worse than in prison sometimes. There is no safety. Nobody is safe. You never know when they'll (the security forces) come into your home, when they'll harass your mother, sister or daughter. You never know when your brother, father or son will go missing or get beaten and insulted. They are thieves and when they go into homes they steal things. When they stop you at checkpoints they take your money. We are living in a state of daily terror and nobody is talking about this. There is nothing worse than living in constant fear. Nobody is safe from them (the security forces). Everyone else has to stand in the face of their own government but we have to stand in the face of five monarchies - four monarchies have sent troops to help violate our freedom. They've fired more than 2000<sup>12</sup> people from their jobs and soon people will run out of money to even feed their families or pay off their loans. Now they are recruiting people from other countries to take the jobs of those who have been fired. Why is no one responding to the humanitarian crisis in Bahrain? What are they waiting for?"

According to statistics from the Bahrain Center for Human Rights, the layoffs affect approximately 9000 people in Bahrain due to many of those being fired being the bread winners in their families.<sup>13</sup>

There are many injured being treated in their homes because they are afraid of going to the hospital, which has been taken over by the military.<sup>14</sup> More than fifty Shīa mosques have been demolished, and hundreds partially destroyed or vandalized, and Shīa stores have also been attacked and vandalized.<sup>15</sup>

The February 14<sup>th</sup> Youth coalition have put out an urgent call for international observers as they are commencing mass protests starting June 1<sup>st</sup>, when the State of National Safety is due to be lifted. Unfortunately with the continued illegal presence of the GCC forces, the discriminate widespread crackdown on civilians, the continuation of torture and military trials, and the silence from the western governments, the Arab Spring seems to be turning into a scorching and suffocating summer for the pro-democracy protesters of Bahrain.

- <sup>1</sup> <http://english.aljazeera.net/programmes/peopleandpower/2011/03/201138153916892448.html>
- <sup>2</sup> <http://amnesty.org/en/news-and-updates/report/evidence-bahraini-security-forces%20%99-brutality-revealed-2011-03-16>  
<http://bahrainrights.hopto.org/en/node/3864>
- <sup>3</sup> Feb 17 Attack: <http://www.nytimes.com/2011/02/17/world/middleeast/17bahrain.html>, Video: <http://www.youtube.com/watch?v=7P9ybW96RRo>
- Mar 16 Attack: <http://www.nytimes.com/2011/03/17/world/middleeast/17bahrain.html>, video: <http://www.youtube.com/watch?v=L-wtAfhjVY4>
- <sup>4</sup> <http://www.presstv.ir/detail/177626.html>
- <sup>5</sup> <http://www.eurasiareview.com/clinton-renews-us-commitment-to-gcc-security-20032011/>
- <sup>6</sup> <http://bahrainrights.hopto.org/en/node/3862>
- <sup>7</sup> <http://www.hrw.org/en/news/2011/04/13/bahrain-suspicious-deaths-custody>
- <sup>8</sup> <http://www.hrw.org/en/news/2011/03/20/bahrain-new-arrests-target-doctors-rights-activists>
- <sup>9</sup> <http://bahrainrights.hopto.org/en/node/4082>
- <sup>10</sup> <http://bahrainrights.hopto.org/en/node/4082>
- <sup>11</sup> <http://www.frontlinedefenders.org/node/14852>
- <sup>12</sup> <http://blog.afcio.org/2011/04/21/global-union-movement-calls-for-end-to-repression-in-bahrain/>  
<http://english.aljazeera.net/news/middleeast/2011/05/2011514104251715508.html>
- <sup>13</sup> <http://bahrainrights.hopto.org/en/node/3879>
- <sup>14</sup> <http://bahrain.phrblog.org/2011/04/22/emergency-report-decries-bahrain-human-rights-abuses/>
- <sup>15</sup> <http://english.aljazeera.net/video/middleeast/2011/05/2011513112016389348.html>

## Appendix 3: List of Seminar Participants

| No | Name                      | Profession / Institution   | Country / Pays   |
|----|---------------------------|--|------------------|
| 1  | Mostefa Bouchachi         | President of the Algerian League for the Defense of Human Rights (LADDH)   | Algeria          |
| 2  | Smail Goumeziane          | Lecturer and former Minister Delegate for Trade Organisation   | Algeria          |
| 3  | Amine Sidhoum             | Lawyer and human rights defender   | Algeria          |
| 4  | Madjid Benchikh           | Emeritus professor, former Dean of the Algiers Law Faculty   | Algeria / France |
| 5  | Nasséra Dutour            | Collective of Families of the Disappeared in Algeria (CFDA) / Euro-Mediterranean Federation against Enforced Disappearance (FEMED) | Algeria / France |
| 6  | Alessio Cappellani        | Human Rights Unit - European Commission - EEAS   | Belgium          |
| 7  | Emilie Dromzee            | Advocacy Coordinator at the Euro-Mediterranean Human Rights Network (EMHRN)  | Belgium          |
| 8  | Anne Koistinen            | Desk Mashrek - Human rights Unit - European Commission - EEAS  | Belgium          |
| 9  | Jacqueline Hale           | Senior Policy Analyst, EU External Relations, Open Society Institute (OSI)   | Belgium          |
| 10 | Patrice Lenormand         | Central management of thematic budget lines under the EIDHR and IfS - European Commission  | Belgium          |
| 11 | Cristina Martinez-Origone | Central management of thematic budget lines under the EIDHR and IfS - European Commission  | Belgium          |
| 12 | Mychelle Rieu             | Greens / EFA adviser on Human Rights, European Parliament  | Belgium          |
| 13 | Chadi Sidhom              | Maghreb Desk - Human rights Unit - European Commission - EEAS  | Belgium          |
| 14 | Simone Susskind           | President of Actions in the Mediterranean (AIM)  | Belgium          |
| 15 | Magdi Abdel Hamid         | Chairman of the Egyptian Association for Community Participation Enhancement   | Egypt            |
| 16 | Andreu Claret             | Director of the Anna Lindh Foundation for the Dialogue between Cultures  | Egypt / Spain    |
| 17 | Ziad El Elaimy            | Political Activist - Youth Coalition of the Egyptian Revolution  | Egypt            |
| 18 | Amr Elshobaki             | Political Analyst and President of the Alternatives Forum for Political Studies  | Egypt            |
| 19 | Sally Moore               | Political Activist - Youth Coalition of the Egyptian Revolution  | Egypt            |
| 20 | Sherine Morad             | Assistant to the Director of the Anna Lindh Foundation for the Dialogue between Cultures   | Egypt            |

|    |                      |  |                       |
|----|----------------------|--|-----------------------|
| 21 | Amr Salah            | Political Activist - Youth Coalition of the Egyptian Revolution - Researcher at the CIHRS                                    | Egypt                 |
| 22 | Sally Sami           | Assistant Director at the Cairo Institute for Human Rights Studies (CIHRS)   | Egypt                 |
| 23 | Farouk Belkeddar     | Secretary General of Génériques  | France / Algeria      |
| 24 | Nedjma Benaziza      | Vice-présidente of the Collective of Families of the Disappeared in Algeria (CFDA)   | France                |
| 25 | Alain Chenal         | Advisor to the President, responsible for the Mediterranean and the Middle East at the Jean-Jaurès Foundation                | France                |
| 26 | Jean-Luc Delvert     | Sub-directorate of Human Rights and Humanitarian Affairs, French Ministry of Foreign and European Affairs                    | France                |
| 27 | Charlotte Denise     | Pole State of Law, Liberties and Reconstruction – Mission of Democratic Governance, Ministry of Foreign and European Affairs | France                |
| 28 | Eberhard Kienle      | Research Professor at the French National Centre for Scientific Research (CNRS)  | France                |
| 29 | Michael Lüders       | Consultant / Political Scientist   | Germany               |
| 30 | Salah Nasrawi        | Political Analyst  | Iraq                  |
| 31 | Nizar Saghieh        | Lawyer and Researcher / Member of the Hurriyyat Khassa / Private Liberties-Lebanese human rights organization                | Lebanon               |
| 32 | Mohamed Sghir Janjar | Researcher, anthropologist and director of the Prologues review.   | Morocco               |
| 33 | Mohamed Tozy         | Political scientist, consultant, specialist of the Moroccan Islamist movement  | Morocco               |
| 34 | Saïd Benarbia        | Legal Adviser - International Commission of Jurists (ICJ)  | Morocco / Switzerland |
| 35 | Abdelmajid Charfi    | Islamic thinker and author   | Tunisia               |
| 36 | Khadija Chérif       | General Secretary of the International Federation of Human Rights Leagues (FIDH)   | Tunisia / France      |
| 37 | Chérif Ferjani       | Professor, Director of the Group for Research and Study of the Mediterranean and Middle East (GREMMO)                        | Tunisia / France      |
| 38 | Fatima Almana        | Member of the Board of Directors of the Arab Human Rights Fund (AHRF)  | Saudi Arabia / Jordan |
| 39 | Jafar Al-Shayeb      | Writer / Political activist / Chairman of Qatif Municipal Council in the Eastern Province of Saudi Arabia                    | Saudi Arabia          |

|    |                          |  |                 |
|----|--------------------------|--|-----------------|
| 40 | Barah Mikail             | Senior Researcher at FRIDE   | Spain / France  |
| 41 | Albaqir Al Afif Mukhtar  | Director of the Alkhattim - Adlan Centre for Enlightenment and Human Development                             | Sudan           |
| 42 | Magdi El Na'im           | Human Rights Expert and Consultant   | Sudan           |
| 43 | Hassan Hussein           | Democratic Governance and Human Rights Program, Swedish International Development Cooperation Agency (SIDA)  | Sweden / Egypt  |
| 44 | Bassma Kodmani           | Executive Director, Arab Reform Initiative   | Syria / France  |
| 45 | Radwan Ziadeh            | Damascus Center for Human Rights Studies (DCHRS) / Syrian Center for Political and Strategic Studies (SCPSS) | Syria           |
| 46 | Abdeslam (Abdou) Menebhi | Civil society activist, President of EMCEMO (Euro-Mediterranean Center of Migration and Development)         | The Netherlands |
| 47 | Elizabeth McArthur       | Programme officer - Civil and Political Rights Programme at the Sigrid Rausing Trust (SRT)                   | UK              |
| 48 | Michele Dunne            | Senior Associate at Carnegie Endowment for International Peace (CEIP)  | USA             |
| 49 | Eric Goldstein           | Deputy Director - Middle East and North Africa - Human Rights Watch  | USA             |
| 50 | Neil Hicks               | International Policy Advisor - Human Rights First  | USA             |
| 51 | Stephen McInerney        | Director of Advocacy at the Project on Middle East Democracy (POMED)   | USA             |
| 52 | Michael Singh            | Visiting Fellow - The Washington Institute for Near East Policy  | USA             |
| 53 | Anthony Tirado Chase     | Associate Professor, Diplomacy World Affairs (DWA) - Occidental College                                      | USA             |
| 54 | Amal Basha               | Chairwoman Sisters Arab Forum for Human Rights   | Yemen           |

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| 56          | Christine M. Merkel | Vice-President, Head, Division for Culture, Memory of the World, German Commission for UNESCO  | Germany          |
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| 58          | Khémaïs Chammari    | Member, Tunisian Ambassador to the UNESCO, Former member of the Tunisian Parliament, Nuremberg Human Rights Prize Winner   | Tunisia          |
| 59          | Bahey El Din Hassan | Member, Director of the Cairo Institute for Human Rights Studies (CIHRS)   | Egypt            |
| 60          | Kamel Jendoubi      | Member, President of the Euro-Mediterranean Human Rights Network (EMHRN), President of the Comité pour le Respect des Libertés et des Droits de l'Homme en Tunisie (CRLDHT)  | Tunisia / France |
| 61          | Hanny Megally       | Member, Vice-President, Programs, International Centre for Transitional Justice (ICTJ), Member of the Board of Directors of the Arab Human Rights Fund (AHRF)  | Egypt / UK       |
| 62          | Leila Rhiwi         | Member, Programme Management Specialist, United Nations Development Fund for Women (UNIFEM)  | Morocco          |
| 63          | Lynn Welchman       | Member, Professor of Law with particular reference to the Middle East and North Africa, School of Oriental and African Studies (SOAS), Member of the Board, International Centre for the Legal Protection of Human Rights, Member of the Founding Editorial Board, <i>Muslim World Journal of Human Rights</i> . | UK               |

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