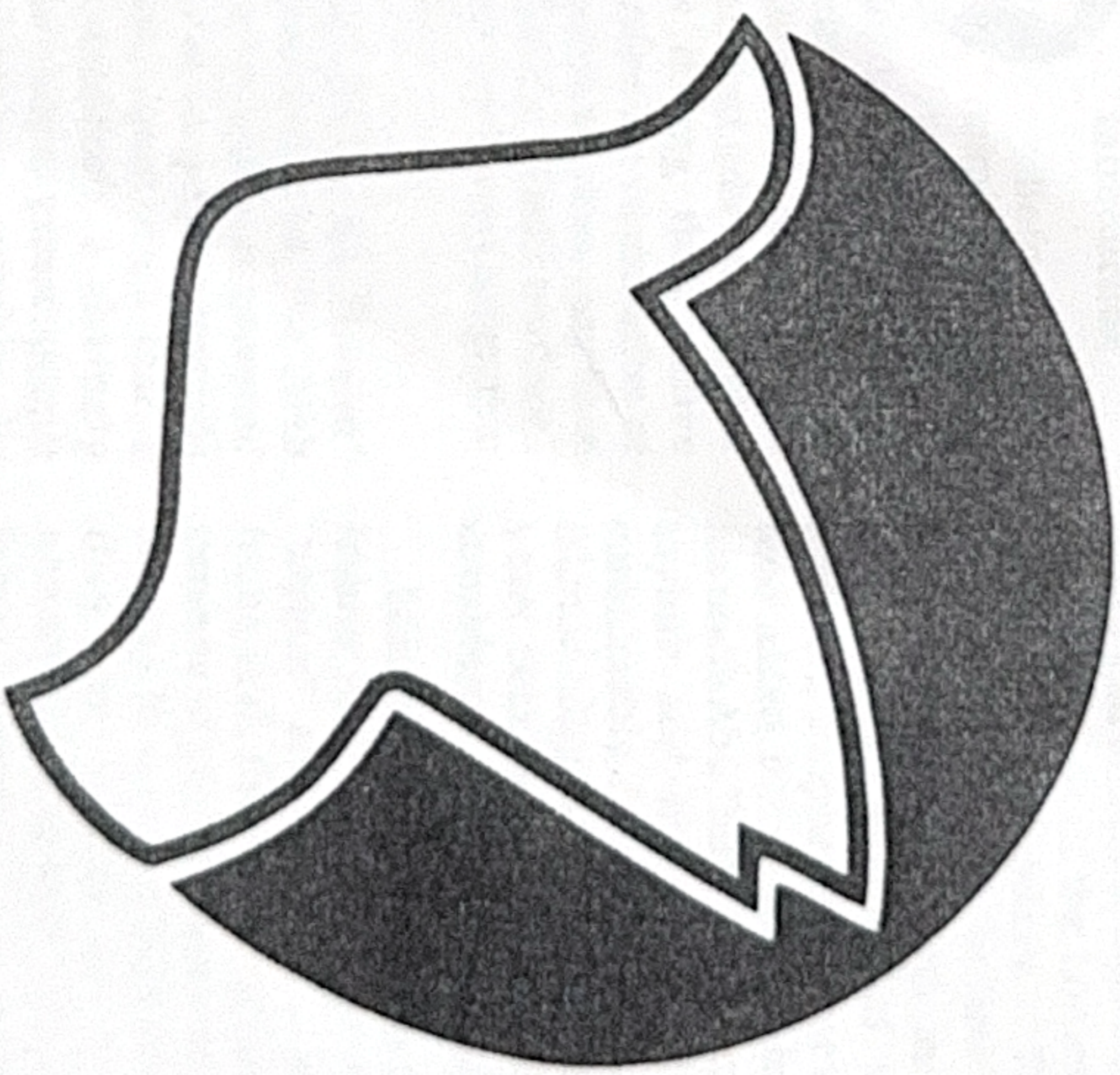


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the UN intervention because such intervention raises the question of erosion of state sovereignty. Be that as it is, the internally displaced persons continue to suffer human rights violations on different counts. It may be argued that even if such displaced persons receive governmental assistance for their rehabilitation and settlement,

the UN Human Rights Commission should monitor such displacements and ensure the restoration of their various human rights including their right to return and settle back in their natural environs. Moreover, human rights regimes need to address the issue of forced migrations which is the direct outcome of terrorist methods. ■

Asylum in the Arab World

Some Recent Instruments

KHADIJA ELMADMAD*



Introduction

Before the coming of Islam, most of the Arab tribal-kingdoms had traditional rules relating to extension of hospitality and reception of foreigners and other persecuted persons fleeing their native places. After the islamisation of the people in the area, they have adhered to the Islamic traditions and rules on Forced migration or "Hijra".

In fact, during the "Jahiliya" (the pre-Islamic era), the Arab society, in general was governed by rules of hospitality towards foreigners. Apart from that it was considered a divinely ordained duty to protect people seeking asylum, notably the refugees who were fleeing their places of origin out of fear of persecution; it was especially so

if they had sought refuge inside holy places or in the homes of community leaders. This tradition was called "al ijjara" or protecting persons who asked for asylum. Because of this tradition, Prophet Mohammed, who asked for protection from his uncle Abu Talib, was granted asylum and this helped him considerably in promoting the Islamic religion during the early years. Seeking asylum was then considered a "human right".

Islam also confirmed this pre-Islamic Arab tradition regarding "asylum" and gave it a legal framework. Providing asylum to persecuted persons who are not allowed to stay in places where they are unable to resist persecution and seek refuge in Islamic countries, as well as protecting such asylum seekers, has become, since then, an Islamic duty for all Moslems and

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