

Research Report

Special Conference on Peace and Justice 1 Peace and Justice amongst the Arab States

Creating a multilateral emergency humanitarian assistance plan between all Arab States



MUNISH



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Introduction

The universal declaration of human rights is a document adopted by the United Nations General Assembly. It recognizes the equal and inalienable rights of humans in society. In the case of human rights violations in Arab States, articles 5, 7, 9, 10, 18, 19, and 20 are the most significant. Human rights violations are a major issue in the Arab States. These include torture, censorships on media, freedom of speech and/or expression and particularly women rights.

The rule of law in some Arab States is related to Islam, where the Koran is used to dictate the law of the country. This sets the relevance of how the government can treat the citizens hence causing a clash between human rights and rule of law. For example; males are given more superiority than females, prisoners are allowed to be tortured on the grounds of "culture". This is where political Islam plays a key role. Moreover, Arab countries have signed a charter similar to the universal declaration of human rights, their version is completely different. It is called the Arab charter of human rights.

The Arab States and Arab organizations have been cooperating with each other and other international organizations such as the United Nations (UN) and Amnesty International. However it has been shown that the clash between political Islam and human rights as defined by the UN is a moral dilemma that can cause international issues. So the Arab States join the organizations but they keep their views and opinions reserved therefore avoiding an international issue.

As well as having human rights violations in these countries. Their problems also include natural disasters such as earthquakes, landslides but more of other manmade disasters including war which is springing out in most Arab countries. This research report



will focus deeply on the human rights violations as well as other problems including war in the context of how emergency humanitarian aid is given to vulnerable Arab states.

Definition of Key Terms

Social Norm

The way people are expected and accepted to believe in society. In dependent cultures if a social norm is broken by a person, they will experience great punishment.

Freedom of speech

This is the political right to communicate one's opinion and ideas using one's body and property to anyone who is willing to receive them.

Political Islam

This refers to a political ideology that favors a return to Islam as a source of political guidance with Allah as the highest authority figure. This includes groups who directly seek control of the state as well as those whose activism indirectly affect it through preaching and communication.

Censorship

This is preventing information from being regulated in some way. There are many types of censorship but in this case it is mostly religious censorship.

Emergency humanitarian assistance

This refers to material and logistical support provided for humanitarian purposes typically in response for natural and manmade disasters.

General Overview

The human rights violations will be split up into different Arab countries and the offenses they have committed. Although the human rights violations are almost the same in every Arab country, the magnitude of the damage varies from a country to another. Natural and man-made disasters will also be split up country wise in the context of how humanitarian assistance is provided to them.



Saudi Arabia

The human rights in Saudi Arabia are based on the Islam law implemented by the royal family in that country. Saudi Arabia has disagreed with quite a number of principles in international conferences such as the international convention against torture in 1997 and they have even defended their position in many conferences around the world regarding the way they treat their citizens.

Women in Saudi Arabia face the most amount of discrimination compared to any other Arab country. In the justice system, the testimony of one man is equal to that of two women. Furthermore, the women are not allowed to leave the country without getting consent from their husbands and they need to be chauffeured to the airport. Also, there is discrimination against women in their own household where men and women have separate entrances. However, the situation is slowly improving. Women have been given new ID cards that allow them to travel freely between gulf countries. Moreover, women are now allowed in parliament and earlier in 2013, Saudi Arabia registered their first women lawyer.

Religious freedom is another issue. Religions other than Islam are discriminated against. However other religions are allowed but they need to be practiced discreetly. But the Saudi government does not respect this and in 2011, 35 Ethiopian Christians were arrested for practicing Christianity. The freedom of religion is recognized worldwide and everyone has their own right to practice their own religion. However, this discrimination continued and in 2012, the Saudi police detained more than 41 Christians for celebrating Christmas.

Torture and abuse against prisoners are also very common practices. People are tortured very frequently for very menial disobedience against the law. This is called judicial corporal punishment where citizens are punished with amputations and removal of eyes. A Saudi delegate defended this claim using the excuse of legal tradition. Minorities such as those with HIV are also not treated properly but are treated as outcasts.

Saudi Arabia is the worlds largest humanitarian donor outside the western countries. Large scales of donations have been made to arab countries where official bodies set up through the government have their money donated not only by the government but as well as private businessmen. They have played an important role in supporting the arab countries in the middle east. In the early 2006 and 2007 they donated large sums of money to Lebanon and Iraq as well. Further more through the arab league, Saudi Arabia is one of the largest contributors to the Palestinian people when they were displaced due to elections.



However, the Saudi humanitarian aid process has shortcomings. One reason is that many Saudi organizations deliver to the same place hence there is an overlap where different agencies work in the same area without knowing about each others existence. Moreover, the Saudi system lacks accountability as they do not keep track of their contributions hence do not know how much they spend.

There has been speculation towards the justification of Saudi Arabia supporting Arab states. Saudi Arabia is a key figure in the Islamic community where 2 holy sites of Islam are located and also the headquarters of the organization of Islamic conference. The country receives requests to provide humanitarian aid to fellow Arab countries.

Jordan

Jordan is a monarchy which is ruled by the King. Even though half of the parliament seats are appointed by the public, the King still has all the power. He can even dismiss the parliament and control the whole government if he so wishes. There are serious human rights violations in this country and they are condoned by the government.

The constitution of Jordan promotes freedom of speech and press; however the government does not respect this. In the 2010 press freedom index, Jordan scored a 37 ranging from 0(most free) to 105(least free) as compared to other countries such as Finland and Netherlands which actually scored a 0. In addition, the government bans books and media for moral, religious and political reasons. However in early 2009, the king of Jordan issued a decree which prevented any journalist from being jailed.

Another unique case of human rights violation in this country is human trafficking. Moroccan and Tunisian women have been subjected to forced prostitution in Jordan. Additionally, migrant workers are given low wages and they are even illegally migrated into the country. There have even been reports of child labor in the country. In 2009 a law was set up to prevent human rights trafficking however the country still do not comply with the United States trafficking victims protection act.

Torture is frequently used in Jordan to gain information from terror suspects. People are also held illegally and are not allowed to meet with their lawyers and kept in unsanitary conditions. Due to the pressure from the United Nations, the situation has improved slightly but torture on terrorist suspects still continue throughout the country.

In 1993 the first woman was elected to parliament and from there, there has been a steady uprising in the importance of women. The government has done many things in order



to promote freedom for women and has addressed their problem of domestic abuse however the problem still continues in families where women are treated inferior to men.

In recent times, due to the crises in Syria. Thousands of refugees are moving from Syria to Jordan to seek asylum. However, due to the increased number of refugees, Jordan requested for assistance from non-governmental organizations such as the UNHRC as well as the international rescue committee. The conflict of interest here is that the Syrians are crossing the border illegal and Jordan has no choice but to continue to accept refugees, however steps are being taken to secure the border.

As well as being on the receiving end, Jordan has also helped other Arab states with emergency humanitarian aid. An example is during times of crises Jordan has released their army to provide medical services in conflicted zones such as Pakistan, Libya, Lebanon and a few other states.

Lebanon

Due to the 16 year war with Syria, it is Syria that makes all the influential decision to do with Lebanon. The Lebanese parliament is therefore deemed of not much use. Due to the situation in Syria, many people have fled to Lebanon. This puts pressure on Lebanon and causes many of Lebanon's resources to be overused. Refugees were and are ill-treated and arbitrary raids were conducted on their houses by security forces.

French reports and human rights organizations have noted the use of torture in Lebanese prisons where prisoners are held in arbitrary arrests. Other political prisoners have also disappeared, assumed dead. A report released by the Human Rights Watch group reported the Lebanese police threatened to harass sex workers and drug abusers and to deny prisoners and detainees of water and even basic sanitation. As well as citizens getting an unfair trial, journalists have been denied freedom of speech and expression when they were troubled and abused by the Lebanese police force.

Women continue to be discriminated against in legislation. Although a draft law has been passed to allow Lebanese women to marry foreigners; this law has not been taken nor debated in parliament.

Similar to the case of Jordan, many refugees from Syria as well as other surrounding Arab states such as Iran have taken shelter in Lebanon as stated above. In the 2006 Lebanon war, the Arab countries joint forces in order to provide humanitarian aid by providing air craft carriers carrying food and such necessities.

Saudi Arabia has contributed significantly towards bettering the condition of the country. They have provided money as well as equipment such as hardware which is used to provide money to Lebanon.

Syria

Syria is a dictatorship where there are no free elections; many international observers have criticized Syria for its poor approach to human rights. Due to the security forces in Syria, the legal rights of citizens are not enforced. According to the human rights watch, under the rule of Basher-al-Assad, the human rights did not improve. Later amnesty international reported that the government is committing crimes against humanity during the 2011 Arab uprising.

The French and Ba'athist rule were the early violators of human rights in the early 1900s to the late 1970s where the French killed thousands of people and on the other hand, the Ba'athist's enforced political Islam violating the human rights further where the press was censored and political prisoners were tortured. This also continues today where political prisoners and even citizens are not given fair treatment and are even tortured and physically abused. In 2009 according to the Human Rights Watch, Syria's situation worsened.

The law states that any religion can be practiced, on the other hand the government has restricted this right and the government has even oppressed some religious groups and this has given some uprising. Hardly anything is known about women rights in Syria but there are some reports that women are still not treated fairly, they are all under-represented and they are not treated as equally as men. Another factor that seemed to play a role in the violations of the human rights was the Syrian civil war. The United Nations described it as a "gross violation of human rights". This included sexual abuse, brutal torturing and shooting children at a very young age.

Taking into consideration of the fact that Syria has been in a constant state of conflict for some time are unable to provide aid to its own citizens due to the ongoing civil war. Hence they have received the aid from various countries around the world but the main contribution coming from Arab states. For example, Iran has agreed to provide emergency humanitarian assistance to Syria.

Furthermore, taking into account that most if none all of the countries are unable to provide humanitarian assistance to Syria as the situation is difficult. Surprisingly enough, instead of providing emergency aid to the country, Saudi Arabia and Lebanon are known to be allegedly supporting the rebels in Syria making the situation difficult.

Egypt

The situation in Egypt has been critical due to the political instability and government crackdowns. Egypt was rated as not free by the freedom house. This organization was raided by Egypt security forces. Also to protect the freedom of speech of the country, in 2006 a law was passed to prevent journalists from being imprisoned. However, the imprisonment of journalists still occurs even after the law was enacted. After the Arab spring (the catalyst to the Arab revolution) in 2012, the country showed greater hope for freedom of speech.

Women rights are hardly respected in Egypt. There have been many reports of domestic disturbance against women. Also marital rape is allowed by the constitution. Female genital mutilation is also carried out in many parts of the country even though it was condemned in 1996.

The situation in Egypt after the coup which forced Hosni Mubarak out of power caused increased riots and demonstrations. The Arab states have continually supported Egypt by providing relief in the form of financial aid as well as peace keeping forces being provided, an example of these countries is Saudi Arabia and the United Arab Emirates.

As well as manmade disasters affecting Egypt. Floods and earthquakes in the area have been supported with continuous aid especially from Israel with whom Egypt had a peace treaty at that time. Since the flood also spread to other areas, Egypt assisted with emergency aid to help contain and restrict the damage of the flood.

Palestinian Territories

The Palestinian Territories are not considered a nations by all entities and is not currently a member state of the UN. Therefore the human rights violations refer to West Bank and Gaza Strip areas in particular. In 2001, the Palestinian leader gave himself a broad state of power. Thereafter, arbitrary detentions and arrests took place. The courts do not give a fair trial and even if there is a fair trial, the security forces fail to carry out their decisions. The law allows torture. Security forces carry out widespread torture. The security forces even closed down media outlets and infringed on the citizens' privacy.

The women rights were also severely infringed where spousal abuse, sexual harassment and honor killings were and still are common, usually by the males of the family. The females also endure more prejudice and repression in their society where their education was restricted and the leaving of an arranged marriage would result in out casting. In the professional workplace, there are no laws that prevent discrimination against women.



Natural disasters in Palestine such as the floods have made life very difficult for citizens there. A few Arab countries such as Saudi Arabia and United Arab Emirates have sent emergency humanitarian aid in the form of food, medicine and other sorts of necessities to help citizens there cope.

Due to the nature of most Arab countries being ruled as dictatorships leads to continuous and long lasting conflict. This damages the infrastructure and economy of the country and because of this very problem, many Arab states are unable to support each other with the exception of the rich countries being run as dictatorships such as Saudi Arabia, Kuwait and a few others.

Major Parties Involved and Their Views

United Nations Human Rights Council (UNHCR)

This is a body within the United Nations which was established in 2006. This organization supports many themes such as freedom of association, assembly, speech, religion, women's rights and the rights of minorities and ethnics. It was formed with the function to protect and promote human rights around the globe and address human right violations and make recommendations on them.

The Arab Commission for Human Rights

This is a non-governmental organization that is dedicated to protect human rights and fundamental freedom throughout the Arab world. Its fundamental ideology is guided by the universal declaration of human rights and many other human rights affiliations.

Amnesty International

This is a worldwide movement of about 3 million supporters who strive to end human rights violations. Their aim is to enjoy all the rights stated in the universal declaration of human rights. They are independent from any political, social and economic ideology.

The International Federation of Human Rights (FIDH)

This is a nongovernmental organization for human rights organizations. The priorities of this organization are mainly to deliver freedom and capacity to humans, ensure universal equal treatment and effectiveness of human rights



Timeline of Events

Date	Description of event
December 10th 1948	Universal Declaration of human rights is adopted
12th October 1992	Earthquake in Cairo
22nd November 1995	Gulf of Aqaba Earthquake
May 23rd 2004	Arab Charter on Human Rights is signed
March 15th 2006	UNHCR is formed
July 2006	Lebanon war
15th March 2011 to present	Syrian Civil War

UN Involvement, Relevant Resolutions, Treaties and Events

- International Convention on the Elimination of All Forms of Racial Discrimination, 21st December 1965
- The United Nations Convention Against Torture, 10th December 1984
- Resolution by the United Nations, Protecting Human Rights Defenders (A/HRC/22/L.13) adopted on 21st March 2013
- Resolution by the United Nations, ECOSOC Strengthening the Coordination of the Emergency Humanitarian Assistance of the United Nations (E/2008/SR45)

Evaluation of Previous Attempts to Resolve the Issue

Due to the fact that Arab countries are ruled using the principle of Islam and not a western based government, the human rights of their citizens are completely different. However international pressure has forced these Arab countries to give their citizens at least some form of basic human rights. Nevertheless, the efforts made by the governments of the Arab States are only theoretical where the rules and legislations are written on paper but

they are not enforced in real life. On top of that, cooperation between non-governmental organizations and the government eventually come to a stand-still due to the conflict of interest because of their different views on human rights.

Many other extraneous variables surrounding the countries make it difficult to achieve basic human rights. Such as the civil war in Syria and the wars between Egypt and Israel lead to human rights violations and the war followed by their outcomes show lack of ability between non-governmental and even between governmental human rights sections and organizations to provide assistance to them.

In the case of emergency humanitarian assistance or humanitarian assistance only, the Arab league coordinated meetings with non-governmental organizations such as the humanitarian forum to improve ways of providing aid in countries of the Arab league.

The major contributor from the Arab league of states is Saudi Arabia, where as stated above is one of the largest contributors of emergency humanitarian aid outside western countries. However their motives are not entirely known and on top of that, their system of accountability as well as efficiency is poor therefore the system is not clearly competent to provide long term relief to their fellow Arab states.

Possible Solutions

The main problem that causes human rights violations is the fact that Islam law dictates how citizens should be treated through the mean of the text, the Koran. These laws are ambiguous and lack clarity therefore in order to promote a clear sense of human rights; an international organization mainly focusing on Arab States could be created. This organization would clearly evaluate the Islamic law and educate the public of their findings clearly. Based on this, a framework to provide basic human rights between citizens will be implemented in the Arab States. This framework will address issues concerning women rights, illegal detention, torture of prisoners, workers' rights and other issues of this sort. As previous sections has showed how policies are enforced on paper but are practically disobeyed, a special taskforce under the international organization should be formed which allocates personnel to at least every Arab country and stay there for a period of time until the policies are implemented to ensure that the human rights of the citizens are protected. Rules should also be established to prosecute any country that violates this framework. These punishments can include economic sanctions against the country, international intervention



by other external organizations and disciplinary hearing in order to show how the situation may move forward.

The increase in corruption in Arab governments has made the following of rules difficult. More importantly, governments choose to make different decisions from ones that were assigned to them to prevent violations of human rights therefore the framework set within the Arab countries should allow clauses that permit random investigations and spot checks into the government of these countries. If any sign of corruption is found then the department will be put under a more detailed investigation and all decisions and actions made by the governments will be analyzed and if needed reversed.

To ensure that the human rights of Arab States are at par with those of international standards, international summits can be held every 2 years between countries and human rights organizations where human rights violations will be discussed. This will provide a platform to solve problems between countries and encourage cooperation between them.

In some Arab countries it is the governments that torture their citizens and others and give them unfair trials amongst other things. In order to prove that it is the government that is responsible, there needs to be a record of security forces in each Arab country. Technology can prove to be useful here where each police officer provides detailed reports of every investigation under full surveillance. They also need to be able to give their location at any time. For this to happen, the infrastructure needs to develop fully with cameras in every street and police officers having a tracking sensor on them.

In order for the arab states to have a multi-lateral emergency humanitarian assistance plan. Consistent meetings should be held between the countries in order to smoothen co-operation and increase diplomacy between the countries. This is the first step. To ensure further cooperation between Arab states, is to evaluate past situations and learn from previous experience to make sure processes run smoothly in the future.

The second step will be to set up a committee only for Arab states where they set up special protocol for special situations for example civil wars, natural disasters and more. A document should be signed including the protocol where all the Arab state vouch their cooperation to each other.

It would also be useful to assign each country in the Arab state a special job such as Saudi Arabia (the most financially able Arab state) should be in charge of delegating funds towards the rest of the countries. Furthermore, each proceeding and plan of action should have a contingency plan behind it in the event that it does not work.



As stated in the general overview, the reason to why most Arab states cannot support each other is that most of them are ruled as dictatorships. So once dictatorship is removed and democracy is used as a ruling method, the countries will have accountability and the government will be more efficient hence proving that they will be able to support their fellow Arab states. Dictatorship can be removed yet again with Arab countries supporting each other and holding peaceful demonstrations to encourage democracy.

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